report incidents for reasons including fear of retaliation;

Whereas workplace harassment forces many women to leave their occupation or industry;

Whereas targets of harassment are 6.5 times as likely as individuals who are not targets to change jobs or pass up opportunities for advancement, contributing to the gender wage gap;

Whereas Black women were the most likely of all racial and ethnic groups to have filed a sexual harassment charge;

Whereas nearly two-thirds of workers that are paid the minimum wage or less are women and there is an overrepresentation of women of color in low-wage and tipped occupations;

Whereas 60 percent of private sector workers reported that they were either discouraged or prohibited by their employers from discussing wage and salary information, which can hide pay discrimination and prevent remedies;

Whereas the pay disparity Black women face is part of a wider set of disparities that Black women face in home ownership, unemployment, poverty, access to childcare, and the ability to accumulate wealth;

Whereas the gender wage gap for Black women has only narrowed by 5 cents in the last 2 decades;

Whereas true pay equity requires a multifaceted strategy that addresses the gender and racial injustices that Black women face daily;

Whereas the pandemic had a disproportionately negative economic impact on Black women; and

Whereas many national organizations have designated July 9, 2024, as Black Women's Equal Pay Day to represent the additional time that Black women must work to compensate for the lower wages paid to Black women in 2023: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the disparity in wages paid to Black women and its impact on women, families, and the United States; and

(2) reaffirms its support for ensuring equal pay for equal work and narrowing the gender and racial wage gaps.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2075. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2076. Mr. KING (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2077. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2078. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2079. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2080. Mr. MANCHIN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2081. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2082. Mr. HEINRICH (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2083. Ms. CANTWELL (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2084. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2085. Mr. SULLIVAN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2086. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2087. Mr. WARNOCK (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2088. Mr. WARNOCK (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2089. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2090. Mr. KING (for himself, Mr. CORNYN, Mr. KAINE, Mrs. SHAHEEN, Mr. ROUNDS, Ms. MURKOWSKI, Mr. CRAMER, Mr. SULLIVAN, Mr. MANCHIN, Mr. TILLIS, Ms. HIRONO, Mr. YOUNG, Mrs. FISCHER, Mr . BLUMENTHAL, Ms. COLLINS, Ms. ROSEN, and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2091. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2092. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2093. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2094. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2095. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2096. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2097. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2098. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2099. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2100. Mr. MARKEY (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2101. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2102. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2103. Mr. ROMNEY (for himself and Mr. KELLY) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2104. Mr. ROMNEY (for himself, Mr. KAINE, Mr. HAGERTY, Mr. BENNET, Mr. HICKENLOOPER, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2105. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2106. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2107. Mr. ROMNEY (for himself, Ms. CORTEZ MASTO, Mr. LANKFORD, Mr. BROWN, Mr. CORNYN, and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2108. Mr. ROMNEY (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2109. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2110. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2111. Mr. ROMNEY (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2112. Mr. ROMNEY (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2113. Mr. CARDIN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2114. Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 2115. Mr. CORNYN (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2075. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DRINKING WATER WELL REPLACEMENT FOR CHINCOTEAGUE, VIRGINIA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the National Aeronautics and Space Administration may enter into one or more agreements with the Town of Chincoteague, Virginia, to reimburse the costs of the Town of Chincoteague directly associated with the removal of drinking water wells located on property administered by the National Aeronautics and Space Administration and the establishment of alternative drinking water wells on property under the administrative control, through lease, ownership, or easement, of the Town of Chincoteague.

(b) DURATION.—An agreement entered into under subsection (a) shall not exceed a period of 5 years.

SA 2076. Mr. KING (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ESTABLISHMENT OF VETERANS EXPERIENCE OFFICE.

(a) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 325. Veterans Experience Office

''(a) ESTABLISHMENT.—There is established in the Department within the Office of the Secretary an office to be known as the 'Veterans Experience Office' (hereinafter referred to as the 'Office' in this section).

''(b) HEAD OF OFFICE.—(1) The head of the Office shall be the Chief Veterans Experience Officer.

''(2) The Chief Veterans Experience Officer shall—

''(A) be appointed by the Secretary from among individuals the Secretary considers qualified to perform the duties of the position; and

''(B) report directly to the Secretary.

''(c) FUNCTION.—The functions of the Office are as follows:

''(1) To carry out the key customer experience initiatives of the Department, including setting the customer experience strategy, framework, policy, and other guidance for the Department.

''(2) Requiring the heads of other organizations and offices within the Department to report regularly on customer experience metrics, action plans, and other customer experience improvement efforts.

''(3) To carry out such other functions relating to customer experience as the Secretary considers appropriate.

''(d) STAFF AND RESOURCES.—(1) The Secretary shall ensure that the Office has such staff, resources, and access to customer experience information as may be necessary to carry out the functions of the Office.

''(2) Funds available for basic pay and other administrative expenses of other Department organizations shall also be available to reimburse the Office for all services provided at rates which will recover actual costs for services provided to such organizations.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 3 of such title is amended by adding at the end the following new item:

''325. Veterans Experience Office.''.

SA 2077. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REINSTATEMENT OF ENTITLEMENT TO POST-9/11 EDUCATIONAL ASSISTANCE FOR VICTIMS OF SEXUAL ASSAULT OR DOMESTIC VIOLENCE.

(a) IN GENERAL.—Chapter 33 of title 38, United States Code, is amended by inserting after section 3319, the following:

"§ 3319A. Victims of sexual assault and domestic violence; authority to retain transferred education benefits

''(a) REINSTATEMENT OF EDUCATIONAL ASSISTANCE.—The Secretary concerned may, subject to regulations prescribed by the Secretary of Defense and the Secretary of Homeland Security in coordination with the Secretary of Veterans Affairs, reinstate terminated educational assistance payments that were transferred to a spouse or a dependent child under section 3319 of this title if the Secretary concerned determines that the proximate cause for the termination of payment is—

''(1) the administrative separation or conviction by a court martial, or by civilian, Tribal, or State court, of a covered individual for a dependent-abuse offense; and

''(2) the administrative separation or conviction resulted in a discharge characterization of the covered individual that does not meet the requirements of section 3311(c) of this title.

''(b) APPLICATION.—(1) A spouse or dependent child described in subsection (a) seeking reinstatement of terminated educational assistance payments for a termination described in such subsection shall apply for such reinstatement.

''(2) An application under paragraph (1) shall include sufficient information to substantiate that a spouse or dependent child was the victim of dependent-abuse that resulted in a discharge characterization that does not meet the requirements of section 3311(c) of this title.

''(3) The Secretary shall consult with veterans service organizations to ensure that the application process under this subsection is trauma-informed.

''(c) LIMITATION.—Reinstated payments shall not exceed any unused portion of the educational benefits that were transferred to a spouse or dependent child pursuant to section 3319 of this title that remain unobligated at the time of discharge of the covered member.

''(d) DETERMINATION BY THE SECRETARY CONCERNED.—The Secretary concerned may determine that the proximate cause of termination of education benefits is dependent-abuse, as specified in regulations prescribed in subsection (e), only if—

''(1) the record for the administrative separation establishes, by a preponderance of evidence presented, that the covered individual perpetrated a dependent-abuse offense; or

''(2) the covered individual is convicted of a dependent-abuse offense.

''(e) REVIEW OF DETERMINATIONS.—(1) The Secretary of Defense and the Secretary of Homeland Security shall, in coordination with the Secretary of Veterans Affairs, establish procedures by which a spouse or dependent child whose application for reinstatement of terminated educational assistance under subsection (b) is denied by the Secretary concerned may request the applicable Secretary review the application and denial.

''(2) Pursuant to a review by the Secretary of Defense or the Secretary of Homeland Security under paragraph (1) of an application and denial, the Secretary of Defense or the Secretary of Homeland Security, as the case may be, may overturn the denial if the Secretary determines such denial was made in error.

''(3) The Secretary receiving a request for a review of an application and denial pursuant to the procedures required by paragraph (1) shall review the application and denial and respond to the request not later than 30 days after receiving the request.

''(4) The Secretary of Defense and the Secretary of Homeland Security shall, in coordination with the Secretary of Veterans Affairs, develop and make available to the public guidance on how a spouse or dependent child may request a review pursuant to the procedures established under paragraph (1).

''(f) REGULATIONS.—(1) The Secretary of Defense and the Secretary of Homeland Security, in coordination with the Secretary of Veterans Affairs, shall prescribe regulations to carry out this section.

''(2) Regulations under paragraph (1) shall include the following:

''(A) The procedure for application of reinstatement of education benefits.

''(B) The criminal offenses, or categories of offenses, under the Uniform Code of Military Justice (chapter 47 of title 10), Federal criminal law, the criminal laws of the States and other jurisdictions of the United States, and the laws of other nations that are to be considered dependent-abuse offenses for the purposes of this section.

''(g) BAR TO DUPLICATION OF EDUCATIONAL ASSISTANCE BENEFITS.—An individual entitled to education assistance under this chapter who is also eligible for educational assistance under chapter 30, 31, 32, or 35 of this title, chapter 107, 1606, or 1607 or section 510 of title 10, may not receive assistance under two or more such program concurrently, but shall elect (in such form and manner as the Secretary may prescribe) under which section to receive educational assistance.

''(h) DEFINITIONS.—In this section:

''(1) The term 'covered individual' means a member of the Armed Forces described in section 3311(b) of this title.

''(2) The term 'dependent-abuse offense' means conduct by a covered individual while a member of the Armed Forces on active duty for a period of more than 30 days that—

''(A) involves abuse of the spouse or a dependent child of the member; and

''(B) is a criminal offense specified in regulations prescribed under subsection (e).

''(3) The term 'dependent child' has the meaning given such term in section 1408(h) of title 10.

''(4) The term 'spouse' means a person who was the beneficiary of transferred educational assistance payments at the time of discharge of a covered individual, who—

''(A) was married to the covered individual; or

''(B) divorced such individual prior to discharge for, as determined by the Secretary concerned, reasons relating to a dependent abuse-offense that resulted in a discharge characterization that does not meet the requirements of section 3311(c) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 33 of such title is amended by inserting after the item relating to section 3319 the following new item:

''Sec. 3319A. Victims of sexual assault and domestic violence; authority to retain transferred education benefits .''.

SA 2078. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEPARTMENT OF VETERANS AFFAIRS HIGH TECHNOLOGY PROGRAM.

(a) HIGH TECHNOLOGY PROGRAM.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3699C. High technology program

''(a) ESTABLISHMENT.—(1) The Secretary shall carry out a program under which the Secretary provides covered individuals with the opportunity to enroll in high technology programs of education that the Secretary determines provide training or skills sought by employers in a relevant field or industry.

''(2) Not more than 6,000 covered individuals may participate in the program under this section in any fiscal year.

''(b) AMOUNT OF ASSISTANCE.—(1) The Secretary shall provide, to each covered individual who pursues a high technology program of education under this section, educational assistance in amounts equal to the amounts provided under section 3313(c)(1) of this title, including with respect to the housing stipend described in that section and in accordance with the treatment of programs that are distance learning and programs that are less than half-time.

''(2) Under paragraph (1), the Secretary shall provide such amounts of educational assistance to a covered individual for each of the following:

''(A) A high technology program of education.

''(B) A second such program if—

''(i) the second such program begins at least 18 months after the covered individual graduates from the first such program; and

''(ii) the covered individual uses educational assistance under chapter 33 of this title to pursue the second such program.

''(3) No covered individual may receive a housing stipend under this subsection for any month if such individual is in receipt of a housing stipend under chapter 33 of this title for that month.

''(c) CONTRACTS.—(1) For purposes of carrying out subsection (a), the Secretary shall seek to enter into contracts with any number of qualified providers of high technology programs of education for the provision of such programs to covered individuals. Each such contract shall provide for the conditions under which the Secretary may terminate the contract with the provider and the procedures for providing for the graduation of students who were enrolled in a program provided by such provider in the case of such a termination.

''(2) A contract under this subsection shall provide that the Secretary shall pay to a provider—

''(A) upon the enrollment of a covered individual in the program, 25 percent of the cost of the tuition and other fees for the program of education for the individual;

''(B) upon graduation of the individual from the program, 25 percent of such cost; and

''(C) 50 percent of such cost upon—

''(i) the successful employment of the covered individual for a period—

''(I) of 180 days in the field of study of the program; and

''(II) that begins not later than 180 days following graduation of the covered individual from the program;

''(ii) the employment of the individual by the provider for a period of one year; or

''(iii) the enrollment of the individual in a program of education to continue education in such field of study.

''(3) For purposes of this section, a provider of a high technology program of education is qualified if—

''(A) the provider employs instructors whom the Secretary determines are experts in their respective fields in accordance with paragraph (5);

''(B) the provider has successfully provided the high technology program for at least one year;

''(C) the provider does not charge tuition and fees to a covered individual who receives assistance under this section to pursue such program that are higher than the tuition and fees charged by such provider to another individual; and

''(D) the provider meets the approval criteria developed by the Secretary under paragraph (4).

''(4)(A) The Secretary shall prescribe criteria for approving providers of a high technology program of education under this section.

''(B) In developing such criteria, the Secretary may consult with State approving agencies.

''(C) Such criteria are not required to meet the requirements of section 3672 of this title.

''(D) Such criteria shall include the job placement rate, in the field of study of a program of education, of covered individuals who complete such program of education.

''(5) The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

''(A) identify professions in need of new employees to hire, tailor the programs to meet market needs, and identify the employers likely to hire graduates;

''(B) effectively teach the skills offered to covered individuals;

''(C) provide relevant industry experience in the fields of programs offered to incoming covered individuals; and

''(D) demonstrate relevant industry experience in such fields of programs.

''(6) In entering into contracts under this subsection, the Secretary shall give preference to a provider of a high technology program of education—

''(A) from which at least 70 percent of graduates find full-time employment in the field of study of the program during the 180-day period beginning on the date the student graduates from the program; or

''(B) that offers tuition reimbursement for any student who graduates from such a program and does not find employment described in subparagraph (A).

''(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a covered individual enrolled in a high technology program of education under this section has remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, entitlement of the individual to educational assistance under this section shall be charged at the rate of one month of such remaining entitlement for each such month of educational assistance under this section.

''(2) If a covered individual enrolled in a high technology program of education under this section does not have remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, any educational assistance provided to such individual under this section shall be provided in addition to the entitlement that the individual has used.

''(3) The Secretary may not consider enrollment in a high technology program of education under this section to be assistance under a provision of law referred to in section 3695 of this title.

''(4)(A) An application for enrollment in a high technology program of education under this section shall include notice of the requirements relating to use of entitlement under paragraphs (1) and (2), including—

''(i) in the case of the enrollment of an individual referred to under paragraph (1), the amount of entitlement that is typically charged for such enrollment;

''(ii) an identification of any methods that may be available for minimizing the amount of entitlement required for such enrollment; and

''(iii) an element requiring applicants to acknowledge receipt of the notice under this subparagraph.

''(B) If the Secretary approves the enrollment of a covered individual in a high technology program of education under this section, the Secretary shall deliver electronically to the individual an award letter that provides notice of such approval and includes specific information describing how paragraphs (1) and (2) will be applied to the individual if the individual chooses to enroll in the program.

''(e) REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS.—(1) The Secretary shall not approve the enrollment of any covered individual, not already enrolled, in any high technology programs of education under this section for any period during which the Secretary finds that more than 85 percent of the students enrolled in the program are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs under this title or under chapter 1606 or 1607 of title 10, except with respect to tuition, fees, or other charges that are paid under a payment plan at an educational institution that the Secretary determines has a history of offering payment plans that are completed not later than 180 days after the end of the applicable term, quarter, or semester.

''(2) The Secretary may waive a requirement of paragraph (1) if the Secretary determines, pursuant to regulations which the Secretary shall prescribe, such waiver to be in the interest of the covered individual and the Federal Government. Not later than 30 days after the Secretary waives such a requirement, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such waiver.

''(3)(A)(i) The Secretary shall establish and maintain a process by which an educational institution may request a review of a determination that the educational institution does not meet the requirements of paragraph (1).

''(ii) The Secretary may consult with a State approving agency regarding such process or such a review.

''(iii) Not later than 180 days after the Secretary establishes or revises a process under this subparagraph, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such process.

''(B) An educational institution that requests a review under subparagraph (A)—

''(i) shall request the review not later than 30 days after the start of the term, quarter, or semester for which the determination described in subparagraph (A) applies; and

''(ii) may include any information that the educational institution believes the Department should have taken into account when making the determination, including with respect to any mitigating circumstances.

''(f) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this section, and annually thereafter until the termination date specified in subsection (i), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the operation of programs under this section during the year covered by the report. Each such report shall include each of the following:

''(1) The number of covered individuals enrolled in the program, disaggregated by type of educational institution, during the year covered by the report.

''(2) The number of covered individuals who completed a high technology program of education under the program during the year covered by the report.

''(3) The average employment rate of covered individuals who completed such a program of education during such year, as of 180 days after the date of completion.

''(4) The average length of time between the completion of such a program of education and employment.

''(5) The total number of covered individuals who completed a program of education under the program and who, as of the date of the submission of the report, are employed in a position related to technology.

''(6) The average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology, in various geographic areas determined by the Secretary.

''(7) The average salary of all individuals employed in positions related to technology in the geographic areas determined under subparagraph (F), and the difference, if any, between such average salary and the average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology.

''(8) The number of covered individuals who completed a program of education under the program and who subsequently enrolled in a second program of education under the program.

''(g) COLLECTION OF INFORMATION; CONSULTATION.—(1) The Secretary shall develop practices to use to collect information about covered individuals and providers of high technology programs of education.

''(2) For the purpose of carrying out program under this section, the Secretary may consult with providers of high technology programs of education and may establish an advisory group made up of representatives of such providers, private employers in the technology field, and other relevant groups or entities, as the Secretary determines necessary.

''(h) DEFINITIONS.—In this section:

''(1) The term 'covered individual' means any of the following:

''(A) A veteran whom the Secretary determines—

''(i) served an aggregate of at least 36 months on active duty in the Armed Forces (including service on active duty in entry level and skill training) and was discharged or released therefrom under conditions other than dishonorable; and

''(ii) has not attained the age of 62.

''(B) A member of the Armed Forces that the Secretary determines will become a veteran described in subparagraph (A) fewer than 180 days after the date of such determination.

''(2) The term 'high technology program of education' means a program of education—

''(A) offered by a public or private educational institution;

''(B) if offered by an institution of higher learning, that is provided directly by such institution rather than by an entity other than such institution under a contract or other agreement;

''(C) that does not lead to a degree;

''(D) that has a term of not less than six and not more than 28 weeks; and

''(E) that provides instruction in computer programming, computer software, media application, data processing, or information sciences.

''(i) TERMINATION.—The authority to carry out a program under this section shall terminate on September 30, 2028.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3699B the following new item:

''3699C. High technology program.''.

(b) EFFECT ON HIGH TECHNOLOGY PILOT PROGRAM.—Section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3001 note) is amended—

(1) by amending subsection (d) to read as follows:

''(d) HOUSING STIPEND.—

''(1) IN GENERAL.—Except as provided under paragraph (2), the Secretary shall pay to each eligible veteran (not including an individual described in the second sentence of subsection (b)) who is enrolled in a high technology program of education under the pilot program on a full-time or part-time basis a monthly housing stipend equal to the product—

''(A) of—

''(i) in the case of a veteran pursuing resident training, the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E–5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the campus of the institution where the individual physically participates in a majority of classes; or

''(ii) in the case of a veteran pursuing a program of education through distance learning, a monthly amount equal to 50 percent of the national average of the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E–5, multiplied by

''(B) the lesser of—

''(i) 1.0; or

''(ii) the number of course hours borne by the individual in pursuit of the program of education involved, divided by the minimum number of course hours required for full-time pursuit of such program of education, rounded to the nearest multiple of 10.

''(2) BAR TO DUAL ELIGIBILITY.—No covered individual may receive a housing stipend under this subsection for any month if such individual is in receipt of a housing stipend under chapter 33 ot title 38, United States Code, for that month.'';

(2) in subsection (g), by striking paragraph (6); and

(3) by striking subsection (h) and inserting the following new subsection (h):

''(h) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2023.''.

(c) APPROVAL OF CERTAIN HIGH TECHNOLOGY PROGRAMS.—Section 3680A of title 38, United States Code, is amended—

(1) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) Any independent study program except—

''(A) an independent study program (including such a program taken over open circuit television) that—

''(i) is accredited by an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b);

''(ii) leads to—

''(I) a standard college degree;

''(II) a certificate that reflects educational attainment offered by an institution of higher learning; or

''(III) a certificate that reflects graduation from a course of study offered by—

''(aa) an area career and technical education school (as defined in subparagraphs (C) and (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3))) that provides education at the postsecondary level; or

''(bb) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level; and

''(iii) in the case of a program described in clause (ii)(III)—

''(I) provides training aligned with the requirements of employers in the State or local area where the program is located, which may include in-demand industry sectors or occupations;

''(II) provides a student, upon graduation from the program, with a recognized postsecondary credential that is recognized by employers in the relevant industry, which may include a credential recognized by industry or sector partnerships in the State or local area where the industry is located; and

''(III) meets such content and instructional standards as may be required to comply with the criteria under sections 3676(c)(14) and (15) of this title; or

''(B) an online high technology program of education (as defined in subsection (h)(2) of section 3699C of this title)—

''(i) the provider of which has entered into a contract with the Secretary under subsection (c) of such section;

''(ii) that has been provided to covered individuals (as defined in subsection (h)(1) of such section) under such contract for a period of at least five years;

''(iii) regarding which the Secretary has determined that the average employment rate of covered individuals who graduated from such program of education is 65 percent or higher for the year preceding such determination; and

''(iv) that satisfies the requirements of subsection (e) of such section.''; and

(2) in subsection (d), by adding at the end the following:

''(8) Paragraph (1) shall not apply to the enrollment of a veteran in an online high technology program described in subsection (a)(4)(B).''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (c) shall take effect on October 1, 2023.

SA 2079. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for

other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PRESENTATION TO PROMOTE BENEFITS AVAILABLE TO VETERANS IN PRESEPARATION COUNSELING UNDER THE TRANSITION ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(20) A presentation that promotes the benefits available to veterans under the laws administered by the Secretary of Veterans Affairs. Such presentation—

''(A) shall be standardized;

''(B) shall, before implementation, be reviewed and approved by the Secretary of Veterans Affairs in collaboration with veterans service organizations that provide claims assistance under the benefits delivery at discharge program of the Department of Veterans Affairs;

''(C) shall be submitted by the Secretary of Veterans Affairs to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives for review at least 90 days before implementation;

''(D) where available, shall be presented with the participation of—

''(i) a representative of a veterans service organization recognized under section 5902 of title 38; or

''(ii) an individual—

''(I) recognized under section 5903 of such title; and

''(II) authorized by the Secretary concerned to so participate;

''(E) shall include information on how a veterans service organization may assist the member in filing a claim described in paragraph (19);

''(F) may not encourage the member to join a particular veterans service organization; and

''(G) may not exceed one hour in duration.''.

(b) ANNUAL REPORT.—Not less than frequently than once each year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report that—

(1) identifies each veterans service organization that participated in a presentation under paragraph (20) of section 1142(b) of title 10, United States Code, as added by subsection (a);

(2) contains the number of members of the Armed Forces who attended such presentations; and

(3) includes any recommendations of the Secretary regarding changes to such presentation or to such paragraph.

SA 2080. Mr. MANCHIN (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1239. EXPANSION OF FORFEITED PROPERTY AVAILABLE TO REMEDIATE HARMS TO UKRAINE FROM RUSSIAN AGGRESSION.

(a) IN GENERAL.—Section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023 (division M of Public Law 117–328; 136 Stat. 5200) is amended—

(1) in subsection (a), by inserting ''from any forfeiture fund'' after ''The Attorney General may transfer''; and

(2) in subsection (c)—

(A) in paragraph (2), by striking ''which property belonged'' and all that follows and inserting the following: ''which property—

''(A) belonged to, was possessed by, or was controlled by a person the property or interests in property of which were blocked pursuant to any covered legal authority;

''(B) was involved in an act in violation of, or a conspiracy or scheme to violate or cause a violation of—

''(i) any covered legal authority; or

''(ii) any restriction on the export, reexport, or in-country transfer of items imposed by the United States under the Export Administration Regulations, or any restriction on the export, reexport, or retransfer of defense articles under the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, with respect to—

''(I) the Russian Federation, Belarus, the Crimea region of Ukraine, or the so-called Donetsk and Luhansk People's Republic regions of Ukraine;

''(II) any person in any such country or region on a restricted parties list; or

''(III) any person located in any other country that has been added to a restricted parties list in connection with the malign conduct of the Russian Federation in Ukraine, including the annexation of the Crimea region of Ukraine in March 2014 and the invasion beginning in February 2022 of Ukraine, as substantially enabled by Belarus; or

''(C) was involved in any related conspiracy, scheme, or other Federal offense arising from the actions of, or doing business with or acting on behalf of, the Russian Federation, Belarus, or the Crimea region of Ukraine, or the so-called Donetsk and Luhansk People's Republic regions of Ukraine.''; and

(B) by adding at the end the following:

''(3) The term 'covered legal authority' means any license, order, regulation, or prohibition imposed by the United States under the authority provided by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law, with respect to—

''(A) the Russian Federation;

''(B) the national emergency—

''(i) declared in Executive Order 13660 (50 U.S.C. 1701 note; relating to blocking property of certain persons contributing to the situation in Ukraine);

''(ii) expanded by—

''(I) Executive Order 13661 (50 U.S.C. 1701 note; relating to blocking property of additional persons contributing to the situation in Ukraine); and

''(II) Executive Order 13662 (50 U.S.C. 1701 note; relating to blocking property of additional persons contributing to the situation in Ukraine); and

''(iii) relied on for additional steps taken in Executive Order 13685 (50 U.S.C. 1701 note; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine);

''(C) the national emergency, as it relates to the Russian Federation—

''(i) declared in Executive Order 13694 (50 U.S.C. 1701 note; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities); and

''(ii) relied on for additional steps taken in Executive Order 13757 (50 U.S.C. 1701 note; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities);

''(D) the national emergency—

''(i) declared in Executive Order 14024 (50 U.S.C. 1701 note; relating to blocking property with respect to specified harmful foreign activities of the Government of the Russian Federation);

''(ii) expanded by Executive Order 14066 (50 U.S.C. 1701 note; relating to prohibiting certain imports and new investments with respect to continued Russian Federation efforts to undermine the sovereignty and territorial integrity of Ukraine); and

''(iii) relied on for additional steps taken in—

''(I) Executive Order 14039 (22 U.S.C. 9526 note; relating to blocking property with respect to certain Russian energy export pipelines);

''(II) Executive Order 14068 (50 U.S.C. 1701 note; relating to prohibiting certain imports, exports, and new investment with respect to continued Russian Federation aggression); and

''(III) Executive Order 14071 (50 U.S.C. 1701 note; relating to prohibiting new investment in and certain services to the Russian Federation in response to continued Russian Federation aggression); and

''(iv) which may be expanded or relied on in future Executive orders; or

''(E) actions or policies that undermine the democratic processes and institutions in Ukraine or threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine.

''(4) The term 'Export Administration Regulations' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

''(5) The term 'restricted parties list' means any of the following lists maintained by the Bureau of Industry and Security:

''(A) The Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.

''(B) The Denied Persons List maintained pursuant to section 764.3(a)(2) of the Export Administration Regulations.

''(C) The Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.''.

(b) SEMIANNUAL REPORTS.—Such section is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

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

''(c) Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2025, and every 180 days thereafter, the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on progress made in remediating the harms of Russian aggression toward Ukraine as a result of transfers made under subsection (a).''.

(c) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit to the appropriate congressional committees a plan for using the authority provided by section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023, as amended by this section.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term by section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023, as amended by this section.

SA 2081. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIMITATIONS ON EXCEPTING POSITIONS FROM COMPETITIVE SERVICE AND TRANSFERRING POSITIONS.

(a) DEFINITIONS.—In this section—

(1) the term ''agency'' means any department, agency, or instrumentality of the Federal Government;

(2) the term ''competitive service'' has the meaning given the term in section 2102 of title 5, United States Code;

(3) the term ''Director'' means the Director of the Office of Personnel Management; and

(4) the term ''excepted service'' has the meaning given the term in section 2103 of title 5, United States Code.

(b) LIMITATIONS.—A position in the competitive service may not be excepted from the competitive service unless that position is placed—

(1) in any of schedules A through E, as described in section 6.2 of title 5, Code of Federal Regulations, as in effect on September 30, 2020; and

(2) under the terms and conditions under part 6 of title 5, Code of Federal Regulations, as in effect on September 30, 2020.

(c) TRANSFERS.—

(1) WITHIN EXCEPTED SERVICE.—A position in the excepted service may not be transferred to any schedule other than a schedule described in subsection (b)(1).

(2) OPM CONSENT REQUIRED.—An agency may not transfer any occupied position from the competitive service or the excepted service into schedule C of subpart C of part 213 of title 5, Code of Federal Regulations, or any successor regulations, without the prior consent of the Director.

(3) LIMIT DURING PRESIDENTIAL TERM.—During any 4-year presidential term, an agency may not transfer from a position in the competitive service to a position in the excepted service the greater of the following:

(A) A total number of employees that is more than 1 percent of the total number of employees employed by that agency, as of the first day of that presidential term.

(B) 5 employees.

(4) EMPLOYEE CONSENT REQUIRED.—Notwithstanding any other provision of this section—

(A) an employee who occupies a position in the excepted service may not be transferred to an excepted service schedule other than the schedule in which that position is located without the prior written consent of the employee; and

(B) an employee who occupies a position in the competitive service may not be transferred to the excepted service without the prior written consent of the employee.

(d) OTHER MATTERS.—

(1) APPLICATION.—Notwithstanding section 7425(b) of title 38, United States Code, this section shall apply to a position under chapter 73 or 74 of that title.

(2) REPORT.—Not later than March 15 of each calendar year, the Director shall submit to Congress a report on the immediately preceding calendar year that lists—

(A) each position that, during the year covered by the report, was transferred from the competitive service to the excepted service and a justification as to why each such position was so transferred; and

(B) any violation of this section that occurred during the year covered by the report.

(e) REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Director shall issue regulations to implement this section.

SA 2082. Mr. HEINRICH (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—GOOD SAMARITAN REMEDIATION OF ABANDONED HARDROCK MINES ACT OF 2024

SEC. 5001. SHORT TITLE.

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

SEC. 5002. DEFINITIONS.

In this division:

(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 division.

(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 5004(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 5004(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. 5003. SCOPE.

Nothing in this division—

(1) except as provided in section 5004(n), reduces any existing liability under Federal, State, or local law;

(2) except as provided in section 5004(n), releases any person from liability under Federal, State, or local law, except in compliance with this division;

(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 division.

SEC. 5004. 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 division.

(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 division 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 division.

(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 division; or

(ii) covered by any waiver of liability provided by this division 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 division;

(iv) any remaining proceeds are deposited into the appropriate Good Samaritan Mine Remediation Fund established by section 5005(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 division;

(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 division, nothing in this division, 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 division.

(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. 5005. 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 5004(f)(4)(B)(iv);

(3) any financial assurance funds collected from an agreement described in section 5004(m)(1)(A)(vi)(V)(bb);

(4) any funds collected for long-term operations and maintenance under an agreement under section 5004(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 division 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 division.

SEC. 5006. 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 division.

(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 division; 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 division; 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 division; and

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

SA 2083. Ms. CANTWELL (for herself and Mr. CASSIDY) submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1095. HEALTH ENGAGEMENT HUB DEMONSTRATION PROGRAM UNDER MEDICAID.

(a) IN GENERAL.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following new subsection:

''(cc) HEALTH ENGAGEMENT HUB DEMONSTRATION PROGRAM.—

''(1) AUTHORITY.—The Secretary shall conduct a demonstration program (referred to in this subsection as the 'demonstration program') for the purpose of increasing access to treatment for opiate use disorder and other drug use treatment through the establishment of Health Engagement Hubs that meet the criteria published by the Secretary under paragraph (2)(A).

''(2) PUBLICATION OF GUIDANCE.—Not later than 6 months after the date of enactment of this subsection, the Secretary shall publish the following:

''(A) CERTIFICATION CRITERIA.—The criteria described in paragraph (3) for an organization to be certified by a State as a Health Engagement Hub for purposes of participating in the demonstration program.

''(B) PROSPECTIVE PAYMENT SYSTEM.—Guidance for States selected to participate in the demonstration program to use to establish a prospective payment system for services permitted under paragraph (3)(B) that are provided by a certified Health Engagement Hub participating in the demonstration program.

''(3) CRITERIA FOR CERTIFICATION OF HEALTH ENGAGEMENT HUBS.—

''(A) GENERAL REQUIREMENTS.—In order to be certified as a Health Engagement Hub, an organization shall—

''(i) demonstrate that the organization is able to serve as an all-in-one location where individuals who are eligible for medical assistance under a State plan under this title or under a waiver of such plan who seek treatment for opiate use disorder or other drug use may access a range of social and medical services, in a drop-in manner and without prior appointment or proof of payment;

''(ii) provide the services specified in subparagraph (B) (in a manner reflecting person-centered care) which, if not available directly through the organization, shall be provided through formal relationships with other providers;

''(iii) demonstrate that in selecting the location for the Health Engagement Hub, the organization prioritized placement in communities disproportionately impacted by overdose, health issues, and other harms related to drug use, as well as areas that are medically underserved, rural, geographically isolated areas, tribal areas, or urban centers with under-resourced behavioral health infrastructure, including disadvantaged communities based on race, individuals experiencing homelessness, and communities negatively impacted by the criminal-legal system;

''(iv) give priority to establishing or adopting evidence-based models to increase engagement or improve outcomes for individuals with active, ongoing substance use, such as social work empowerment models approved by the Secretary, motivational interviewing models approved by the Secretary, or shared decision making models approved by the Secretary; and

''(v) meet—

''(I) the minimum staffing requirements described in subparagraph (C);

''(II) the experience requirement described in subparagraph (D); and

''(III) the community advisory board requirement described in subparagraph (E).

''(B) SCOPE OF SERVICES.—The services specified in this subparagraph are the following:

''(i) REQUIRED SERVICES.—

''(I) Harm reduction services and supplies provided directly by the organization or under an arrangement with an organization that offers harm reduction services (which may include a syringe service program, a Federally-qualified health center, a community health center, a Tribal health program, or an opioid treatment program that offers such services), that include—

''(aa) overdose education and naloxone distribution;

''(bb) safer drug use education and supplies;

''(cc) safer-sex supplies;

''(dd) emotional support and counseling services to reduce harms associated with substance use, including trauma-informed care; and

''(ee) access or referral to medications and drugs approved by the Food and Drug Administration for treatment of opioid use disorder with a strong evidence base of significantly reducing mortality (such as methadone and buprenorphine) and other substances, including stimulants, within 4 hours.

''(II) Substance use disorder screening and brief intervention.

''(III) Patient-centered and patient-driven physical and behavioral health care that has walk-in availability, is offered during nontraditional hours, including evenings and weekends, and includes—

''(aa) shared decision making for patients and providers for opioid use disorder, stimulant use disorder, or both, under which a patient and provider discuss the patient's diagnosis and condition together and evaluate treatment options together;

''(bb) primary mental health and substance use disorder services, including screening, assessment, and referrals to higher levels of care;

''(cc) wound care;

''(dd) infectious disease vaccination, screening, testing, and, to the extent practicable, treatment (including for HIV, sexually transmitted infections, and hepatitis testing and treatment);

''(ee) access or referral to sexual and reproductive health services;

''(ff) assessment and linkage or referrals to psychiatric services and other specialty care; and

''(gg) secure medication storage and inventory policies and procedures for patients experiencing homelessness or housing insecurity.

''(IV) Care coordination, complex case management, and other case management, care navigation, and care coordination services that may include—

''(aa) education and assistance with obtaining housing, transportation, and other public assistance benefits, including enrollment in the State plan under this title or under a waiver of such plan;

''(bb) identification services (such as assistance with obtaining a government-recognized form of identification);

''(cc) employment counseling;

''(dd) recovery support counseling;

''(ee) family reunification services; and

''(ff) criminal-legal services.

''(V) All services that may be provided under the Outreach Site/Street Place of Service code (POS Code 27 as of October 1, 2023) (or a successor place of service code).

''(VI) Community health outreach and navigation services to engage with and conduct outreach to community members that is provided by outreach and engagement staff described in subparagraph (C)(i)(IV).

''(ii) OPTIONAL SERVICES.—

''(I) Services and supplies to meet basic needs, including food, clothing, and hygiene supplies.

''(II) Evidence-based and culturally appropriate behavioral health services.

''(III) Medication management for physical and mental health conditions.

''(C) MINIMUM STAFFING REQUIREMENTS.—

''(i) IN GENERAL.—The minimum staffing requirements specified in this subparagraph are the following:

''(I) At least 1 part-time or full-time health care provider who is licensed to practice in the State and is licensed, registered, or otherwise permitted, by the United States to prescribe controlled substances (as defined in section 102 of the Controlled Substances Act) in the course of professional practice.

''(II) At least 1 part-time or full-time registered professional nurse or licensed practical nurse who can provide medication management, medical case management, care coordination, wound care, vaccine administration, and community-based outreach.

''(III) At least 1 part-time or full-time licensed behavioral health staff who is qualified to assess and provide counseling and treatment recommendations for substance use and mental health diagnoses.

''(IV) Full-time outreach, engagement, and ongoing care navigation staff, including peer counselors, community health workers, and recovery coaches. At least 50 percent of such staff shall be individuals with a personal history of drug use.

''(ii) STAFFING THROUGH ARRANGEMENTS WITH PARTNER AGENCIES.—An organization may enter into an arrangement with a partner agency, such as a Federally-qualified health center, to satisfy the minimum staffing requirements specified in clause (i).

''(D) EXPERIENCE.—An organization shall have a demonstrated history of at least 12 months of service provision to individuals who use drugs, including those who continue with substance use while receiving health and social services.

''(E) COMMUNITY ADVISORY BOARD.—An organization shall have a community advisory board composed of individuals with a history of substance use, or who continue with substance use, that meets, at a minimum, on—

''(i) a monthly basis, to review program utilization data and provide feedback to the organization; and

''(ii) on a quarterly basis, with the executives or board of directors of the organization to provide input on service delivery and receive feedback on actions taken based on previous feedback provided by the community advisory board.

''(4) PLANNING GRANTS.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall award planning grants to States for the purpose of developing proposals to participate in the demonstration program.

''(B) AMOUNT OF GRANT.—The amount of a grant awarded to a State under this paragraph shall be sufficient to pay 100 percent of the actual costs expended by a State to carry out the activities required under subparagraph (C).

''(C) USE OF FUNDS.—A State awarded a planning grant under this paragraph shall solicit input on the development of a proposal to participate in the demonstration program from patients, providers, harm reduction service providers, social service providers, and other stakeholders, with respect to—

''(i) identifying and certifying organizations as Health Engagement Hubs for purposes of participating in the demonstration program; and

''(ii) establishing a prospective payment system for services provided by a certified Health Engagement Hub participating in the demonstration program, in accordance with the guidance issued under paragraph (2)(B).

''(D) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as are necessary to carry out this paragraph, to remain available until expended.

''(5) STATE DEMONSTRATION PROGRAMS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Secretary shall solicit applications solely from the States awarded a planning grant under paragraph (4) to participate in the demonstration program.

''(B) APPLICATION REQUIREMENTS.—An application to participate in the demonstration program shall include the following:

''(i) A description of, including the estimated number of individuals in, the target population to be served by the State under the demonstration program.

''(ii) An assurance that at least ½ of the Health Engagement Hubs in the State shall be located in—

''(I) a county (or a municipality, if not contained within any county) where the mean drug overdose death rate per 100,000 people over the past 3 years for which official data is available from the State, is higher than the most recent available national average overdose death rate per 100,000 people, as reported by the Centers for Disease Control and Prevention; or

''(II) an area of the State that is designated under section 332(a)(1)(A) of the Public Health Service Act as a mental health professional shortage area.

''(iii) A description of the prospective payment system that is to be tested under the demonstration program.

''(iv) A list of the certified Health Engagement Hubs located in the State that will participate in the demonstration program.

''(v) Verification that each such certified Health Engagement Hub satisfies the requirements described in paragraph (3)(A).

''(vi) A description of the scope of the services that will be paid for under the prospective payment system (which includes at a minimum the required services described in paragraph (3)(B)(i)) that is to be tested under the demonstration program.

''(vii) Verification that the State has agreed to pay for such services at the at the rate established under the prospective payment system.

''(viii) Any other information that the Secretary may require relating to the demonstration program with respect to determining the soundness of the proposed prospective payment system.

''(C) SELECTION CRITERIA.—

''(i) IN GENERAL.—The Secretary shall select from among the applications submitted at least 10 States to participate in the demonstration program based on geographic and demographic diversity.

''(ii) PRIORITY.—In addition to the criteria specified in clause (i), the Secretary shall prioritize selecting States with the highest rates of opioid- or stimulant-involved overdose death rates.

''(D) LENGTH OF DEMONSTRATION PROGRAMS.—A State selected to participate in the demonstration program shall participate in the program for a 2-year period.

''(E) WAIVER OF CERTAIN REQUIREMENTS.—The Secretary shall waive section 1902(a)(1) (relating to statewideness), section 1902(a)(10)(B) (relating to comparability), and any other provision of this title which would be directly contrary to the authority under this subsection as may be necessary for a State to participate in the demonstration program in accordance with this paragraph.

''(F) PAYMENTS TO STATES.—

''(i) IN GENERAL.—The Secretary shall pay a State participating in the demonstration program the Federal matching percentage specified in clause (ii) for amounts expended by the State for medical assistance for services provided through certified Health Engagement Hubs to individuals enrolled under the State plan (or under a waiver of such plan) consisting of medications and drugs approved by the Food and Drug Administration for treatment of opioid use disorder and other substances, including stimulants, and the services specified by the State in its application under subparagraph (B)(vi), at the rate established under the prospective payment system established by the State for purposes of the demonstration program.

''(ii) FEDERAL MATCHING PERCENTAGE.—The Federal matching percentage specified in this clause is—

''(I) with respect to medical assistance described in clause (i) that is furnished to a newly eligible individual described in paragraph (2) of section 1905(y), the matching rate applicable under paragraph (1) of that section; and

''(II) with respect to medical assistance described in clause (i) that is furnished to an individual who is not a newly eligible individual (as so described), but who is eligible for medical assistance under the State plan under this title or under a waiver of such

plan, the enhanced FMAP applicable to the State under section 2105(b).

''(iii) APPLICATION.—Payments to States made under this subparagraph shall be considered to have been made under, and are subject to, the requirements of this section.

''(6) REPORTS.—

''(A) ANNUAL STATE REPORTS.—

''(i) IN GENERAL.—Each State selected to participate in the demonstration program under paragraph (5) shall submit an annual report to the Secretary on the demonstration program that includes the following:

''(I) An assessment of the extent to which Health Engagement Hubs funded under the demonstration program have increased access to treatment for opiate use disorder and other drug use treatment, health services for individuals who use drugs, and other social services under State plans under this title or under waivers of such plans in the area or areas of States targeted by the demonstration program compared to other areas of the State.

''(II) An assessment on the impact of Health Engagement Hubs on reducing opioid and stimulant overdose mortality rates and the rate of adherence to prescribed medication for opioid use, hospitalization rates, and housing status for the population served by a Health Engagement Hub as compared to populations that are not served by a Health Engagement Hub.

''(III) A description of the successes of the demonstration program.

''(IV) Recommendations for improvements to the demonstration program, including whether the demonstration program should be continued, expanded, modified, or terminated.

''(ii) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated such sums as are necessary, to remain available until expended, for purposes of making payments to States for expenditures attributable to collecting and reporting the information required under this subparagraph.

''(B) REPORTS TO CONGRESS.—

''(i) IN GENERAL.—The Secretary shall submit an annual report to Congress that describes the information, findings, and recommendations in the annual State reports submitted to the Secretary under subparagraph (A).

''(ii) IMPLEMENTATION EVALUATION RESULTS.—The Secretary shall include with the first 3 annual reports submitted by the Secretary under this subparagraph the findings and conclusions of the implementation evaluation required by paragraph (7).

''(7) IMPLEMENTATION EVALUATION.—

''(A) IN GENERAL.—The Secretary shall solicit public input and fund an implementation evaluation of the planning grants awarded under paragraph (4) and the initial set of States selected for the demonstration program under paragraph (5) to determine the reach, effectiveness, adoption, and implementation of the demonstration program in each such State to document the degree to which the services were implemented as intended and allow for a complete assessment of the impact of the Health Engagement Hubs in each such State.

''(B) REQUIREMENTS.—

''(i) INFORMATION.—The evaluation shall include information on the characteristics of the individuals who receive services, service utilization metrics over time (including by staff role), and input from interviews with such individuals and staff.

''(ii) ELIGIBLE ENTITIES.—In order to be eligible to conduct the evaluation, an entity shall have documented experience conducting implementation evaluations of health and social services programs for individuals who use drugs.

''(C) FUNDING.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary such sums as are necessary to carry out this paragraph, to remain available until expended.''.

(b) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—

(1) IN GENERAL.—Not later than 6 months after the conclusion of the demonstration program established under subsection (cc) of section 1903 of the Social Security Act (42 U.S.C. 1396b), as added by subsection (a), the Comptroller General of the United States shall conduct and publish a comparative analysis on the impacts of the health engagement hubs certified under such program (in this section referred to as ''health engagement hubs'') compared to the impacts of other opioid treatment programs and health care organizations that offer behavioral health care or substance use disorder services.

(2) CONTENT OF ANALYSIS.—The analysis required under this section shall include the following:

(A) Data and information analyzing differences in rates among individuals who receive behavioral health care or substance use disorder services through a health engagement hub and among individuals who receive such care or services through a program or organization referred to in paragraph (1) for each of the following factors:

(i) Changes in rates of mortality.

(ii) Changes in rates of recidivism.

(iii) Rates of relapse.

(iv) Rates of hospital and emergency department utilization.

(v) Frequency of visits for care or services.

(vi) Rates of successful intervention through the administration of buprenorphine or other medication approved by the Food and Drug Administration for the treatment of substance use disorder.

(B) Data and information comparing the racial and socioeconomic demographics, housing status, employment, and other metrics, as recommended by the Secretary of Health and Human Services, of the population groups that receive behavioral health care or substance use disorder services through a health engagement hub or through a program or organization referred to in paragraph (1).

SA 2084. Mr. KING (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. DEPARTMENT OF VETERANS AFFAIRS HIGH TECHNOLOGY PROGRAM.

(a) HIGH TECHNOLOGY PROGRAM.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3699C. High technology program

''(a) ESTABLISHMENT.—(1) The Secretary shall carry out a program under which the Secretary provides covered individuals with the opportunity to enroll in high technology programs of education that the Secretary determines provide training or skills sought by employers in a relevant field or industry.

''(2) Not more than 6,000 covered individuals may participate in the program under this section in any fiscal year.

''(b) AMOUNT OF ASSISTANCE.—(1) The Secretary shall provide, to each covered individual who pursues a high technology program of education under this section, educational assistance in amounts equal to the amounts provided under section 3313(c)(1) of this title, including with respect to the housing stipend described in that section and in accordance with the treatment of programs that are distance learning and programs that are less than half-time.

''(2) Under paragraph (1), the Secretary shall provide such amounts of educational assistance to a covered individual for each of the following:

''(A) A high technology program of education.

''(B) A second such program if—

''(i) the second such program begins at least 18 months after the covered individual graduates from the first such program; and

''(ii) the covered individual uses educational assistance under chapter 33 of this title to pursue the second such program.

''(3) No covered individual may receive a housing stipend under this subsection for any month if such individual is in receipt of a housing stipend under chapter 33 of this title for that month.

''(c) CONTRACTS.—(1) For purposes of carrying out subsection (a), the Secretary shall seek to enter into contracts with any number of qualified providers of high technology programs of education for the provision of such programs to covered individuals. Each such contract shall provide for the conditions under which the Secretary may terminate the contract with the provider and the procedures for providing for the graduation of students who were enrolled in a program provided by such provider in the case of such a termination.

''(2) A contract under this subsection shall provide that the Secretary shall pay to a provider—

''(A) upon the enrollment of a covered individual in the program, 25 percent of the cost of the tuition and other fees for the program of education for the individual;

''(B) upon graduation of the individual from the program, 25 percent of such cost; and

''(C) 50 percent of such cost upon—

''(i) the successful employment of the covered individual for a period—

''(I) of 180 days in the field of study of the program; and

''(II) that begins not later than 180 days following graduation of the covered individual from the program;

''(ii) the employment of the individual by the provider for a period of one year; or

''(iii) the enrollment of the individual in a program of education to continue education in such field of study.

''(3) For purposes of this section, a provider of a high technology program of education is qualified if—

''(A) the provider employs instructors whom the Secretary determines are experts in their respective fields in accordance with paragraph (5);

''(B) the provider has successfully provided the high technology program for at least one year;

''(C) the provider does not charge tuition and fees to a covered individual who receives assistance under this section to pursue such program that are higher than the tuition and fees charged by such provider to another individual; and

''(D) the provider meets the approval criteria developed by the Secretary under paragraph (4).

''(4)(A) The Secretary shall prescribe criteria for approving providers of a high technology program of education under this section.

''(B) In developing such criteria, the Secretary may consult with State approving agencies.

''(C) Such criteria are not required to meet the requirements of section 3672 of this title.

''(D) Such criteria shall include the job placement rate, in the field of study of a program of education, of covered individuals who complete such program of education.

''(5) The Secretary shall determine whether instructors are experts under paragraph (3)(A) based on evidence furnished to the Secretary by the provider regarding the ability of the instructors to—

''(A) identify professions in need of new employees to hire, tailor the programs to meet market needs, and identify the employers likely to hire graduates;

''(B) effectively teach the skills offered to covered individuals;

''(C) provide relevant industry experience in the fields of programs offered to incoming covered individuals; and

''(D) demonstrate relevant industry experience in such fields of programs.

''(6) In entering into contracts under this subsection, the Secretary shall give preference to a provider of a high technology program of education—

''(A) from which at least 70 percent of graduates find full-time employment in the field of study of the program during the 180-day period beginning on the date the student graduates from the program; or

''(B) that offers tuition reimbursement for any student who graduates from such a program and does not find employment described in subparagraph (A).

''(d) EFFECT ON OTHER ENTITLEMENT.—(1) If a covered individual enrolled in a high technology program of education under this section has remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, entitlement of the individual to educational assistance under this section shall be charged at the rate of one month of such remaining entitlement for each such month of educational assistance under this section.

''(2) If a covered individual enrolled in a high technology program of education under this section does not have remaining entitlement to educational assistance under chapter 30, 32, 33, 34, or 35 of this title, any educational assistance provided to such individual under this section shall be provided in addition to the entitlement that the individual has used.

''(3) The Secretary may not consider enrollment in a high technology program of education under this section to be assistance under a provision of law referred to in section 3695 of this title.

''(4)(A) An application for enrollment in a high technology program of education under this section shall include notice of the requirements relating to use of entitlement under paragraphs (1) and (2), including—

''(i) in the case of the enrollment of an individual referred to under paragraph (1), the amount of entitlement that is typically charged for such enrollment;

''(ii) an identification of any methods that may be available for minimizing the amount of entitlement required for such enrollment; and

''(iii) an element requiring applicants to acknowledge receipt of the notice under this subparagraph.

''(B) If the Secretary approves the enrollment of a covered individual in a high technology program of education under this section, the Secretary shall deliver electronically to the individual an award letter that provides notice of such approval and includes specific information describing how paragraphs (1) and (2) will be applied to the individual if the individual chooses to enroll in the program.

''(e) REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS.—(1) The Secretary shall not approve the enrollment of any covered individual, not already enrolled, in any high technology programs of education under this section for any period during which the Secretary finds that more than 85 percent of the students enrolled in the program are having all or part of their tuition, fees, or other charges paid to or for them by the educational institution or by the Department of Veterans Affairs under this title or under chapter 1606 or 1607 of title 10, except with respect to tuition, fees, or other charges that are paid under a payment plan at an educational institution that the Secretary determines has a history of offering payment plans that are completed not later than 180 days after the end of the applicable term, quarter, or semester.

''(2) The Secretary may waive a requirement of paragraph (1) if the Secretary determines, pursuant to regulations which the Secretary shall prescribe, such waiver to be in the interest of the covered individual and the Federal Government. Not later than 30 days after the Secretary waives such a requirement, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such waiver.

''(3)(A)(i) The Secretary shall establish and maintain a process by which an educational institution may request a review of a determination that the educational institution does not meet the requirements of paragraph (1).

''(ii) The Secretary may consult with a State approving agency regarding such process or such a review.

''(iii) Not later than 180 days after the Secretary establishes or revises a process under this subparagraph, the Secretary shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding such process.

''(B) An educational institution that requests a review under subparagraph (A)—

''(i) shall request the review not later than 30 days after the start of the term, quarter, or semester for which the determination described in subparagraph (A) applies; and

''(ii) may include any information that the educational institution believes the Department should have taken into account when making the determination, including with respect to any mitigating circumstances.

''(f) ANNUAL REPORTS.—Not later than one year after the date of the enactment of this section, and annually thereafter until the termination date specified in subsection (i), the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the operation of programs under this section during the year covered by the report. Each such report shall include each of the following:

''(1) The number of covered individuals enrolled in the program, disaggregated by type of educational institution, during the year covered by the report.

''(2) The number of covered individuals who completed a high technology program of education under the program during the year covered by the report.

''(3) The average employment rate of covered individuals who completed such a program of education during such year, as of 180 days after the date of completion.

''(4) The average length of time between the completion of such a program of education and employment.

''(5) The total number of covered individuals who completed a program of education under the program and who, as of the date of the submission of the report, are employed in a position related to technology.

''(6) The average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology, in various geographic areas determined by the Secretary.

''(7) The average salary of all individuals employed in positions related to technology in the geographic areas determined under subparagraph (F), and the difference, if any, between such average salary and the average salary of a covered individual who completed a program of education under the program and who is employed in a position related to technology.

''(8) The number of covered individuals who completed a program of education under the program and who subsequently enrolled in a second program of education under the program.

''(g) COLLECTION OF INFORMATION; CONSULTATION.—(1) The Secretary shall develop practices to use to collect information about covered individuals and providers of high technology programs of education.

''(2) For the purpose of carrying out program under this section, the Secretary may consult with providers of high technology programs of education and may establish an advisory group made up of representatives of such providers, private employers in the technology field, and other relevant groups or entities, as the Secretary determines necessary.

''(h) DEFINITIONS.—In this section:

''(1) The term 'covered individual' means any of the following:

''(A) A veteran whom the Secretary determines—

''(i) served an aggregate of at least 36 months on active duty in the Armed Forces (including service on active duty in entry level and skill training) and was discharged or released therefrom under conditions other than dishonorable; and

''(ii) has not attained the age of 62.

''(B) A member of the Armed Forces that the Secretary determines will become a veteran described in subparagraph (A) fewer than 180 days after the date of such determination.

''(2) The term 'high technology program of education' means a program of education—

''(A) offered by a public or private educational institution;

''(B) if offered by an institution of higher learning, that is provided directly by such institution rather than by an entity other than such institution under a contract or other agreement;

''(C) that does not lead to a degree;

''(D) that has a term of not less than six and not more than 28 weeks; and

''(E) that provides instruction in computer programming, computer software, media application, data processing, or information sciences.

''(i) TERMINATION.—The authority to carry out a program under this section shall terminate on September 30, 2028.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3699B the following new item:

''3699C. High technology program.''.

(b) EFFECT ON HIGH TECHNOLOGY PILOT PROGRAM.—Section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115–48; 38 U.S.C. 3001 note) is amended—

(1) by amending subsection (d) to read as follows:

''(d) HOUSING STIPEND.—

''(1) IN GENERAL.—Except as provided under paragraph (2), the Secretary shall pay to each eligible veteran (not including an individual described in the second sentence of

subsection (b)) who is enrolled in a high technology program of education under the pilot program on a full-time or part-time basis a monthly housing stipend equal to the product—

''(A) of—

''(i) in the case of a veteran pursuing resident training, the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E–5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the campus of the institution where the individual physically participates in a majority of classes; or

''(ii) in the case of a veteran pursuing a program of education through distance learning, a monthly amount equal to 50 percent of the national average of the monthly amount of the basic allowance for housing payable under section 403 of title 37, United States Code, for a member with dependents in pay grade E–5, multiplied by

''(B) the lesser of—

''(i) 1.0; or

''(ii) the number of course hours borne by the individual in pursuit of the program of education involved, divided by the minimum number of course hours required for full-time pursuit of such program of education, rounded to the nearest multiple of 10.

''(2) BAR TO DUAL ELIGIBILITY.—No covered individual may receive a housing stipend under this subsection for any month if such individual is in receipt of a housing stipend under chapter 33 ot title 38, United States Code, for that month.'';

(2) in subsection (g), by striking paragraph (6); and

(3) by striking subsection (h) and inserting the following new subsection (h):

''(h) TERMINATION.—The authority to carry out a pilot program under this section shall terminate on September 30, 2023.''.

(c) APPROVAL OF CERTAIN HIGH TECHNOLOGY PROGRAMS.—Section 3680A of title 38, United States Code, is amended—

(1) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) Any independent study program except—

''(A) an independent study program (including such a program taken over open circuit television) that—

''(i) is accredited by an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b);

''(ii) leads to—

''(I) a standard college degree;

''(II) a certificate that reflects educational attainment offered by an institution of higher learning; or

''(III) a certificate that reflects graduation from a course of study offered by—

''(aa) an area career and technical education school (as defined in subparagraphs (C) and (D) of section 3(3) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302(3))) that provides education at the postsecondary level; or

''(bb) a postsecondary vocational institution (as defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c))) that provides education at the postsecondary level; and

''(iii) in the case of a program described in clause (ii)(III)—

''(I) provides training aligned with the requirements of employers in the State or local area where the program is located, which may include in-demand industry sectors or occupations;

''(II) provides a student, upon graduation from the program, with a recognized postsecondary credential that is recognized by employers in the relevant industry, which may include a credential recognized by industry or sector partnerships in the State or local area where the industry is located; and

''(III) meets such content and instructional standards as may be required to comply with the criteria under sections 3676(c)(14) and (15) of this title; or

''(B) an online high technology program of education (as defined in subsection (h)(2) of section 3699C of this title)—

''(i) the provider of which has entered into a contract with the Secretary under subsection (c) of such section;

''(ii) that has been provided to covered individuals (as defined in subsection (h)(1) of such section) under such contract for a period of at least five years;

''(iii) regarding which the Secretary has determined that the average employment rate of covered individuals who graduated from such program of education is 65 percent or higher for the year preceding such determination; and

''(iv) that satisfies the requirements of subsection (e) of such section.''; and

(2) in subsection (d), by adding at the end the following:

''(8) Paragraph (1) shall not apply to the enrollment of a veteran in an online high technology program described in subsection (a)(4)(B).''.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (c) shall take effect on the date of the enactment of this Act.

SA 2085. Mr. SULLIVAN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle I—FISH Act of 2024

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Fighting Foreign Illegal Seafood Harvests Act of 2024'' or the ''FISH Act of 2024''.

SEC. 1096A. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATOR.—Unless otherwise provided, the term ''Administrator'' means the Administrator of the National Oceanic and Atmospheric Administration or the designee of the Administrator.

(2) BENEFICIAL OWNER.—The term ''beneficial owner'' means, with respect to a vessel, a person that, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

(A) exercises substantial control over the vessel; or

(B) owns not less than 50 percent of the ownership interests in the vessel.

(3) FISH.—The term ''fish'' means finfish, crustaceans, and mollusks.

(4) FORCED LABOR.—The term ''forced labor'' has the meaning given that term in section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(5) IUU FISHING.—The term ''IUU fishing'' has the meaning given the term ''illegal, unreported, or unregulated fishing'' in the implementing regulations or any subsequent regulations issued pursuant to section 609(e) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(e)).

(6) REGIONAL FISHERIES MANAGEMENT ORGANIZATION.—The terms ''regional fisheries management organization'' and ''RFMO'' have the meaning given the terms in section 303 of the Port State Measures Agreement Act of 2015 (16 U.S.C. 7402).

(7) SEAFOOD.—The term ''seafood'' means fish, shellfish, processed fish, fish meal, shellfish products, and all other forms of marine animal and plant life other than marine mammals and birds.

(8) SECRETARY.—Unless otherwise provided, the term ''Secretary'' means the Secretary of Commerce acting through the Administrator of the National Oceanic and Atmospheric Administration or the designee of the Administrator.

SEC. 1096B. STATEMENT OF POLICY.

It is the policy of the United States to partner, consult, and coordinate with foreign governments (at the national and subnational levels), civil society, international organizations, international financial institutions, subnational coastal communities, commercial and recreational fishing industry leaders, communities that engage in artisanal or subsistence fishing, fishers, and the private sector, in a concerted effort—

(1) to continue the broad effort across the Federal Government to counter IUU fishing, including any potential links to forced labor, human trafficking, and other threats to maritime security, as outlined in sections 3533 and 3534 of the Maritime SAFE Act (16 U.S.C. 8002 and 8003); and

(2) to, additionally—

(A) prioritize efforts to prevent IUU fishing at its sources; and

(B) support continued implementation of the Central Arctic Ocean Fisheries agreement, as well as joint research and follow-on actions that ensure sustainability of fish stocks in Arctic international waters.

SEC. 1096C. ESTABLISHMENT OF A BLACK LIST.

Section 608 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826i) is amended by striking subsections (c) and (d) and inserting the following:

''(c) BLACK LIST (IUU VESSEL LIST).—

''(1) IN GENERAL.—The Secretary, in coordination with the Secretary of State, the Commissioner of U.S. Customs and Border Protection, and the Secretary of Labor, shall develop, maintain, and make public a list of vessels, fleets, and beneficial owners of vessels or fleets engaged in IUU fishing or fishing-related activities in support of IUU fishing (referred to in this section as the 'IUU vessel list').

''(2) INCLUSION ON LIST.—The IUU vessel list shall include any vessel, fleet, or beneficial owner of a vessel or fleet for which the Secretary determines there is a strong basis to believe that a vessel is any of the following (even if the Secretary has only partial information regarding the vessel):

''(A) A vessel listed on an IUU vessel list of an international fishery management organization.

''(B) A vessel taking part in fishing that undermines the effectiveness of an international fishery management organization's conservation and management measures, including a foreign vessel (defined in section 110 of title 46, United States Code)—

''(i) exceeding applicable international fishery management organization catch limits; or

''(ii) that is operating inconsistent with relevant catch allocation arrangements of the international fishery management organization, even if operating under the authority of a foreign country that is not a member of the international fishery management organization.

''(C) A vessel, either on the high seas or in the exclusive economic zone of another country, identified and reported by United States authorities to an international fishery management organization to be conducting IUU

fishing when the United States has reason to believe the foreign country to which the vessel is registered or documented is not addressing the allegation.

''(D) A vessel, fleet, or beneficial owner of a vessel or fleet on the high seas identified by United States authorities to be conducting IUU fishing or fishing that involves the use of forced labor, including individuals and entities subject to a withhold release order issued by U.S. Customs and Border Protection pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) or any other U.S. Customs and Border Protection enforcement action, sanctions imposed by the Department of the Treasury under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.), or any other United States Government forced labor prevention or enforcement action that has not been subsequently revoked.

''(E) A vessel that provides services (excluding emergency or enforcement services) to a vessel that is on the IUU vessel list, including transshipment, resupply, refueling, or pilotage.

''(F) A foreign vessel (defined in section 110 of title 46, United States Code) that is a fishing vessel engaged in commercial fishing within the exclusive economic zone of the United States without a permit issued under title II of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1821 et seq.).

''(G) A vessel that has the same beneficial owner as a vessel on the IUU vessel list at the time of the infraction.

''(H) A vessel or beneficial owner of a vessel subject to economic sanctions administered by the Department of the Treasury Office of Foreign Assets Control for transnational criminal activity associated with IUU fishing under Executive Order 13581 (76 Fed. Reg. 44757, 84 Fed. Reg. 10255; relating to blocking property of transnational criminal organizations), or any other applicable economic sanctions program, including sanctions imposed by the Department of the Treasury under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.).

''(3) NOMINATIONS TO BE PUT ON THE BLACK LIST.—The Secretary shall accept nominations for putting a vessel on the IUU vessel list from—

''(A) the head of an executive branch agency that is a member of the Interagency Working Group on IUU Fishing established under section 3551 of the Maritime SAFE Act (16 U.S.C. 8031);

''(B) a country that is a member of the Combined Maritime Forces; or

''(C) civil organizations that have data-sharing agreements with a member of the Interagency Working Group on IUU Fishing.

''(4) PROCEDURES FOR ADDITION.—The Secretary may put a vessel on the IUU vessel list only after notification to the vessel's beneficial owner and a review of any information that the owner provides within 90 days of the notification.

''(5) PUBLIC INFORMATION.—The Secretary shall publish its procedures for adding vessels on, and removing vessels from, the IUU vessel list. The Secretary shall publish the IUU vessel list itself in the Federal Register annually and on a website, which shall be updated any time a vessel is added to the IUU vessel list, and include the following information (as much as is available and confirmed) for each vessel on the IUU vessel list:

''(A) The name of the vessel and previous names of the vessel.

''(B) The International Maritime Organization (IMO) number of the vessel, or other Unique Vessel Identifier (such as the flag state permit number or authorized vessel number issued by an international fishery management organization).

''(C) The maritime mobile service identity number and call sign of the vessel.

''(D) The address of each beneficial owner of the vessel.

''(E) The country where the vessel is registered or documented, and where it was previously registered if known.

''(F) The date of inclusion on the IUU vessel list of the vessel.

''(G) An indication of whether the vessel is part of the Food and Agriculture Organization's global record.

''(H) Any other identifying information on the vessel, as determined appropriate by the Secretary.

''(I) The basis for the Secretary's inclusion of the vessel on the IUU vessel list under paragraph (2).

''(d) CONSEQUENCES OF BEING ON BLACK LIST.—

''(1) IN GENERAL.—Except for the purposes of inspection and enforcement or in case of force majeure, a vessel on the IUU vessel list is prohibited from—

''(A) accessing United States ports and using port services;

''(B) traveling through the United States territorial sea unless it is conducting innocent passage in accordance with customary international law; and

''(C) delivering or receiving supplies or services, or transshipment, within waters subject to the jurisdiction of the United States, unless such actions are in accordance with customary international law.

''(2) SERVICING PROHIBITED.—No vessel of the United States may service a vessel that is on the IUU vessel list, except in an emergency involving life and safety or to facilitate enforcement.

''(3) IMPORTS PROHIBITED.—The import of seafood or seafood products caught, processed, or transported by vessels on the IUU vessel list is prohibited and shall be subject to the enforcement provisions of section 606.

''(e) ENFORCEMENT OF BLACK LIST.—

''(1) IN GENERAL.—Except as provided in paragraph (2), a vessel of the United States on the IUU vessel list and the cargo of such vessel shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws.

''(2) EXCEPTION.—The cargo of seafood of a vessel of the United States on the IUU vessel list shall not be subject to seizure and forfeiture to the United States if the cargo of seafood is in the possession of an importer who has paid for the cargo of seafood and did not know, or did not have any reason to know, that the seafood was the product of IUU fishing.

''(f) PERMANENCY OF BLACK LIST.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) through (4), a vessel, fleet, or beneficial owner of a vessel or fleet that is put on the IUU vessel list shall remain on the IUU vessel list.

''(2) REVOCATION OF WRO.—The Secretary shall remove a vessel or fleet from the IUU vessel list if the vessel was added to the IUU vessel list because it was found by U.S. Customs and Border Protection to have had a withhold release order issued pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) and the withhold release order was subsequently revoked.

''(3) APPLICATION BY OWNER FOR POTENTIAL REMOVAL.—

''(A) IN GENERAL.—With the concurrence of the Secretary of State and consultation with U.S. Customs and Border Protection, the Secretary may remove a vessel, fleet, or beneficial owner of a vessel or fleet from the IUU vessel list if the beneficial owner of the vessel submits an application for removal to the Secretary that meets the standards that the Secretary has set out for removal.

''(B) STANDARDS.—The Secretary shall include in the standards set out for removal a determination that the vessel or vessel owner has not engaged in IUU fishing or forced labor during the 5-year period preceding the date of the application for removal. The Secretary, in consultation with the Secretary of State and the U.S. Customs and Border Protection, shall determine whether each application for removal demonstrates that sufficient corrective action has been taken to remediate the violations and infractions that led to the inclusion on the IUU vessel list.

''(C) CONSIDERATION OF RELEVANT INFORMATION.—In considering an application for removal, the Secretary shall consider relevant information from all sources.

''(4) REMOVAL DUE TO INTERNATIONAL FISHERY MANAGEMENT ORGANIZATION ACTION.—The Secretary may remove a vessel from the IUU vessel list if the vessel was put on the list because it was a vessel listed on an IUU vessel list of an international fishery management organization, pursuant to subsection (c)(2)(A), and the international fishery management organization removed the vessel from its IUU vessel list.

''(g) REGULATIONS AND PROCESS.—Not later than 12 months after the date of enactment of the Fighting Foreign Illegal Seafood Harvests Act of 2024, the Secretary shall issue regulations to set a process for establishing, maintaining, implementing, and publishing the IUU vessel list. The Administrator may add or remove a vessel, fleet, or beneficial owner of a vessel or fleet from the IUU vessel list on the date the vessel becomes eligible for such addition or removal.

''(h) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—Unless otherwise provided, the term 'Administrator' means the Administrator of the National Oceanic and Atmospheric Administration or the designee of the Administrator.

''(2) BENEFICIAL OWNER.—The term 'beneficial owner' means, with respect to a vessel, a person that, directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

''(A) exercises substantial control over the vessel; or

''(B) owns not less than 50 percent of the ownership interests in the vessel.

''(3) FORCED LABOR.—The term 'forced labor' has the meaning given that term in section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

''(4) INTERNATIONAL FISHERY MANAGEMENT ORGANIZATION.—The term 'international fishery management organization' means an international organization established by any bilateral or multilateral treaty, convention, or agreement for the conservation and management of fish.

''(5) IUU FISHING.—The term 'IUU fishing' has the meaning given the term 'illegal, unreported, or unregulated fishing' in the implementing regulations or any subsequent regulations issued pursuant to section 609(e).

''(6) SEAFOOD.—The term 'seafood' means fish, shellfish, processed fish, fish meal, shellfish products, and all other forms of marine animal and plant life other than marine mammals and birds.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Department of Commerce to carry out this section $20,000,000 for each of fiscal years 2025 through 2030.''.

SEC. 1096D. IMPOSITION OF SANCTIONS.

(a) AUTHORIZATION FOR SANCTIONS.—The Secretary of the Treasury may impose the measures described in subsection (b) with respect to—

(1) any foreign person or foreign vessel, regardless of ownership, that the Secretary of the Treasury determines has participated in—

(A) the sale, supply, purchase, or transfer (including transportation) of a fish species that is an endangered species, as defined in section of the Endangered Species Act of 1973 (16 U.S.C. 1532), directly or indirectly; or

(B) IUU fishing;

(2) a leader or official of an entity that has engaged in, or whose members have engaged in, any of the activities described in paragraph (1);

(3) an entity determined to have owned, operated, chartered, or controlled a vessel whose personnel are engaged in the activities described in paragraph (1) at a time period relating to the activities;

(4) an entity that commits any action described in section 608(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826i) as a basis to be put on the IUU vessel list under such section; and

(5) an entity that has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, a foreign person or foreign vessel described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed under subsection (a) are the following:

(1) BLOCKING OF PROPERTY.—Notwithstanding section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701), the exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person or entity described in subsection (a) including, to the extent appropriate, the vessel of which the person is the beneficial owner, if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

(A) VISAS, ADMISSION, OR PAROLE.—A foreign person described in subsection (a) is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of a foreign person described in subsection (a) shall be revoked, regardless of when such visa or other entry documentation is or was issued.

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

(I) take effect; and

(II) cancel any other valid visa or entry documentation that is in the person's possession.

(c) IMPLEMENTATION; PENALTIES.—

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

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

(d) NATIONAL INTEREST WAIVER.—The President may waive the imposition of sanctions under this section with respect to a foreign person or entity.

(e) EXCEPTIONS.—

(1) EXCEPTIONS FOR AUTHORIZED INTELLIGENCE AND LAW ENFORCEMENT ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence, law enforcement, or national security activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Sanctions under subsection (b)(2) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other international obligations.

(3) EXCEPTION FOR SAFETY OF VESSELS AND CREW.—Sanctions under this section shall not apply with respect to a person or entity providing provisions to a vessel identified under section 608(c) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826i) if such provisions are intended for the safety and care of the crew aboard the vessel, or the maintenance of the vessel to avoid any environmental or other significant damage.

(4) HUMANITARIAN EXCEPTION.—The President may not impose sanctions under this section with respect to any person or entity for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

(f) RULEMAKING.—

(1) IN GENERAL.—The President is authorized to promulgate such rules and regulations as may be necessary to carry out the provisions of this section (which may include regulatory exceptions), including under section 205 of the International Emergency Economic Powers Act (50 U.S.C. 1704).

(2) RULE OF CONSTRUCTION.—Nothing in this section, or in any amendment made by this section, may be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(g) DEFINITIONS.—In this section:

(1) ADMISSION; ADMITTED; ALIEN; LAWFULLY ADMITTED FOR PERMANENT RESIDENCE.—The terms ''admission'', ''admitted'', ''alien'', and ''lawfully admitted for permanent residence'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term ''foreign person'' means an individual or entity that is not a United States person.

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

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

(C) any person in the United States.

SEC. 1096E. AGREEMENTS.

(a) PRESIDENTIAL NEGOTIATION.—In negotiating any relevant agreement with a foreign nation or nations after the date of enactment of this Act, the President is encouraged to consider the impacts on or to IUU fishing and forced labor and strive to ensure that the agreement strengthens efforts to combat IUU fishing and forced labor.

(b) SECRETARY OF STATE ENCOURAGEMENT.—Together with other government partners, if appropriate, the Secretary of State should encourage other nations to ratify treaties and agreements that address IUU fishing to which the United States is a party, including the UN Fish Stocks Agreement, the High Seas Fishing Compliance Agreement, the Port State Measures Agreement, and other applicable agreements, and pursue bilateral and multilateral initiatives to raise international ambition to combat IUU fishing, including in the G7 and G20, the United Nations, the International Labor Organization (ILO), and the International Maritime Organization (IMO), and through voluntary multilateral efforts. The bilateral and multilateral initiatives should address underlying drivers of IUU fishing and forced labor, such as the practice of transshipment, flags of convenience vessels, and government subsidies of the distant water fishing industry.

SEC. 1096F. ENFORCEMENT PROVISIONS.

(a) INCREASE BOARDING OF VESSELS SUSPECTED OF IUU FISHING.—The Commandant of the Coast Guard shall strive, in accordance with the UN Fish Stocks Agreement, to increase, from year to year, its observation of vessels on the high seas that are suspected of IUU fishing and related harmful practices, and is encouraged to consider boarding these vessels to the greatest extent practicable.

(b) FOLLOW UP.—The Administrator shall, in consultation with the Commandant of the Coast Guard and the Secretary of State, coordinate regularly with regional fisheries management organizations to determine what corrective measures each country has taken after vessels that are registered or documented by the country have been boarded for suspected IUU fishing.

(c) REPORT.—Not later than 3 years after the date of enactment of this Act and in accordance with information management rules of the relevant regional fisheries management organizations, the Commandant of the Coast Guard shall submit a report to Congress on—

(1) the total number of bilateral agreements utilized or enacted during Coast Guard counter-IUU patrols and future patrol plans for operations with partner nations where bilateral agreements are required to effectively execute the counter-IUU mission and any changes to IUU provisions in bilateral agreements;

(2) incidents of IUU fishing observed while conducting High Seas Boarding and Inspections (HSBI), how the conduct is tracked after referral to the respective country where the vessel is registered or documented, and what actions are taken to document or otherwise act on the enforcement, or lack thereof, taken by the country;

(3) the country where the vessel is registered or documented, the country where the vessel was previously registered and documented if known, and status of a vessel interdicted or observed to be engaged in IUU fishing on the high seas by the Coast Guard;

(4) incident details on vessels observed to be engaged in IUU fishing on the high seas, boarding refusals, and what action was taken; and

(5) any other potential enforcement actions that could decrease IUU fishing on the high seas.

SEC. 1096G. IMPROVED MANAGEMENT AT THE REGIONAL FISHERIES MANAGEMENT ORGANIZATIONS.

(a) INTERAGENCY WORKING GROUP ON IUU FISHING.—Section 3551(c) of the Maritime SAFE Act (16 U.S.C. 8031(c)) is amended—

(1) in paragraph (13), by striking ''and'' after the semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(15) developing a strategy for leveraging enforcement capacity against IUU fishing, particularly focusing on nations identified under section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j(a)); and

''(16) developing a strategy for leveraging enforcement capacity against associated abuses, such as forced labor and other illegal labor practices, and increasing enforcement and other actions across relevant import control and assessment programs, using as resources—

''(A) the List of Goods Produced by Child Labor or Forced Labor produced pursuant to section 105 of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112);

''(B) the Trafficking in Persons Report required under section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107); and

''(C) United States Customs and Border Protection's Forced Labor Division and enforcement activities and regulations authorized under section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).''.

(b) SECRETARY OF STATE IDENTIFICATION.—The Secretary of State, in coordination with the Commandant of the Coast Guard and the Administrator, shall—

(1) identify regional fisheries management organizations that the United States is party to that do not have a high seas boarding and inspection program; and

(2) identify obstacles, needed authorities, or existing efforts to increase implementation of these programs, and take action as appropriate.

SEC. 1096H. STRATEGIES TO OPTIMIZE DATA COLLECTION, SHARING, AND ANALYSIS.

Section 3552 of the Maritime SAFE Act (16 U.S.C. 8032) is amended by adding at the end:

''(c) STRATEGIES TO OPTIMIZE DATA COLLECTION, SHARING, AND ANALYSIS.—Not later than 3 years after the publication of the strategic plan submitted under subsection (a), the Working Group shall identify information and resources to prevent fish and fish products from IUU fishing and forced labor from entering United States commerce without increasing burden or trade barriers on seafood not produced from IUU fishing. The report shall include the following:

''(1) Identification of relevant data streams collected by Working Group members.

''(2) Identification of legal, jurisdictional, or other barriers to the sharing of such data.

''(3) In consultation with the Secretary of Defense, recommendations for joint enforcement protocols, collaboration, and information sharing between Federal agencies and States.

''(4) Recommendations for sharing and developing forensic resources between Federal agencies and States.

''(5) Recommendations for enhancing capacity for United States Customs and Border Protection and National Oceanic and Atmospheric Administration to conduct more effective field investigations and enforcement efforts with U.S. state enforcement officials.

''(6) Recommendations for improving data collection and automated risk-targeting of seafood imports within the United States' International Trade Data System and Automated Commercial Environment.

''(7) Recommendations for the dissemination of IUU fishing and forced labor analysis and information to those governmental and non-governmental entities that could use it for action and awareness, with the aim to establish an IUU fishing information sharing center.

''(8) Recommendations for an implementation strategy, including measures for ensuring that trade in seafood not linked to IUU fishing and forced labor is not impeded.

''(9) An analysis of the IUU fishing policies and regulatory regimes of other countries in order to develop policy and regulatory alternatives for United States consideration.''.

SEC. 1096I. INVESTMENT AND TECHNICAL ASSISTANCE IN THE FISHERIES SECTOR.

(a) IN GENERAL.—The Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of Commerce, in consultation with the heads of relevant agencies, the Millennium Challenge Corporation, and multilateral institutions such as the World Bank, are encouraged to increase support to programs that provide technical assistance, institutional capacity, and investment to nations' fisheries sectors for sustainable fisheries management and combating IUU fishing and forced labor. The focus of such support is encouraged to be on priority regions and priority flag states identified under section 3552(b) of the Maritime SAFE Act (16 U.S.C. 8032(b)).

(b) ANALYSIS OF US CAPACITY-BUILDING EXPERTISE AND RESOURCES.—In order to maximize efforts on preventing IUU fishing at its sources, the Interagency Working Group on IUU Fishing established under section 3551 of the Maritime SAFE Act (16 U.S.C. 8031) shall analyze United States capacity-building expertise and resources to provide support to nations' fisheries sectors. This analysis may include an assessment of potential avenues for in-country public-private collaboration and multilateral collaboration on developing local fisheries science, fisheries management, maritime enforcement, and maritime judicial capabilities.

SEC. 1096J. PREVENTING IMPORTATION OF SEAFOOD AND SEAFOOD PRODUCTS FROM FOREIGN VESSELS USING FORCED LABOR.

The Commissioner of U.S. Customs and Border Protection, in coordination with the Secretary shall—

(1) develop a strategy for utilizing relevant United States Government data to identify imports of seafood harvested on foreign vessels using forced labor; and

(2) publish information regarding the strategy developed under paragraph (1) on the website of U.S. Customs and Border Protection.

SEC. 1096K. REPORTS.

(a) IMPACT OF NEW TECHNOLOGY.—Not later than 1 year after the date of enactment of this Act, the Secretary of Homeland Security, in coordination with the Administrator and the Working Group established under section 3551 of the Maritime SAFE Act (16 U.S.C. 8031), shall conduct a study to assess the impact of new technology (such as remote observing, the use of drones, development of risk assessment tools and data-sharing software, immediate containerization of fish on fishing vessels, satellite Wi-Fi technology on fishing vessels, and other technology-enhanced new fishing practices) on IUU fishing and associated crimes (such as trafficking and forced labor) and propose ways to integrate these technologies into global fisheries enforcement and management.

(b) RUSSIAN AND CHINESE FISHING INDUSTRIES' INFLUENCE ON EACH OTHER AND ON THE UNITED STATES SEAFOOD AND FISHING INDUSTRY.—Not later than 2 years after the date of enactment of this Act, the Secretary of State, with support from the Secretary of Commerce and the Office of the United States Trade Representative, shall—

(1) conduct a study on the collaboration between the Russian and Chinese fishing industries and on the role of seafood reprocessing in China (including that of raw materials originating in Russia) in global seafood markets and its impact on United States seafood importers, processors, and consumers; and

(2) complete a report on the study that includes classified and unclassified portions, as the Secretary of State determines necessary.

(c) FISHERMEN CONDUCTING UNLAWFUL FISHING IN THE ECONOMIC EXCLUSION ZONE.—Section 3551 of the Maritime SAFE Act (16 U.S.C. 8031) is amended by adding at the end the following:

''(d) THE IMPACTS OF IUU FISHING AND FORCED LABOR.—

''(1) IN GENERAL.—The Administrator, in consultation with relevant members of the Working Group, shall seek to enter into an arrangement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies will undertake a multifaceted study that includes the following:

''(A) An analysis that quantifies the occurrence and extent of IUU fishing and forced labor among flag states.

''(B) An evaluation of the costs to the United States economy of IUU fishing and forced labor.

''(C) An assessment of the costs to the global economy of IUU fishing and forced labor.

''(D) An assessment of the effectiveness of response strategies to counter IUU fishing, including both domestic programs and foreign capacity-building and partnering programs.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $4,000,000.''.

(d) REPORT.—Not later than 24 months after the date of enactment of this Act, the Administrator shall submit to Congress a report on the study conducted under subsection (d) of section 3551 of the Maritime SAFE Act that includes—

(1) the findings of the National Academies; and

(2) recommendations on knowledge gaps that warrant further scientific inquiry.

SA 2086. Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. STORMWATER DISCHARGE PERMITS AND TESTING AT DEPARTMENT OF DEFENSE FACILITIES.

(a) REQUEST FOR MODIFICATION.—Except as provided in subsection (b), not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, with respect to each permit under section 402(p) of the Federal Water Pollution Control Act (33 U.S.C. 1342(p)) that applies to a facility of the Department of Defense, request from the State that issued the permit, or the Administrator of the Environmental Protection Agency, as applicable, a modification to such permit to require—

(1) monitoring of discharges of perfluoroalkyl and polyfluoroalkyl substances not less frequently than quarterly; and

(2) implementation of appropriate best management practices or control technologies to reduce such discharges consistent with the requirements of such Act.

(b) EXCEPTIONS.—The Secretary of Defense is not required to request a modification to a permit under subsection (a) if such permit contains the elements specified under paragraphs (1) and (2) of such subsection.

(c) FUNDING FOR MONITORING AND REDUCTION OF DISCHARGES.—Of the funds authorized to be appropriated or otherwise made available to the Secretary of Defense in each fiscal year for remediation efforts relating to perfluoroalkyl and polyfluoroalkyl substances, not less than one percent shall be obligated or expended annually to carry out activities described in paragraphs (1) and (2) of subsection (a).

SA 2087. Mr. WARNOCK (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 605. INCREASE IN BASIC ALLOWANCE FOR HOUSING INSIDE THE UNITED STATES FOR MEMBERS OF THE UNIFORMED SERVICES.

Paragraph (3) of section 403(b) of title 37, United States Code, is amended to read as follows:

''(3) The monthly amount of the basic allowance for housing for an area of the United States for a member of a uniformed service shall be the amount of the monthly cost of adequate housing in that area, as determined by the Secretary of Defense, for members of the uniformed services serving in the same pay grade and with the same dependency status as the member.''.

SA 2088. Mr. WARNOCK (for himself and Mr. VANCE) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1095. JUSTICE FOR UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM.

Subsection (d)(4)(D)(iv)(IV) of the Justice for United States Victims of State Sponsored Terrorism Act (34 U.S.C. 20144(d)(4)(D)(iv)(IV)) is amended—

(1) by redesignating item (bb) as item (dd);

(2) by inserting after item (aa) the following:

''(bb) IRAN HOSTAGES.—There are authorized to be appropriated and there are appropriated to the Fund such sums as are necessary to make full and complete payments for amounts outstanding and unpaid on claims under subparagraphs (B) and (C) of subsection (c)(2), which shall be paid by the Fund on the claims not later than 30 days after the date of enactment of this item.

''(cc) LIMITATION.—Amounts appropriated pursuant to item (bb) may not be used for a purpose other than to make payments under this clause.'';

(3) in item (cc), as so redesignated, by inserting ''item (bb) or'' before ''subclauses''; and

(4) in item (aa), by striking ''disperses'' and inserting ''disburses''.

SA 2089. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1095. GAO REPORT ON VESSEL FIRES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of marine firefighting authorities, jurisdiction, plan review, and other considerations with respect to vessel fires at waterfront facilities and within the navigable waters of the United States up to 3 nautical miles from the shoreline.

(b) CONTENTS.—In carrying out subsection (a), the Comptroller General shall—

(1) examine factors that affect Federal and non-Federal collaboration aimed at reducing vessel and waterfront facility fire risk to local communities;

(2) focus on the prevalence and frequency of vessel fires described in subsection (a); and

(3) make recommendations for preparedness, responses to, training for, and other items for consideration.

SA 2090. Mr. KING (for himself, Mr. CORNYN, Mr. KAINE, Mrs. SHAHEEN, Mr. ROUNDS, Ms. MURKOWSKI, Mr. CRAMER, Mr. SULLIVAN, Mr. MANCHIN, Mr. TILLIS, Ms. HIRONO, Mr. YOUNG, Mrs. FISCHER, Mr. BLUMENTHAL, Ms. COLLINS, Ms. ROSEN, and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1266. CHINA GRAND STRATEGY COMMISSION.

(a) ESTABLISHMENT.—There is established a commission, to be known as the ''China Grand Strategy Commission'' (in this section referred to as the ''Commission''), to develop a consensus on a comprehensive grand strategy and whole-of-government approach with respect to the United States relationship with the People's Republic of China for purposes of—

(1) ensuring a holistic approach toward the People's Republic of China across all Federal departments and agencies; and

(2) defining specific steps necessary to build a stable international order that accounts for the People's Republic of China's participation in that order; and

(3) providing actionable recommendations with respect to the United States relationship with the People's Republic of China, which are aimed at protecting and strengthening United States national security interests.

(b) MEMBERSHIP.—

(1) COMPOSITION.—

(A) IN GENERAL.—The Commission shall be composed of the following members:

(i) The Deputy National Security Advisor.

(ii) The Deputy Secretary of Defense.

(iii) The Deputy Secretary of State.

(iv) The Deputy Secretary of the Treasury.

(v) The Deputy Secretary of Commerce.

(vi) The Principal Deputy Director of National Intelligence.

(vii) Three members appointed by the majority leader of the Senate, in consultation with the chairperson of the Committee on Armed Services of the Senate, one of whom shall be a Member of the Senate and two of whom shall not be.

(viii) Three members appointed by the minority leader of the Senate, in consultation with the ranking member of the Committee on Armed Services of the Senate, one of whom shall be a Member of the Senate and two of whom shall not be.

(ix) Three members appointed by the Speaker of the House of Representatives, in consultation with the chairperson of the Committee on Armed Services of the House of Representatives, one of whom shall be a Member of the House of Representatives and two of whom shall not be.

(x) Three members appointed by the minority leader of the House of Representatives, in consultation with the ranking member of the Committee on Armed Services of the House of Representatives, one of whom shall be a Member of the House of Representatives and two of whom shall not be.

(B) QUALIFICATIONS.—The members described in clauses (vii) through (x) of subparagraph (A) who are not Members of Congress shall be individuals who are nationally recognized and have well-documented expertise, knowledge, or experience in—

(i) the history, culture, economy, or national security policies of the People's Republic of China;

(ii) the United States economy;

(iii) the use of intelligence information by national policymakers and military leaders;

(iv) the implementation, funding, or oversight of the foreign and national security policies of the United States; or

(v) the implementation, funding, or oversight of economic and trade policies of the United States.

(C) AVOIDANCE OF CONFLICTS OF INTEREST.—An official who appoints members of the Commission may not appoint an individual as a member of the Commission if such individual possesses any personal or financial interest in the discharge of any of the duties of the Commission.

(2) CO-CHAIRPERSONS.—

(A) IN GENERAL.—The Commission shall have two co-chairpersons, selected from among the members of the Commission, of whom—

(i) one co-chairperson shall be a member of the Democratic Party; and

(ii) one co-chairperson shall be a member of the Republican Party.

(B) CONSENSUS.—The individuals selected to serve as the co-chairpersons of the Commission shall be jointly agreed upon by the President, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and

the minority leader of the House of Representatives.

(c) APPOINTMENT; INITIAL MEETING.—

(1) APPOINTMENT.—Members of the Commission shall be appointed not later than 45 days after the date of the enactment of this Act.

(2) INITIAL MEETING.—The Commission shall hold its initial meeting on or before the date that is 60 days after the date of the enactment of this Act.

(d) MEETINGS; QUORUM; VACANCIES.—

(1) IN GENERAL.—After its initial meeting, the Commission shall meet upon the call of the co-chairpersons of the Commission.

(2) QUORUM.—Ten members of the Commission shall constitute a quorum for purposes of conducting business, except that two members of the Commission shall constitute a quorum for purposes of receiving testimony.

(3) VACANCIES.—Any vacancy on the Commission shall not affect its powers, and shall be filled in the same manner in which the original appointment was made.

(4) QUORUM WITH VACANCIES.—If vacancies on the Commission occur on any day after the date that is 45 days after the date of the enactment of this Act, a quorum shall consist of a majority of the members of the Commission as of such day.

(e) ACTIONS OF COMMISSION.—

(1) IN GENERAL.—The Commission shall act by resolution agreed to by a majority of the members of the Commission voting and present.

(2) PANELS.—The Commission may establish panels composed of less than the full membership of the Commission for purposes of carrying out the duties of the Commission under this section. The actions of any such panel shall be subject to the review and control of the Commission. Any findings and determinations made by such a panel shall not be considered to be the findings and determinations of the Commission unless approved by the Commission.

(3) DELEGATION.—Any member, agent, or staff member of the Commission may, if authorized by the co-chairpersons of the Commission, take any action that the Commission is authorized to take pursuant to this section.

(f) DUTIES OF COMMISSION.—The duties of the Commission are as follows:

(1) To define the core objectives and priorities of the strategy described in subsection (a).

(2) To provide definitions of the terms ''grand strategy'' and ''stable international order'' as such terms relate to United States national security interests and policy toward the People's Republic of China.

(3) To recommend steps toward a stable international order that includes the People's Republic of China that accounts for the People's Republic of China's participation in that order.

(4) To consider the manner in which the United States and the allies and partners of the United States cooperate and compete with the People's Republic of China and to identify areas for such cooperation and competition.

(5) To consider methods for recalibrating economic ties with the People's Republic of China, and any necessary modifications to such ties that may be undertaken by the United States Government.

(6) To consider methods for recalibrating additional non-economic ties with the People's Republic of China, and any necessary modifications to such ties to be undertaken by the United States Government, including research, political, and security ties.

(7) To understand the linkages across multiple levels of the Federal Government with respect to United States policy toward the People's Republic of China.

(8) To seek to protect and strengthen global democracy and democratic norms.

(9) To understand the history, culture, and goals of the People's Republic of China and to consider the manner in which the People's Republic of China defines and seeks to implement its goals.

(10) To review—

(A) the strategies and intentions of the People's Republic of China that affect United States national and global interests;

(B) the purpose and efficacy of current programs for the defense of the United States; and

(C) the capabilities of the Federal Government for understanding whether, and the manner in which, the People's Republic of China is currently being deterred or thwarted in its aims and ambitions, including in cyberspace.

(11) To detail and evaluate current United States policy and strategic interests, including the pursuit of a free and open Indo-Pacific region, with respect to the People's Republic of China, and the manner in which United States policy affects the policy of the People's Republic of China.

(12) To assess the manner in which the invasion of Ukraine by the Russian Federation may have impacted the People's Republic of China's calculations on an invasion of Taiwan and the implications of such impact on the prospects for short-term, medium-term, and long-term stability in the Taiwan Strait.

(13) In evaluating options for such strategy, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government to maintain United States national security interests in relation to policy toward the People's Republic of China.

(g) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission or, as delegated by the co-chairpersons of the Commission, any panel or member thereof, may, for the purpose of carrying out this section—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission, or such designated panel or designated member, considers necessary; and

(B) subject to paragraph (2), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated panel or designated member considers necessary.

(2) SUBPOENAS.—

(A) IN GENERAL.—Subpoenas may be issued under paragraph (1)(B) under the signature of the co-chairpersons of the Commission, and may be served by any person designated by such co-chairpersons.

(B) FAILURE TO COMPLY.—The provisions of sections 102 through 104 of the Revised Statutes (2 U.S.C. 192–194) shall apply in the case of any failure of a witness to comply with any subpoena or to testify when summoned under authority of this section.

(3) CONTRACTS.—The Commission may, to such extent and in such amounts as are provided in advance in appropriations Acts, enter into contracts to enable the Commission to discharge its duties under this section.

(4) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from any executive department, agency, bureau, board, commission, office, independent establishment, or instrumentality of the Government information, suggestions, estimates, and statistics for the purposes of this section.

(B) FURNISHING INFORMATION.—Each such department, agency, bureau, board, commission, office, establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by a co-chairperson of the Commission.

(C) HANDLING OF CLASSIFIED INFORMATION.—The Commission shall handle and protect all classified information provided to it under this section in accordance with applicable law.

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) SECRETARY OF DEFENSE.—The Secretary of Defense shall provide to the Commission, on a nonreimbursable basis, such administrative services, funds, staff, facilities, and other support services as are necessary for the performance of the Commission's duties under this section.

(B) OTHER DEPARTMENTS AND AGENCIES.—Other Federal departments and agencies may provide the Commission such services, funds, facilities, staff, and other support as such departments and agencies consider advisable and as may be authorized by law.

(C) COOPERATION.—The Commission shall receive the full and timely cooperation of any official, department, or agency of the Federal Government whose assistance is necessary, as jointly determined by the co-chairpersons of the Commission, for the fulfillment of the duties of the Commission, including the provision of full and current briefings and analyses.

(6) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as the departments and agencies of the Federal Government.

(7) GIFTS.—A member or staff of the Commission may not receive a gift or benefit by reason of the service of such member or staff to the Commission.

(h) STAFF AND COMPENSATION.—

(1) STAFF.—

(A) COMPENSATION.—The co-chairpersons of the Commission, in accordance with rules agreed upon by the Commission, shall appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its duties, without regard to the provisions of title 5, United States Code governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except that no rate of pay fixed under this paragraph may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of such title.

(B) DETAIL OF GOVERNMENT EMPLOYEES.—A Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall retain the rights, status, and privileges of his or her regular employment without interruption.

(2) COMMISSION MEMBERS.—

(A) COMPENSATION.—

(i) IN GENERAL.—Subject to clause (ii) and except as provided in subparagraph (B), each member of the Commission may be compensated at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Commission under this section.

(ii) MEMBERS OF CONGRESS AND FEDERAL EMPLOYEES.—Members of the Commission who are Members of Congress or officers or employees of the Federal Government may

not receive additional pay by reason of their service on the Commission.

(B) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5, United States Code.

(3) CONSULTANT SERVICES.—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of such title.

(4) SECURITY CLEARANCES FOR COMMISSION MEMBERS, STAFF, AND CONSULTANTS.—

(A) IN GENERAL.—The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to Commission members, staff, and consultants appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided access to classified information under this Act without the appropriate security clearances.

(B) EXPEDITED PROCESSING.—The Office of Senate Security and the Office of House Security shall ensure the expedited processing of appropriate security clearances for personnel appointed to the Commission by their respective Senate and House of Representatives offices under processes developed for the clearance of legislative branch employees.

(i) TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.—

(1) IN GENERAL.—The Director of National Intelligence shall assume responsibility for the handling and disposition of any information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(2) APPROVAL REQUIRED.—Information related to the national security of the United States that is provided to the Commission by the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, the Committee on Armed Services of the Senate, or the Committee on Armed Services of the House of Representatives may not be further provided or released without the approval of the chairperson of such committee.

(3) ACCESS AFTER TERMINATION OF COMMISSION.—Notwithstanding any other provision of law, after the termination of the Commission under subsection (k), only the members and designated staff of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives, the Director of National Intelligence (and the designees of the Director), and such other officials of the executive branch as the President may designate shall have access to information related to the national security of the United States that is received, considered, or used by the Commission.

(j) REPORT.—

(1) IN GENERAL.—Not later than September 1, 2027, the Commission shall submit to the appropriate committees of Congress, the Assistant to the President for National Security Affairs, the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, the Secretary of Commerce, and the Director of National Intelligence a final report on the findings and recommendations of the Commission.

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

(k) TERMINATION OF COMMISSION.—

(1) IN GENERAL.—The Commission, and all the authorities of this section, shall terminate at the end of the 120-day period beginning on the date on which the final report is submitted under subsection (j).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 120-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (j) and disseminating such report.

(l) ASSESSMENTS OF FINAL REPORT.—Not later than 60 days after the date on which the final report required by subsection (j) is submitted, the Secretary of State, the Secretary of Defense, the Secretary of the Treasury, the Secretary of Commerce, and the Director of National Intelligence shall each submit to the appropriate committees of Congress an assessment of the final report that includes such comments on the findings and recommendations contained in the final report as the Director or Secretary, as applicable, considers appropriate.

(m) INAPPLICABILITY OF CERTAIN ADMINISTRATIVE PROVISIONS.—

(1) FEDERAL ADVISORY COMMITTEE ACT.—The provisions chapter 10 of part I of title 5, United States Code (commonly referred to as the ''Federal Advisory Committee Act''), shall not apply to the Commission.

(2) FREEDOM OF INFORMATION ACT.—The provisions of section 552 of title 5, United States Code (commonly referred to as the ''Freedom of Information Act''), shall not apply to the activities, records, and proceedings of the Commission under this section.

(n) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated by this Act for fiscal year 2025 for the Department of Defense, $5,000,000 shall be made available to carry out this section, to remain available until the termination of the Commission.

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

(1) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Appropriations, the Committee on Commerce, Science, and Transportation, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Relations, and the Committee on Finance of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, the Committee on Homeland Security and Governmental Affairs, the Committee on Foreign Affairs, and the Committee on Financial Services of the House of Representatives.

SA 2091. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 324. MODIFICATION OF RESTRICTION ON DEPARTMENT OF DEFENSE PROCUREMENT OF CERTAIN ITEMS CONTAINING PERFLUOROOCTANE SULFONATE OR PERFLUOROOCTANOIC ACID.

(a) IN GENERAL.—Section 333 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 3062 note) is amended to read as follows:

''SEC. 333. RESTRICTION ON DEPARTMENT OF DEFENSE PROCUREMENT OF CERTAIN ITEMS CONTAINING PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

''(a) RESTRICTION ON PROCUREMENT OF CERTAIN ITEMS.—The Department of Defense may not procure any covered item that contains or is produced using any of the following:

''(1) Perfluorooctane sulfonate (PFOS).

''(2) Perfluorooctanoic acid (PFOA).

''(3) Perfluorobutanesulfonic acid (PFBS).

''(4) Perfluorohexanesulfonic acid (PFHxS).

''(5) Perfluorononanoic acid (PFNA).

''(6) GenX.

''(b) INCLUSION IN CONTRACTS.—The Secretary of Defense shall include the prohibition under subsection (a) in any contract entered into by the Department of Defense to procure a covered item.

''(c) NO OBLIGATION TO TEST.—In carrying out the prohibition under subsection (a), the Secretary of Defense shall not have an obligation to test a covered item to confirm the absence of perfluoroalkyl substances or polyfluoroalkyl substances.

''(d) EXISTING INVENTORY.—Nothing in this section shall be construed to impact existing inventories of covered items procured by the Secretary of Defense before the effective date of this section.

''(e) COVERED ITEM DEFINED.—In this section, the term 'covered item' means—

''(1) non-stick cookware or food service ware for use in galleys or dining facilities;

''(2) food packaging materials;

''(3) cleaning products;

''(4) carpeting; and

''(5) rugs and upholstered furniture.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on April 1, 2026.

SA 2092. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 891. PROCUREMENT OF CLEANING PRODUCTS.

The Secretary of Defense shall, to the maximum extent practicable, only procure cleaning products that are identified by—

(1) the Safer Choice program; or

(2) an independent third-party organization that provides certifications in a manner consistent with the Safer Choice program.

SA 2093. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle G—Supporting Democracy and the Rule of Law in the Republic of Georgia

SEC. 1291. SHORT TITLES.

This subtitle may be cited as the ''Georgian People's Act'' or the ''GPA Act''.

SEC. 1292. FINDINGS.

Congress finds the following:

(1) On April 9, 1991, the Republic of Georgia declared independence from the Soviet Union, and on March 24, 1992, the United States and Georgia established formal diplomatic relations.

(2) Since 1993, the territorial integrity of Georgia has been reaffirmed by the international community and numerous United Nations Security Council resolutions.

(3) At the 2008 Summit in Bucharest, NATO recognized the aspirations of Georgia to join NATO and committed that Georgia would become a member of the Alliance.

(4) On August 7, 2008, the Russian Federation invaded Georgia and thereafter occupied 20 percent of its territory, all of which it continues to occupy.

(5) On January 9, 2009, the United States and Georgia signed the United States-Georgia Charter on Strategic Partnership, affirming the close relationship between the United States and Georgia based on the shared principles of democracy, free markets, defense and security cooperation, and cultural exchanges.

(6) Georgia made significant contributions to the wars in Iraq and Afghanistan and was the largest troop contributor among NATO partners to the NATO-led Resolute Support Mission in Afghanistan.

(7) The United States and Georgia have maintained a strong security partnership, including the U.S.-Georgia Security Cooperation Framework, signed in November 2019, and the Georgia Defense and Deterrence Enhancement Initiative, launched in October 2021.

(8) The United States supports the sovereignty and territorial integrity of Georgia within its internationally recognized borders and condemns the continued occupation by Russia of the Georgian regions of South Ossetia and Abkhazia.

(9) The United States has continuously supported the democratic wishes of the Georgian people, who have long maintained their aspirations to join the European Union and NATO.

(10) During and following her tenure as United States Ambassador and Plenipotentiary to Georgia between 2020 and 2023, Kelly Degnan has been the subject of slander and verbal abuse from members of the Government of Georgia.

(11) As recently as October 2023, reputable polling indicates that 86 percent of the Georgian public support Georgia becoming a member of the European Union.

(12) Since Russia's full-scale invasion of Ukraine in February 2022, Georgia—

(A) has not imposed its own sanctions on Russia; and

(B) has increased economic ties, including initiating many direct flights to and from Russia;

(C) has eased visa requirements for Russians visiting Georgia; and

(D) is perceived as a conduit of Russia's sanctions evasion endeavors.

(13) Since Russia's full-scale invasion of Ukraine in February 2022, and the subsequent rounds of international sanctions placed on Russia as a result of such invasion, Georgia saw its trade with Russia grow by 34 percent between January and June 2023.

(14) Georgia's geographic position as both a Black Sea littoral nation and its proximity to the Caspian Sea could further strengthen Georgia's economy by transporting natural gas through the Trans-Caspian Gas Pipeline Project.

(15) In June 2022, when the Governments of Ukraine and Moldova received candidate status for membership in the European Union, the European Council stated it would only be ready to grant Georgia candidate status once the country has addressed the 12 priorities outlined by the European Commission.

(16) In December 2023, the European Union granted Georgia the status of candidate country, with the understanding that Georgia would act consistent with the recommendations of the European Commission by continuing to advance the outlined reform priorities and increasing its alignment with the European Union's foreign and security policy positions.

(17) On February 24, 2023, a foreign agents bill was introduced in the Parliament of Georgia—

(A) to impose restrictions on civil society organizations, nongovernmental organizations, and independent media organizations; and

(B) to stigmatize such organizations as ''foreign agents''.

(18) On March 7, 2023, the Parliament of Georgia accelerated the passage of that bill, which led to—

(A) large-scale protests that Georgian authorities confronted by deploying tear gas and water cannons; and

(B) the withdrawal of the bill by the Parliament.

(19) On April 15, 2024, the foreign agents bill, which was renamed ''the Law on Transparency of Foreign Influence'', was reintroduced in the Parliament of Georgia with minor changes that did not reflect the express wishes of the Georgian people, which provoked—

(A) large-scale protests in Tbilisi and around the country; and

(B) the ejection of opposition parliamentarians from parliamentary hearings.

(20) On April 29, 2024, former Georgian Prime Minister Bidzina Ivanishvili, who is currently the Honorary Chairman of the ruling Georgian Dream Party, gave a speech in which he—

(A) harshly attacked American and European partners;

(B) alleged that the goal of foreign funding of civil society and nongovernmental organizations in Georgia is to deprive Georgia of its state sovereignty; and

(C) promised to punish opposition political groups.

(21) In the face of massive, nation-wide protests against the foreign agents bill, Georgian authorities have, in some cases, deployed disproportionate force against largely peaceful protestors, including—

(A) reportedly attacking journalists covering the protests and members of the political opposition; and

(B) threatening civil society leaders and family members of protestors at their homes.

(22) On May 14, 2024, the Parliament of Georgia passed the foreign agents bill against the wishes of the Georgian people.

(23) On May 21, 2024, the Venice Commission issued an opinion regarding Georgia's foreign influence law in which it ''strongly recommend[ed] repealing the Law in its current form, as its fundamental flaws will involve significant negative consequences for the freedoms of association and expression, the right to privacy, the right to participate in public affairs as well as the prohibition of discrimination.''.

SEC. 1293. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to call on all political parties and elected Members of the Parliament of Georgia to continue working on addressing the reform plan outlined by the European Commission to advance Georgia's recently granted candidate status, which the people of Georgia have freely elected to pursue;

(2) to call on the Government of Georgia to institute the required reforms, which are to be developed through an inclusive and transparent consultation process with opposition parties and civil society organizations;

(3) to express serious concern that impediments to strengthening the democratic institutions and processes of Georgia, including the foreign agents bill, will slow or halt Georgia's progress toward achieving its Euro-Atlantic aspirations, be perceived as stagnating the democratic trajectory of Georgia, and result in negative domestic and international consequences for the Government of Georgia;

(4) to impose swift consequences on individuals who are directly responsible for leading or have directly and knowingly engaged in leading, actions or policies that significantly undermine the peace, security, stability, sovereignty, or territorial integrity of Georgia;

(5) to emphasize the importance of contributing to international efforts—

(A) to combat Russian aggression, including through sanctions on trade with Russia and the implementation and enforcement of worldwide sanctions on Russia; and

(B) to reduce, rather than increase, trade ties between Georgia and Russia;

(6) to call on all political parties, elected Members of the Parliament of Georgia, and officers of the Ministry of Internal Affairs of Georgia to respect the freedoms of peaceful assembly, association, and expression, including for the press, and the rule of law, and encourage a vibrant and inclusive civil society;

(7) to call on the Government of Georgia to release all persons detained or imprisoned on politically motivated grounds and drop any pending charges against them;

(8) to call on the Government of Georgia to ensure that the national elections scheduled for October 2024 are free, fair, and reflective of the will of the Georgian people; and

(9) to continue impressing upon the Government of Georgia that the United States is committed to sustaining and deepening bilateral relations and supporting Georgia's Euro-Atlantic aspirations.

SEC. 1294. DEFINITIONS.

In this subtitle:

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

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

(B) the Committee on Appropriations of the Senate;

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

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

(2) FOREIGN AGENTS BILL.—The term ''foreign agents bill'' means the ''On Transparency of Foreign Influence'' bill, which was reintroduced in the Parliament of Georgia in April 2024.

(3) GEORGIA.—The term ''Georgia'' means the Republic of Georgia.

(4) NATO.—The term ''NATO'' means the North Atlantic Treaty Organization.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of State.

CHAPTER 1—CONDITIONS ON ENGAGEMENT WITH GOVERNMENT OF GEORGIA

Subchapter A—Sanctions

SEC. 1295. DEFINITIONS.

In this chapter:

(1) ADMISSION; ADMITTED; ALIEN.—The terms ''admission'', ''admitted'', and ''alien'' have the meanings given such terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

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

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

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

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

(D) the Committee on Financial Services of the House of Representatives.

(3) FOREIGN PERSON.—The term ''foreign person'' means any individual or entity that is not a United States person.

(4) IMMEDIATE FAMILY MEMBERS.—The term ''immediate family members'' has the meaning given the term ''immediate relatives'' in section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1201(b)(2)(A)(i)).

(5) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States;

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

(C) any person within the United States.

SEC. 1295A. STATEMENT OF POLICY.

(a) IN GENERAL.—It shall be the policy of the United States to support the constitutionally stated aspirations of Georgia to become a member of the European Union and the North Atlantic Treaty Organization, which—

(1) is made clear under Article 78 of the Constitution of Georgia; and

(2) is supported by 86 percent of the citizens of Georgia.

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

(1) acts of blocking Euro-Atlantic integration in Georgia, due to undue influence from corrupt or oligarchic forces, constitute a form of corruption;

(2) the United States should consider travel restrictions or sanctions on individuals responsible for any actions preventing Georgia from moving toward Euro-Atlantic integration, which include acts of violence or intimidation against Georgian citizens, members of civil society, and members of an opposition political party;

(3) the United States, in response to recent events in Georgia, should reassess whether recent actions undertaken by individuals in Georgia should result in the imposition of sanctions by the United States for acts of significant corruption and human rights abuses; and

(4) the United States should consider revoking the visas of nationals of Georgia and their family members who—

(A) live in the United States; and

(B) are determined to meet the criteria described in section 103(a).

SEC. 1295B. INADMISSIBILITY OF OFFICIALS OF GOVERNMENT OF GEORGIA AND CERTAIN OTHER INDIVIDUALS INVOLVED IN BLOCKING EURO-ATLANTIC INTEGRATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall identify and make a determination as to whether any of the following foreign persons has knowingly engaged in significant acts of corruption, or acts of violence or intimidation in relation to the blocking of Euro-Atlantic integration in Georgia:

(1) Any individual who, on or after January 1, 2012, has served as a member of the Parliament of the Government of Georgia, as a senior staff member of the Parliament of the Government of Georgia, or as a current or former senior official of a Georgian political party.

(2) Any individual who is serving as an official in a leadership position working on behalf of the Government of Georgia, including law enforcement, intelligence, judicial, or local or municipal government.

(3) An immediate family member of an official described in paragraph (1) or a person described in paragraph (2).

(b) CURRENT VISAS REVOKED.—

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

(2) IMMEDIATE EFFECT.—A revocation of a visa or other entry documentation of any alien pursuant to paragraph (1) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i))—

(A) take effect immediately; and

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

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit a written report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that—

(1) lists any foreign person for whom the Secretary has determined has knowingly engaged in an activity described in subsection (a); and

(2) a detailed justification for each such positive determination.

(d) FORM.—The report required under subsection (c) shall be submitted in accordance with the reporting requirements outlined in 7031(c) of the Department of State, Foreign Operations, and Related Appropriations Act, 2024 (division F of Public Law 118-47; 8 U.S.C. 1182 note).

(e) WAIVER.—The Secretary may waive the application of subsection (a) if the Secretary determines that—

(1) such waiver would serve a compelling national interest; or

(2) the circumstances which caused the individual to be ineligible have sufficiently changed.

SEC. 1295C. IMPOSITION OF SANCTIONS WITH RESPECT TO UNDERMINING PEACE, SECURITY, STABILITY, SOVEREIGNTY, OR TERRITORIAL INTEGRITY OF GEORGIA.

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

(1) is responsible for, complicit in, or has directly or indirectly engaged in or attempted to engage in, actions or policies, including ordering, controlling, or otherwise directing acts that are intended to undermine the peace, security, stability, sovereignty, or territorial integrity of Georgia;

(2) is or has been a leader or official of an entity that has, or whose members have, engaged in any activity described in paragraph (1); or

(3) is an immediate family member of a person subject to sanctions for conduct described in paragraph (1) or (2) who benefitted from such conduct.

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

(1) BLOCKING OF PROPERTY.—Notwithstanding the requirements under section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701), the President shall exercise all authorities granted under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign person subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

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

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

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

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

(I) take effect immediately; and

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

(c) WAIVER.—The President may waive the application of sanctions under this section with respect to a foreign person for renewable periods not to exceed 180 days if, not later than 15 days before the date on which such waiver is to take effect, the President submits to the appropriate committees of Congress a written determination and justification that the waiver is in the national security interests of the United States.

(d) IMPLEMENTATION; PENALTIES.—

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

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued under that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) RULE OF CONSTRUCTION.—Nothing in this subtitle, or in any amendment made by this subtitle, may be construed to limit the authority of the President to designate or sanction persons pursuant to an applicable Executive order or otherwise pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(e) RULEMAKING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall prescribe such regulations as are necessary for the implementation of this section.

(2) NOTIFICATION TO CONGRESS.—Not later than 10 days before prescribing regulations pursuant to paragraph (1), the President shall notify the appropriate committees of Congress of the proposed regulations and the provisions of this section that the regulations are implementing.

(f) TERMINATION OF SANCTIONS.—Any sanctions imposed on a foreign person pursuant

to this section shall terminate on the earlier of—

(1) the date on which the President certifies to the appropriate committees of Congress that the conditions requiring such sanctions no longer apply; or

(2) December 31, 2029.

(g) SUNSET.—This section shall cease to be effective on December 31, 2029.

SEC. 1295D. SANCTIONS WITH RESPECT TO BROADER CORRUPTION IN GEORGIA.

(a) DETERMINATION AND REPORT REQUIRED.—

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

(A) a list of all foreign persons about whom the Secretary has made a positive determination pursuant to section 103(a); and

(B) a determination as to whether any foreign person on the list described in subparagraph (A) qualifies under existing sanctions authorities described in subsection (b).

(2) FORM OF REPORT.—The report required under paragraph (1) shall be provided in unclassified form, but a classified annex may be provided separately containing additional contextual information pertaining to the justification for the issuance of any waiver, as described in paragraph (1)(B)(iii).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are sanctions applicable with respect to a person for acts of significant corruption, involvement in human rights abuses, or harmful foreign activities in Georgia under—

(1) Executive Order 14024 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to specified harmful foreign activities of the Government of the Russian Federation); or

(2) Executive Order 13818 (50 U.S.C. 1701 note; relating to blocking the property of persons involved in serious human rights abuse or corruption).

(c) CONGRESSIONAL OVERSIGHT.—Not later than 120 days after receiving a request from the chairman and ranking member of the Committee on Foreign Relations of the Senate or of the Committee on Foreign Affairs of the House of Representatives with respect to whether a foreign person meets meet the criteria for the imposition of sanctions described in subsection (b), the President shall—

(1) determine if the person meets such criteria; and

(2) submit a written justification to such chairman and ranking member detailing whether the President imposed or intends to impose sanctions described in this section with respect to such person.

SEC. 1295E. EXCEPTIONS.

(a) DEFINITIONS.—In this section:

(1) AGRICULTURAL COMMODITY.—The term ''agricultural commodity'' has the meaning given such term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

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

(3) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(4) MEDICINE.—The term ''medicine'' has the meaning given the term ''drug'' in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(b) EXCEPTIONS.—

(1) EXCEPTION RELATING TO INTELLIGENCE ACTIVITIES.—Sanctions under this subtitle shall not apply to—

(A) any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.); or

(B) any authorized intelligence activities of the United States.

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

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

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

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—The requirement to block and prohibit all transactions in all property and interests in property under this subtitle shall not include the authority or a requirement to impose sanctions on the importation of goods.

(4) HUMANITARIAN ASSISTANCE.—Sanctions under this subtitle shall not apply to—

(A) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, or humanitarian assistance, or for humanitarian purposes; or

(B) transactions that are necessary for, or related to, the activities described in subparagraph (A).

Subchapter B—Improving Bilateral Relations With Georgia

SEC. 1296. UNITED STATES STRATEGY TOWARD GEORGIA.

(a) STATEMENT OF POLICY ON GEORGIA.—It is the policy of the United States—

(1) to express that if the Government of Georgia proceeds to pass the foreign agents law and other legislation further inhibiting its ability to advance its accession into the European Union—

(A) the United States Government's policy toward Georgia should take into consideration these updated circumstances; and

(B) the United States should review all forms of foreign and security assistance made available to the Government of Georgia; and

(2) to reevaluate its policy toward the Government of Georgia if the Government of Georgia takes the required steps—

(A) to reorient itself toward its European Union accession agenda; and

(B) to advance policy or legislation reflecting the express wishes of the Georgian people.

(b) 5-YEAR UNITED STATES STRATEGY FOR BILATERAL RELATIONS WITH GEORGIA.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State and the Administrator of the United States Agency for International Development, in coordination with the heads of other relevant Federal departments and agencies, shall submit to the appropriate congressional committees a detailed strategy which shall—

(1) outline specific objectives for enhancing bilateral ties which reflect the current domestic political environment in Georgia;

(2) determine what tools, resources, and funding should be available and assess whether Georgia should remain the second-highest recipient of United States funding in the Europe and Eurasia region;

(3) determine the extent to which the United States should continue to invest in its defense partnership with Georgia;

(4) explore how the United States can continue to support civil society and independent media organizations in Georgia; and

(5) determine whether the Government of Georgia remains committed to expanding trade ties with the United States and Europe and whether the United States Government should continue to invest in Georgian projects.

SEC. 1296A. REPORT ON REVIEW OF FOREIGN ASSISTANCE TO GEORGIA.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary, in coordination with the USAID Administrator and other relevant Federal agencies, shall submit a report to the appropriate congressional committees that outlines all assistance provided by any United States Government agency to the Government of Georgia that are not explicitly focused on democracy or rule of law and shall include—

(1) a detailed overview of each project; and

(2) associated funding allocations, including projected funding for each project.

(b) SUSPENSION OF PROJECTS.—Not later than 60 days after the date on which the report required under subsection (a) is submitted, the Secretary shall—

(1) suspend all projects in Georgia carried out by the Department of State or other United States Government agencies that primarily provide material aid, reputational advantage, or sustenance to state actors, officials, or their proxies who undermine the democracy of Georgia and enable Russian aggression within and outside of Georgia; and

(2) consult with the appropriate congressional committees before any programming actions are taken in response to such review.

(c) USE OF FUNDS.—

(1) REPROGRAMMING.—The Secretary may reprogram any amounts that cannot be absorbed to support democracy and rule-of-law initiatives in Georgia to other initiatives taking place in other countries in the Europe and Eurasia region after notifying the appropriate congressional committees.

(2) LIMITATION.—No amounts appropriated or otherwise made available by the Act entitled ''An Act Making emergency supplemental appropriations for the fiscal year ending September 30, 2024, and for other purposes'', approved April 24, 2024 (Public Law 118–50) may be obligated or expended for any assistance to Georgia unless the Secretary certifies to the appropriate congressional committees that—

(A) such obligation or expenditure is in the vital national security interest of the United States; or

(B) the Government of Georgia is taking measures—

(i) to represent the democratic wishes of the citizens of Georgia; and

(ii) to uphold its constitutional obligation to advance membership in the European Union and NATO.

SEC. 1296B. SENSE OF CONGRESS REGARDING SUSPENSION OF UNITED STATES-GEORGIA STRATEGIC DIALOGUE.

It is the sense of Congress that the Secretary should suspend the United States-Georgia Strategic Partnership Commission, established through the United States-Georgia Charter on Strategic Partnership on January 9, 2009, until after the Government of Georgia takes measures—

(1) to represent the democratic wishes of the citizens of Georgia; and

(2) to uphold its constitutional obligation to advance the country towards membership in the European Union and NATO.

SEC. 1296C. DEFENSE COOPERATION WITH GEORGIA.

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

(1) is proud of the strong defense relationship between the United States and Georgia, which was—

(A) cemented in 2002 through a Defense Cooperation Agreement; and

(B) further enhanced in October 2021 by the Georgia Defense and Deterrence Enhancement Initiative.

(2) is grateful to the Georgian Defense forces for their contributions to international peacekeeping missions, including—

(A) the NATO-led Kosovo Force mission;

(B) the European Union Military Operation in the Central African Republic; and

(C) its deployment of forces in support of United States forces in Iraq from 2006 to 2008;

(3) is grateful to the Georgian Ministry of Defense's contributions toward the NATO-led International Security Assistance Force (referred to in this section as the ''ISAF'') in Afghanistan, whereby—

(A) Georgia was one of the largest contributors of troops per capita for a non-NATO country; and

(B) 32 Georgian soldiers died and 280 Georgian soldiers were wounded in support of the ISAF mission; and

(4) should, to the extent possible, sustain strong ties between the United States military and the Georgian Ministry of Defense.

(b) DEFENSE REVIEW.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall conduct a defense review to determine whether the United States, in response to recent political developments in Georgia, should continue to support the military needs of Georgia.

CHAPTER 2—ADDITIONAL MEASURES TO SUPPORT THE GEORGIAN PEOPLE

SEC. 1297. STATEMENT OF POLICY IN SUPPORT OF THE GEORGIAN PEOPLE.

It is the policy of the United States—

(1) to continue supporting the ongoing development of democratic values in Georgia, including free and fair elections, freedom of association, an independent and accountable judiciary, an independent media, public-sector transparency and accountability, the rule of law, countering malign influence, and anticorruption efforts;

(2) to support the sovereignty, independence, and territorial integrity of Georgia within its internationally recognized borders;

(3) to continue to support the Georgian people and civil society organizations that reflect the aspirations of the Georgian people for democracy and a future with the people of Europe;

(4) to continue supporting the capacity of the Government of Georgia to protect its sovereignty and territorial integrity from further Russian aggression or encroachment;

(5) to support domestic and international efforts, including polling, pre-election and election-day observation efforts, to support the execution of free and fair elections in Georgia in October 2024;

(6) to continue supporting the right of the Georgian people to freely engage in peaceful protest, determine their future, and make independent and sovereign choices on foreign and security policy, including regarding Georgia's relationship with other countries and international organizations, without interference, intimidation, or coercion by other countries or those acting on their behalf; and

(7) to underscore the unwavering bipartisan support from Congress in supporting the democratic aspirations of the Georgian people.

SEC. 1297A. DEMOCRACY AND RULE-OF-LAW PROGRAMMING.

(a) STATEMENT OF POLICY REGARDING EFFECT OF NATIONAL ELECTIONS IN GEORGIA.—It is the policy of the United States to undertake efforts, in partnership with the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe, to ensure that the national elections in Georgia that are scheduled to be held in October 2024 are conducted in a manner that is free, fair, and reflective of the will of the Georgian people and show evidence of a broader and sustainable democratic trajectory.

(b) FUNDING.—From the amounts appropriated to the Assistance for Europe, Eurasia and Central Asia account under the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2024, or under the comparable appropriations Act for fiscal year 2025, not less than $50,000,000 shall be made available—

(1) to strengthen democracy and civil society in Georgia, including for transparency, independent media, rule of law, anti-corruption efforts, countering malign influence, and good governance initiatives; and

(2) to support the Georgian people's efforts to advance their aspirations for membership in the European Union and Euro-Atlantic integration.

(c) REVIEW OF SUPPORT.—In response to the passage of the foreign agents law, the Secretary and the Administrator of the United States Agency for International Development shall undertake a review of efforts to determine—

(1) how best to continue providing support to civil society and independent media organizations in Georgia; and

(2) whether additional funds should be allocated to the National Endowment for Democracy for initiatives in Georgia.

SEC. 1297B. REPORT ON DISINFORMATION AND CORRUPTION IN GEORGIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with such agencies as the Secretary considers relevant, shall submit to the appropriate congressional committees a report that includes—

(1) an assessment of efforts within and outside of Georgia to spread disinformation within Georgia to mischaracterize or undermine the bilateral relationships between the United States and Georgia and the European Union and Georgia;

(2) a list of—

(A) sources that have played an active role in advancing disinformation campaigns to erode public support for the United States, the European Union, and NATO within Georgia; and

(B) efforts undertaken by the Government of Georgia to sanction actors involved in the spread of disinformation that limits its Euro-Atlantic aspirations;

(3) an assessment of the extent to which corrupt actors are undermining the ability of political parties and democratic institutions in Georgia to uphold and adhere to the principles of transparency and good governance;

(4) a list of policy options to assist the Government of Georgia in helping protect democracy and the rule of law by punishing bad actors;

(5) an overview of efforts in Georgia designed—

(A) to suppress a free and independent media; or

(B) to harass and intimidate civil society;

(6) a list of actors responsible for—

(A) the suppression of a free and independent media in Georgia; or

(B) harassment and intimidation of civil society in Georgia;

(7) an assessment of—

(A) the Russian Federation's influence and information operations in Georgia; and

(B) connections between the influence and operations described in subparagraph (A) and the broader agenda of the Russian Federation in the region; and

(8) an assessment of—

(A) the People's Republic of China's influence and information operations in Georgia; and

(B) connections between the influence and operations described in subparagraph (A) and the broader agenda of the People's Republic of China in the region.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, with a classified annex.

SEC. 1297C. REPORT ON POLITICAL PRISONERS IN GEORGIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with relevant Federal agencies, as determined by the Secretary, shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representativesa that includes—

(1) a list of prisoners within the Georgian prison system that the Department of State considers to be imprisoned for political reasons or otherwise wrongfully detained, especially those who have been detained since March 2024; and

(2) a description of efforts to work with Georgian authorities to advocate for the release of such prisoners.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form.

SEC. 1297D. SUNSET.

This subtitle, except for section 1295C, shall cease to have any force or effect beginning on the date that is 5 years after the date of the enactment of this Act.

SA 2094. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1095. AUTHORITY TO REIMBURSE NATIONAL GUARD AND RESERVE SALARIES FOR CERTAIN ACTIVITIES IN SUPPORT OF DEPARTMENT OF STATE.

Section 503(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2311(a)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by striking ''(a) The'' and inserting ''(a)(1) The'';

(3) in the matter following subparagraph (C) (as redesignated by paragraph (1) of this section), by striking ''Sales which'' and inserting the following:

''(2)(A) Sales that''; and

(4) in paragraph (2) (as designated by paragraph (3) of this section)—

(A) by striking ''paragraph (3)'' and inserting ''paragraph (1)(C)''; and

(B) by striking ''United States'' and all that follows through the period at the end and inserting the following: ''United States other than members of—

''(i) the Coast Guard; and

''(ii) the reserve components of the Army, Navy, Air Force, and Marine Corps who are ordered to active duty pursuant to chapter 1209 of title 10, United States Code, and at the request of the Secretary of State, including units of the Air National Guard providing support to such missions under the

Air Force Security Assistance Training Squadron.

''(B) Members of reserve components described in subparagraph (A)(ii) shall, pursuant to section 515(e), serve under the direction and supervision of the Chief of the appropriate United States Diplomatic Mission and are not part of any State Partnership Program established under section 341 of title 10, United States Code.''.

SA 2095. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. SMALL BUSINESS PROCUREMENT.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(1) in subsection (g)—

(A) by inserting after ''(g)'' the following: ''GOALS FOR PARTICIPATION OF SMALL BUSINESS CONCERNS IN PROCUREMENT CONTRACTS.—''; and

(B) in paragraph (1)—

(i) in subparagraph (A)(i), by striking the second sentence; and

(ii) by adding at the end the following:

''(C) REQUIREMENT TO INCREASE THE NUMBER OF SMALL BUSINESS CONCERNS.—In meeting each of the goals under subparagraph (A), the Government shall—

''(i) increase the number of small business concerns awarded contracts; and

''(ii) ensure the participation of a broad spectrum of small business concerns from a wide variety of industries.''; and

(2) in subsection (y)—

(A) in paragraph (2)—

(i) by redesignating subparagraph (E) as subparagraph (F); and

(ii) by inserting after subparagraph (D) the following:

''(E) The number of new small business entrants, including new small business entrants that are small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women awarded prime contracts in each North American Industry Classification System code during the fiscal year, and a comparison to the number awarded prime contracts during the prior fiscal year, if available.'';

(B) in paragraph (3)(B)—

(i) by striking ''(E)'' and inserting ''(F)'';

(ii) by striking ''award of'' and all that follows through ''owned and controlled by women'' and inserting the following: ''award of—

''(i) prime contracts to an increasing number of small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, from a wide variety of industries; and

''(ii) subcontracts to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women''; and

(C) in paragraph (6)—

(i) by striking the heading and inserting ''DEFINITIONS.—'';

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(iii) by striking ''subsection, the'' and inserting: ''subsection:

''(A) NEW SMALL BUSINESS ENTRANT.—The term 'new small business entrant' means a small business concern that—

''(i) has been awarded a prime contract; and

''(ii) has not previously been awarded a prime contract.

''(B) SCORECARD.—The''.

SA 2096. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. ACCOUNTABILITY IN WOMEN-OWNED SMALL BUSINESS CONTRACTING.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY WOMEN.—The term ''small business concern owned and controlled by women'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) ELIMINATING SELF-CERTIFICATION FOR WOMEN-OWNED SMALL BUSINESSES.—

(1) ELIMINATING SELF-CERTIFICATION IN PRIME CONTRACTING AND SUBCONTRACTING FOR WOSBS.—

(A) IN GENERAL.—Each prime contract award and subcontract award that is counted for the purpose of meeting the goals for participation by small business concerns owned and controlled by women in procurement contracts for Federal agencies, as established in section 15(g)(2) of the Small Business Act (15 U.S.C. 644(g)(2)), shall be entered into with small business concerns certified by the Administrator or by a national certifying entity approved by the Administrator under section 8(m) of such Act (15 U.S.C. 637(m)) to meet the requirements under section 3(n) of such Act (15 U.S.C. 632(n)) to be a small business concern owned and controlled by women.

(B) EFFECTIVE DATE.—Subparagraph (A) shall take effect on October 1 of the second fiscal year beginning after the Administrator promulgates the regulations required under paragraph (3).

(2) PHASED APPROACH TO ELIMINATING SELF-CERTIFICATION FOR WOSBS.—Notwithstanding any other provision of law, any small business concern that self-certified as a small business concern owned and controlled by women may—

(A) if the small business concern files a certification application with the Administrator before the end of the 1-year period beginning on the date of the final rulemaking by the Administrator in accordance with paragraph (3), maintain such self-certification until the Administrator makes a determination with respect to such certification; and

(B) if the small business concern does not file a certification application before the end of the 1-year period beginning on the date of the final rulemaking by the Administrator in accordance with paragraph (3), lose, at the end of such 1-year period, any self-certification of the small business concern as a small business concern owned and controlled by women.

(3) RULEMAKING.—Not later than 180 days after the date of enactment of this section, the Administrator shall promulgate regulations to carry out this subsection.

SA 2097. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. LIMITATION ON FEDERAL AGENCY CREDIT FOR MEETING CONTRACTING GOALS.

Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by adding at the end the following:

''(4) LIMITATION ON CREDIT FOR MEETING CONTRACTING GOALS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'covered category of small business concern' means—

''(I) a small business concern owned and controlled by service-disabled veterans;

''(II) a qualified HUBZone small business concern;

''(III) a small business concern owned and controlled by socially and economically disadvantaged individuals; or

''(IV) a small business concern owned and controlled by women; and

''(ii) the term 'credit' means the value of a prime contract.

''(B) GENERAL RULE.—A Federal agency may allocate credit for a single prime contract awarded to a small business concern not more than 2 times for purposes of demonstrating compliance with the goals of the Federal agency established under paragraph (2)(A).

''(C) ALLOCATION OF CREDIT.—

''(i) FIRST ALLOCATION.—The first allocation of credit described in subparagraph (B) shall be applied towards the goal of the Federal agency established under paragraph (2)(A) for participation by small business concerns.

''(ii) SECOND ALLOCATION.—A second allocation of credit described in subparagraph (B) shall be applied as follows:

''(I) If the prime contract was awarded as a sole-source contract or through competition restricted to a covered category of small business concern, the credit shall be applied towards the goal of the Federal agency established under paragraph (2)(A) for participation by the applicable covered category of small business concern.

''(II) If the prime contract was not awarded as a sole-source contract or through competition restricted to a covered category of small business concern, the credit may only be applied towards a single goal of the Federal agency established under paragraph (2)(A), determined at the election of the contracting officer, for participation by a covered category of small business concern that is applicable to the recipient of the prime contract, without regard to whether the recipient of the prime contract qualifies as

more than 1 covered category of small business concern.

''(D) RULEMAKING.—Not later than 180 days after the date of enactment of this paragraph, the Administrator shall promulgate regulations to carry out this paragraph.

''(E) PHASE-IN.—

''(i) IN GENERAL.—This paragraph shall apply with respect to the fourth fiscal year beginning after the date of enactment of this paragraph, and each fiscal year thereafter.

''(ii) INTERIM SCORING.—For the first, second, and third full fiscal years beginning after the date of enactment of this paragraph, the Administrator shall submit to each Federal agency and to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives an assessment of the agency, providing—

''(I) an evaluation of whether the Federal agency met the contracting goals under this subsection for the fiscal year; and

''(II) an evaluation of whether the Federal agency would have met the contracting goals under this subsection for the fiscal year, if this paragraph had been in effect.

''(iii) CONSULTATIONS.—The Administrator may consult with, and make recommendations to, a Federal agency if the evaluation under clause (ii)(II) identifies that the agency would not have met the contracting goals under this subsection, if this paragraph had been in effect.

''(iv) PUBLIC NOTICE.—For the third full fiscal year beginning after the date of enactment of this paragraph, the Administrator shall also make the information in subclauses (I) and (II) of clause (ii) available to the public.''.

SA 2098. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. PLAIN LANGUAGE IN CONTRACTING.

(a) ACCESSIBILITY AND CLARITY IN COVERED NOTICES FOR SMALL BUSINESS CONCERNS.—

(1) IN GENERAL.—Each covered notice shall be written—

(A) in a manner that is clear, concise, and accessible to a small business concern; and

(B) in a manner consistent, to the extent practicable, with the Federal plain language guidelines established pursuant to the Plain Writing Act of 2010 (5 U.S.C. 301 note).

(2) INCLUSION OF KEY WORDS IN COVERED NOTICES.—Each covered notice shall, to the maximum extent practicable, include key words in the description of the covered notice such that a small business concern seeking contract opportunities using the single governmentwide point of entry described under section 1708 of title 41, United States Code, can easily identify and understand such covered notice.

(3) RULEMAKING.—Not later than 90 days after the date of the enactment of this section, the Administrator of the Small Business Administration shall issue rules to carry out this subsection.

(4) DEFINITIONS.—In this subsection:

(A) COVERED NOTICE.—The term ''covered notice'' means a notice pertaining to small business concerns published by a Federal agency on the single governmentwide point of entry described under section 1708 of title 41, United States Code.

(B) SMALL BUSINESS ACT DEFINITIONS.—The terms ''Federal agency'' and ''small business concern'' have the meanings given those terms, respectively, in section 3 of the Small Business Act (15 U.S.C. 632).

SA 2099. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PILOT PROGRAM FOR SMALL BUSINESSES TO SCALE TECHNOLOGIES.

(a) PILOT PROGRAM FOR SMALL BUSINESSES TO SCALE TECHNOLOGIES.—

(1) IN GENERAL.—Section 9(aa) of the Small Business Act (15 U.S.C. 638(aa)) is amended—

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

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

''(5) PILOT PROGRAM FOR SMALL BUSINESSES TO SCALE TECHNOLOGIES.—Upon request by a Federal agency, the Administrator shall grant a waiver from the requirement under paragraph (1) with respect to a Phase II award under the SBIR program or STTR program of the Federal agency if the Federal agency ensures that—

''(A) the total funding associated with the Phase II award under the SBIR program and the STTR program does not exceed $20,000,000;

''(B) not more than 33 percent of the total funding, public or private, included or required by the funding agreement may be paid with funding under the SBIR program or the STTR program of the Federal agency;

''(C) for the Department of Defense, the Phase II award directly supports a Department of Defense operational need and has a clearly defined transition path to support military capabilities; and

''(D) if the waiver is granted—

''(i) not more than 25 percent of the SBIR program budget of the Federal agency for any fiscal year will be expended on Phase II awards for which a waiver is granted under this paragraph; and

''(ii) not more than 25 percent of the STTR program budget of the Federal agency for any fiscal year will be expended on Phase II awards for which a waiver is granted under this paragraph.''.

(2) SUNSET.—Effective on October 1, 2025, section 9(aa) of the Small Business Act (15 U.S.C. 638(aa)) is amended—

(A) by striking paragraph (5); and

(B) by redesignating paragraph (6) as paragraph (5).

(b) REQUIREMENT FOR DEFENSE INNOVATION UNIT; PILOT PROGRAM FOR ACCELERATION OF HIGH PRIORITY TECHNOLOGIES.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''appropriate congressional committees'' means—

(i) the Committee on Small Business and Entrepreneurship of the Senate;

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

(iii) the Committee on Small Business of the House of Representatives;

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

(v) the Committee on Science, Space, and Technology of the House of Representatives;

(B) the terms ''armed forces'' and ''Secretary concerned'' have the meanings given those terms in section 101 of title 10, United States Code;

(C) the term ''major system'' has the meaning given the term in section 3041 of title 10, United States Code;

(D) the terms ''Phase I'', ''Phase II'', ''Phase III'', ''SBIR'', and ''STTR'' have the meanings given those terms in section 9(e) of the Small Business Act (15 U.S.C. 638(e)); and

(E) the term ''small business concern'' has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(2) REQUIREMENT.—The Director of the Defense Innovation Unit of the Department of Defense shall establish a mechanism, such as a major system, to provide small business concerns with direct access to program and requirements offices throughout the Department of Defense that may purchase technology from small business concerns under Phase III of the SBIR or STTR program of the Department of Defense.

(3) PILOT PROGRAM FOR ADVANCING SMALL BUSINESS DEVELOPMENT.—

(A) IN GENERAL.—

(i) SET ASIDE.—Of the amounts authorized to be appropriated by this Act, or otherwise made available for fiscal year 2025, to carry out an SBIR program of a component of the armed forces, that component shall use 1 percent of those amounts to provide for the procurement of high priority technologies (as so identified by the chief acquisition officer of the component), specifically the procurement of systems that have been supported through Phase I or Phase II awards of that program but have not become programs of record.

(ii) COMBINING FUNDING.—For the purposes of clause (i), multiple components of the armed forces may combine amounts that each component is required to use as described in that clause to jointly provide for the procurement of high priority technologies.

(B) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the chief acquisition officer of each component of the armed forces shall submit to the appropriate congressional committees a list of which technologies that officer has identified as high priority technologies under subparagraph (A).

(C) REPORT.—Not later than 1 year after the date of enactment of this Act, each Secretary concerned shall submit to the appropriate congressional committees a report that contains policy change recommendations identified as a result of the pilot program carried out under this paragraph by the applicable component of the armed forces to facilitate the rapid adoption of technologies supported by the SBIR program of the component.

(c) LIMITATIONS ON AMOUNT OF AWARDS AND NUMBER OF APPLICATIONS.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(yy) LIMITATIONS ON TOTAL SBIR AND STTR AWARD AMOUNTS AND APPLICATIONS.—

''(1) TOTAL AWARD AMOUNT.—A single small business concern, including any subsidiary or affiliated entity of the small business concern, may not receive more than $50,000,000 in Phase I and Phase II awards, in the aggregate, from Federal agencies participating in the SBIR or STTR program.

''(2) APPLICATIONS.—

''(A) IN GENERAL.—A small business concern may not submit more than 10 applications to a single Federal agency for each SBIR or STTR program award solicitation of the Federal agency.

''(B) DEPARTMENT OF DEFENSE.—For purposes of subparagraph (A), the Department of Defense shall consist of 1 Federal agency.''.

SA 2100. Mr. MARKEY (for himself and Mr. CRUZ) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle H of title X, insert the following:

SEC. ___. AM RADIO FOR EVERY VEHICLE.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) AM BROADCAST BAND.—The term ''AM broadcast band'' means the band of frequencies between 535 kilohertz and 1705 kilohertz, inclusive.

(3) AM BROADCAST STATION.—The term ''AM broadcast station'' means a broadcast station licensed for the dissemination of radio communications—

(A) intended to be received by the public; and

(B) operated on a channel in the AM broadcast band.

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

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Transportation and Infrastructure of the House of Representatives;

(D) the Committee on Homeland Security of the House of Representatives; and

(E) the Committee on Energy and Commerce of the House of Representatives.

(5) COMPTROLLER GENERAL.—The term ''Comptroller General'' means the Comptroller General of the United States.

(6) DEVICE.—The term ''device'' means a piece of equipment or an apparatus that is designed—

(A) to receive signals transmitted by a radio broadcast station (as defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153)); and

(B) to play back content or programming derived from those signals.

(7) DIGITAL AUDIO AM BROADCAST STATION.—

(A) IN GENERAL.—The term ''digital audio AM broadcast station'' means an AM broadcast station that—

(i) is licensed by the Federal Communications Commission; and

(ii) uses an In-band On-channel system (as defined in section 73.402 of title 47, Code of Federal Regulations (or a successor regulation)) for broadcasting purposes.

(B) EXCLUSION.—The term ''digital audio AM broadcast station'' does not include an all-digital AM station (as defined in section 73.402 of title 47, Code of Federal Regulations (or a successor regulation)).

(8) INTEGRATED PUBLIC ALERT AND WARNING SYSTEM; IPAWS.—The terms ''Integrated Public Alert and Warning System'' and ''IPAWS'' mean the public alert and warning system of the United States described in section 526 of the Homeland Security Act of 2002 (6 U.S.C. 321o).

(9) MANUFACTURER.—The term ''manufacturer'' has the meaning given the term in section 30102(a) of title 49, United States Code.

(10) PASSENGER MOTOR VEHICLE.—The term ''passenger motor vehicle'' has the meaning given the term in section 32101 of title 49, United States Code.

(11) RECEIVE.—The term ''receive'' means to receive a broadcast signal via over-the-air transmission.

(12) SECRETARY.—The term ''Secretary'' means the Secretary of Transportation.

(13) SIGNAL.—The term ''signal'' means radio frequency energy that a holder of a radio station license granted or authorized by the Federal Communications Commission pursuant to sections 301 and 307 of the Communications Act of 1934 (47 U.S.C. 301, 307) intentionally emits or causes to be emitted at a specified frequency for the purpose of transmitting content or programming to the public.

(14) STANDARD EQUIPMENT.—The term ''standard equipment'' means motor vehicle equipment (as defined in section 30102(a) of title 49, United States Code) that—

(A) is installed as a system, part, or component of a motor vehicle as originally manufactured; and

(B) the manufacturer of the motor vehicle recommends or authorizes to be included in the motor vehicle for no additional or separate monetary fee, payment, or surcharge, beyond the base price of a motor vehicle.

(b) AM BROADCAST STATIONS RULE.—

(1) RULE REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator and the Federal Communications Commission, shall issue a rule—

(A) requiring devices that can receive signals and play content transmitted by AM broadcast stations be installed as standard equipment in passenger motor vehicles—

(i) manufactured in the United States, imported into the United States, or shipped in interstate commerce; and

(ii) manufactured after the effective date of the rule;

(B) requiring access to AM broadcast stations in a manner that is easily accessible to a driver after the effective date of the rule; and

(C) allowing a manufacturer to comply with that rule by installing devices that can receive signals and play content transmitted by digital audio AM broadcast stations as standard equipment in passenger motor vehicles manufactured in the United States, imported into the United States, or shipped in interstate commerce after the effective date of the rule.

(2) COMPLIANCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), in issuing the rule required under paragraph (1), the Secretary shall establish an effective date for the rule that is not less than 2 years, but not more than 3 years, after the date on which the rule is issued.

(B) CERTAIN MANUFACTURERS.—In issuing the rule required under paragraph (1), the Secretary shall establish an effective date for the rule that is at least 4 years after the date on which the rule is issued with respect to manufacturers that manufactured not more than 40,000 passenger motor vehicles for sale in the United States in 2022.

(3) INTERIM REQUIREMENT.—For passenger motor vehicles manufactured after the date of enactment of this Act and manufactured in the United States, imported into the United States, or shipped in interstate commerce between the period of time beginning on the date of enactment of this Act and ending on the effective date of the rule issued under paragraph (1) that do not include devices that can receive signals and play content transmitted by AM broadcast stations, the manufacturer of the passenger motor vehicles—

(A) shall provide clear and conspicuous labeling to inform purchasers of those passenger motor vehicles that the passenger motor vehicles do not include devices that can receive signals and play content transmitted by AM broadcast stations; and

(B) may not charge an additional or separate monetary fee, payment, or surcharge, beyond the base price of the passenger motor vehicles, for access to AM broadcast stations for the period of time described in this paragraph.

(4) RELATIONSHIP TO OTHER LAWS.—When the rule issued under paragraph (1) is in effect, a State or a political subdivision of a State may not prescribe or continue in effect a law, regulation, or other requirement applicable to access to AM broadcast stations in passenger motor vehicles.

(5) ENFORCEMENT.—

(A) CIVIL PENALTY.—Any person failing to comply with the rule issued under paragraph (1) shall be liable to the United States Government for a civil penalty in accordance with section 30165(a)(1) of title 49, United States Code.

(B) CIVIL ACTION.—The Attorney General may bring a civil action in an appropriate district court of the United States to enjoin a violation of the rule issued under paragraph (1) in accordance with section 30163 of title 49, United States Code.

(6) GAO STUDY.—

(A) IN GENERAL.—The Comptroller General shall conduct a comprehensive study on disseminating emergency alerts and warnings to the public.

(B) REQUIREMENTS.—The study required under subparagraph (A) shall include—

(i) an assessment of—

(I) the role of passenger motor vehicles in IPAWS communications, including by providing access to AM broadcast stations;

(II) the advantages, effectiveness, limitations, resilience, and accessibility of existing IPAWS communication technologies, including AM broadcast stations in passenger motor vehicles;

(III) the advantages, effectiveness, limitations, resilience, and accessibility of AM broadcast stations relative to other IPAWS communication technologies in passenger motor vehicles; and

(IV) whether other IPAWS communication technologies are capable of ensuring the President (or a designee) can reach at least 90 percent of the population of the United States at a time of crisis, including at night; and

(ii) a description of any ongoing efforts to integrate new and emerging technologies and communication platforms into the IPAWS framework.

(C) CONSULTATION REQUIRED.—In conducting the study required under subparagraph (A), the Comptroller General shall consult with—

(i) the Secretary of Homeland Security;

(ii) the Federal Communications Commission;

(iii) the National Telecommunications and Information Administration;

(iv) the Secretary;

(v) Federal, State, Tribal, territorial, and local emergency management officials;

(vi) first responders;

(vii) technology experts in resilience and accessibility;

(viii) radio broadcasters;

(ix) manufacturers of passenger motor vehicles; and

(x) other relevant stakeholders, as determined by the Comptroller General.

(7) BRIEFING AND REPORT.—

(A) BRIEFING.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall brief the appropriate committees of Congress on the results of the study required by paragraph (6)(A), including

recommendations for legislation and administrative action as the Comptroller General determines appropriate.

(B) REPORT.—Not later than 180 days after the date on which the Comptroller General provides the briefing required under subparagraph (A), the Comptroller General shall submit to the appropriate committees of Congress a report describing the results of the study required under paragraph (6)(A), including recommendations for legislation and administrative action as the Comptroller General determines appropriate.

(8) REVIEW.—Not less frequently than once every 5 years after the date on which the Secretary issued the rule required by paragraph (1), the Secretary, in coordination with the Administrator and the Federal Communications Commission, shall submit to the appropriate committees of Congress a report that shall include an assessment of—

(A) the impacts of the rule issued under that paragraph, including the impacts on public safety; and

(B) changes to IPAWS communication technologies that enable resilient and accessible alerts to drivers and passengers of passenger motor vehicles.

SA 2101. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 595(a), in the matter proposed to be inserted in section 503(c)(1)(A)(i) of chapter 31 of title 10, United States Code, as clause (i)(II), strike ''one in-person recruitment event'' and insert ''four in-person recruitment events''.

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

SEC. 597B. STUDY ON SERVICE ELIGIBILITY.

(a) STUDY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall complete a study on the eligibility of United States citizens aged 17–24 for military service.

(b) ELEMENTS.—The study required under subsection (a) shall include the following elements:

(1) An analysis of historical trends over at least 30 years preceding the date of the study of the eligibility of United States citizens aged 17–24 for military service.

(2) An analysis of the reasons for ineligibility, including an identification of the percentage of citizens who fail to meet eligibility standards for each of the following reasons:

(A) Physical fitness.

(B) Drug abuse.

(C) Mental health.

(D) Other medical issues.

(E) Aptitude.

(F) Conduct.

(3) An analysis of the potential impacts of increased rates of social media usage on the reasons described in subparagraphs (A) through (F) of paragraph (2).

(4) An analysis of the number of individuals on a yearly basis who seek a waiver for one or more reasons of ineligibility, compared to the number of individuals who receive a waiver and join the relevant military service.

(5) An analysis of the average time it takes for each military service to process a request for a waiver.

(6) An analysis of the reasons that waivers are not processed more quickly.

(c) RECOMMENDATIONS.—The study required under subsection (a) shall include recommendations—

(1) suggesting measures that could be taken by Federal and State leaders to decrease the percentages of United States citizens failing to meet eligibility standards described in subparagraphs (A) through (F) of subsection (b)(2); and

(2) proposing measures that the Department of Defense, and Congress, could take to improve the waiver process and reduce wait times for decisions on waiver requests.

(d) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.— The Secretary of Defense may contract with a federally funded research and development center to support the completion of the study required under subsection (a).

(e) PUBLIC REPORT.—

(1) IN GENERAL.—Not later than 30 days after the completion of the study required under subsection (a), the Secretary of Defense shall publish on a public website of the Department of Defense a report containing the findings of the study.

(2) ANNEX.—The Secretary may submit to the congressional defense committees a classified or unclassified annex to the report required under paragraph (1).

SEC. 597C. DEPARTMENT OF DEFENSE MARKETING REVIEW.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall complete a review of the advertising and marketing models used by each of the military services in support of recruiting efforts.

(b) ELEMENTS.—The review required under subsection (a) shall—

(1) assess the efficacy of marketing across each type of platform used by each service, including print, television, radio, internet, and social media;

(2) assess the efficacy of the messaging used by each service; and

(3) include recommendations for each service on ways to better reach individuals who could be interested in military service.

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing the findings of the review described required under subsection (a).

SA 2102. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INCREASE IN DOLLAR AMOUNT THRESHOLDS UNDER SECTIONS 3 AND 36 OF THE ARMS EXPORT CONTROL ACT RELATING TO PROPOSED TRANSFERS OR SALES OF DEFENSE ARTICLES OR SERVICES UNDER THAT ACT.

The Arms Export Control Act is amended—

(1) in section 3(d) (22 U.S.C. 2753(d))—

(A) in paragraph (1)—

(i) by striking ''$14,000,000'' and inserting ''$23,000,000''; and

(ii) by striking ''$50,000,000'' and inserting ''$83,000,000''; and

(B) in paragraph (3)(A)—

(i) by striking ''$14,000,000'' and inserting ''$23,000,000''; and

(ii) by striking ''$50,000,000'' and inserting ''$83,000,000'';

(2) in section 36(b) (22 U.S.C. 2776(b))—

(A) in paragraph (1)—

(i) by striking ''$50,000,000'' and inserting ''$83,000,000'';

(ii) by striking ''$200,000,000'' and inserting ''$332,000,000''; and

(iii) by striking ''$14,000,000'' and inserting ''$23,000,000''; and

(B) in paragraph (5)(C)—

(i) by striking ''$14,000,000'' and inserting ''$23,000,000'';

(ii) by striking ''$50,000,000'' and inserting ''$83,000,000''; and

(iii) by striking ''$200,000,000'' and inserting ''$332,000,000''; and

(C) in paragraph (6)—

(i) in subparagraph (A), by striking ''$25,000,000'' and inserting ''$42,000,000'';

(ii) in subparagraph (B), by striking ''$100,000,000'' and inserting ''$166,000,000''; and

(iii) in subparagraph (C), by striking ''$300,000,000'' and inserting ''$500,000,000''; and

(3) in section 36(c) (22 U.S.C. 2776(c))—

(A) in paragraph (1)—

(i) by striking ''$14,000,000'' and inserting ''$23,000,000''; and

(ii) by striking ''$50,000,000'' and inserting ''$83,000,000''; and

(B) in paragraph (5)—

(i) in subparagraph (A), by striking ''$25,000,000'' and inserting ''$42,000,000''; and

(ii) in subparagraph (B), by striking ''$100,000,000'' and inserting ''$166,000,000''.

SA 2103. Mr. ROMNEY (for himself and Mr. KELLY) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1027. EXCEPTION TO RESTRICTIONS ON REPAIR AND MAINTENANCE OF NAVAL VESSELS IN FOREIGN SHIPYARDS FOR SCHEDULED MAINTENANCE AND REPAIR EXERCISES.

Section 8680(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) Notwithstanding paragraph (1), during each fiscal year, scheduled maintenance or repair may be performed on not more than six naval vessels described in paragraph (1) outside the United States or Guam if—

''(A) the period for the maintenance or repair is less than 90 consecutive days in duration; and

''(B) the maintenance or repair is performed as part of an exercise to develop and improve the ability to perform maintenance or repair during wartime or periods of increased international tension.''.

SA 2104. Mr. ROMNEY (for himself, Mr. KAINE, Mr. HAGERTY, Mr. BENNET, Mr. HICKENLOOPER, and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle G—Coordinating AUKUS Engagement With Japan

SEC. 1291. DEFINITIONS.

In this subtitle:

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

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

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

(2) AUKUS OFFICIAL.—The term ''AUKUS official'' means a government official with responsibilities related to the implementation of the AUKUS partnership.

(3) AUKUS PARTNERSHIP.—The term ''AUKUS partnership'' has the meaning given that term in section 1321 of the National Defense Authorization Act of Fiscal Year 2024 (22 U.S.C. 10401).

(4) COMMERCE CONTROL LIST.—The term ''Commerce Control List'' means the list maintained pursuant to part 774 of title 15, Code of Federal Regulations (or successor regulations).

(5) STATE AUKUS COORDINATOR.—The term ''State AUKUS Coordinator'' means the senior advisor at the Department of State designated under section 1331(a)(1) of the National Defense Authorization Act for Fiscal Year 2024 (22 U.S.C. 10411(a)(1)).

(6) DEFENSE AUKUS COORDINATOR.—The term ''Defense AUKUS Coordinator'' means the senior civilian official of the Department of Defense designated under section 1332(a) of the National Defense Authorization Act for Fiscal Year 2024 (22 U.S.C. 10412(a)).

(7) PILLAR TWO.—The term ''Pillar Two'' has the meaning given that term in section 1321(2)(B) of the National Defense Authorization Act of Fiscal Year 2024 (22 U.S.C. 10401(2)(B)).

(8) UNITED STATES MUNITIONS LIST.—The term ''United States Munitions List'' means the list set forth in part 121 of title 22, Code of Federal Regulations (or successor regulations).

SEC. 1292. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should continue to strengthen relationships and cooperation with allies in order to effectively counter the People's Republic of China;

(2) the United States should capitalize on the technological advancements allies have made in order to deliver more advanced capabilities at speed and at scale to the United States military and the militaries of partner countries;

(3) the historic announcement of the AUKUS partnership laid out a vision for future defense cooperation in the Indo-Pacific among Australia, the United Kingdom, and the United States;

(4) Pillar Two of the AUKUS partnership envisions cooperation on advanced technologies, including hypersonic capabilities, electronic warfare capabilities, cyber capabilities, quantum technologies, undersea capabilities, and space capabilities;

(5) trusted partners of the United States, the United Kingdom, and Australia, such as Japan, could benefit from and offer significant contributions to a range of projects related to Pillar Two of the AUKUS partnership;

(6) Japan is a treaty ally of the United States and a technologically advanced country with the world's third-largest economy;

(7) in 2022, Australia signed a Reciprocal Access Agreement with Japan to facilitate reciprocal access and cooperation between the Self-Defense Forces of Japan and the Australian Defence Force;

(8) in 2023, the United Kingdom signed a Reciprocal Access Agreement with Japan to facilitate reciprocal access and cooperation between the Self-Defense Forces of Japan and the Armed Forces of the United Kingdom of Great Britain and Northern Ireland;

(9) in 2014, Japan relaxed its post-war constraints on the export of non-lethal defense equipment, and in March 2024, Japan further refined that policy to allow for the export of weapons to countries with which it has an agreement in place on defense equipment and technology transfers;

(10) in 2013, Japan passed a secrecy law obligating government officials to protect diplomatic and defense information, and in February 2024, the Cabinet approved a bill creating a new security clearance system covering economic secrets; and

(11) in April 2024, the United States, Australia, and the United Kingdom announced they would consider cooperating with Japan on advanced capability projects under Pillar Two of the AUKUS partnership.

SEC. 1293. ENGAGEMENT WITH JAPAN ON AUKUS PILLAR TWO COOPERATION.

(a) ENGAGEMENT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the State AUKUS Coordinator and the Defense AUKUS Coordinator shall jointly engage directly, at a technical level, with the relevant stakeholders in the Government of Japan—

(A) to better understand the export control system of Japan and the effects of the reforms the Government of Japan has made to that system since 2014;

(B) to determine overlapping areas of interest and the potential for cooperation with Australia, the United Kingdom, and the United States on projects related to the AUKUS partnership and other projects;

(C) to identify areas in which the Government of Japan might need to adjust the export control system of Japan in order to guard against export control violations or other related issues in order to be a successful potential partner in Pillar Two of the AUKUS partnership; and

(D) to assess the Government of Japan's implementation and enforcement of export controls on sensitive technologies with respect to the People's Republic of China, including the implementation of export controls on semiconductor manufacturing equipment.

(2) CONSULTATION WITH AUKUS OFFICIALS.—In carrying out the engagement required by paragraph (1), the State AUKUS Coordinator and the Defense AUKUS Coordinator shall consult with relevant AUKUS officials from the United Kingdom and Australia.

(b) BRIEFING REQUIREMENT.—Not later than 30 days after the date of the engagement required by subsection (a), the State AUKUS Coordinator and the Defense AUKUS Coordinator shall jointly brief the appropriate congressional committees on the following:

(1) The findings of that engagement.

(2) A strategy for follow-on engagement.

SEC. 1294. ASSESSMENT OF POTENTIAL FOR COOPERATION WITH JAPAN ON AUKUS PILLAR TWO.

Not later than 180 days after the date of the enactment of this Act, the Secretary of State, with the concurrence of the Secretary of Defense, shall submit to the appropriate congressional committees a report assessing the potential for cooperation with Japan on Pillar Two of the AUKUS partnership, detailing the following:

(1) Projects the Government of Japan is engaged in related to the development of advanced defense capabilities under Pillar Two of the AUKUS partnership.

(2) The average and median length of time it takes to approve licenses to export products on the United States Munitions List and the Commerce Control List to Japan.

(3) Areas of potential cooperation with Japan on advanced defense capabilities within and outside the scope of Pillar Two of the AUKUS partnership.

(4) The Secretaries' assessment of the current export control system of Japan, including—

(A) the procedures under that system for protecting classified and sensitive defense, diplomatic, and economic information;

(B) the effectiveness of that system in protecting such information; and

(C) such other matters as the Secretaries consider appropriate.

(5) Any reforms by Japan that the Secretary of State considers necessary before considering including Japan in the privileges provided under Pillar Two of the AUKUS partnership.

(6) Any recommendations regarding the scope and conditions of potential cooperation with Japan under Pillar Two of the AUKUS partnership.

(7) A strategy and forum for communicating the potential benefits of and requirements for engaging in projects related to Pillar Two of the AUKUS partnership with the Government of Japan.

(8) Any views provided by AUKUS officials from the United Kingdom and Australia on issues relevant to the report, and a plan for cooperation with such officials on future engagement with the Government of Japan related to Pillar Two of the AUKUS partnership.

SA 2105. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1291. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN ADVERSARY MARITIME MILITIA.

(a) IN GENERAL.—On and after the date that is 90 days after the date of the enactment of this Act, the President may impose the sanctions described in subsection (d) with respect to any foreign adversary entity that the Secretary of State, in coordination with the Secretary of the Treasury, determines—

(1) has contributed to, engaged in, or directly or indirectly supports—

(A) the maritime militia of a foreign adversary;

(B) provision of logistical support to such a militia, including provision of at-sea or at-port refueling or any other on-shore services, such as repair and servicing;

(C) the construction of vessels used by such a militia;

(D) the direction or control of such a militia, including directing activities that inhibit or coerce another country from protecting its sovereign rights or access to vessels or territory under its control; or

(E) other activities that may support, sustain, or enable the activities of such a militia; or

(2) has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to, or in support of, any person subject to sanctions pursuant to paragraph (1).

(b) EXCEPTIONS.—

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

(2) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to impose sanctions under this section shall not include the authority to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment and excluding technical data.

(c) WAIVER.—The President may waive the application of sanctions under this section with respect to a foreign adversary entity for renewable periods of not more than 180 days each if the President determines and reports to Congress that such a waiver is vital to the national security interests of the United States.

(d) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the exercise of the authorities provided to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign adversary entity subject to subsection (a) if such property or interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(e) IMPLEMENTATION; PENALTIES.—

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

(2) PROCEDURES AND GUIDELINES FOR SANCTIONS.—The President shall establish procedures and guidelines for the implementation and enforcement of sanctions imposed under this section.

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

(4) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of subsection (d).

(f) ENGAGEMENT WITH ALLIES AND PARTNERS WITH RESPECT TO MARITIME MILITIA OF PEOPLE'S REPUBLIC OF CHINA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the efforts of the United States to engage with foreign allies and partners with territorial or security interests in the South China Sea, East China Sea, Philippine Sea, and other maritime areas of interest to coordinate efforts to counter malign activities of the maritime militia of the People's Republic of China.

(g) DEFINITIONS.—In this section:

(1) FOREIGN ADVERSARY.—The term ''foreign adversary'' means a country specified in section 7.4(a) of title 15, Code of Federal Regulations.

(2) FOREIGN ADVERSARY ENTITY.—The term ''foreign adversary entity'' means an entity organized under the laws of or otherwise subject to the jurisdiction of a foreign adversary.

(3) MARITIME MILITIA.—The term ''maritime militia'' means an organized civilian force that—

(A) operates primarily in maritime domains, including coastal waters, exclusive economic zones, and international waters, and may use a variety of vessels, including fishing boats, trawlers, and other commercial vessels;

(B) is acting under the authority of, or is funded by, the government of a country; and

(C) is equipped and trained for the purpose of supporting and advancing the geopolitical or strategic objectives of that government, including asserting territorial claims, safeguarding maritime interests of that country, and conducting activities such as surveillance, reconnaissance, intelligence gathering, and logistical support, and may engage in coordinated activities with naval and other military forces of that country.

(4) PERSON.—The term ''person'' means an individual or entity.

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

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

SA 2106. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1216. IMPROVEMENTS TO SECURITY COOPERATION INFORMATION PORTAL.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall take steps—

(1) to review the Security Cooperation Information Portal (in this section referred to as ''SCIP''); and

(2) to improve stakeholder access to, and data completeness and software functionality of, SCIP.

(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall ensure that—

(1) the functionality and software of SCIP adequately support the purpose of SCIP to reflect, accurately an in real time, the status of individual foreign military sales cases within the foreign military sales process;

(2) SCIP—

(A) includes data that allows users to track the progress of all major milestones of a foreign military sales case;

(B) may be accessed by—

(i) relevant officials of the Department of State, including personnel of the Bureau of Political-Military Affairs and United States missions in foreign countries; and

(ii) relevant officials of the Department of Defense, including—

(I) Defense Security Cooperation Agency personnel;

(II) acquisitions personnel of the Program Executive Offices;

(III) acquisition program managers;

(IV) relevant contracting officers;

(V) personnel of the combatant commands;

(VI) United States security cooperation organization personnel; and

(VII) defense attachés stationed at United States missions in foreign countries; and

(C) is equipped with a capability by which personnel described in subparagraph (B) may effectively input and access relevant information and data; and

(3) any other improvement the Secretary considers necessary to enhance the overall effectiveness and usefulness of SCIP is timely implemented.

(c) REPORT AND BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit a report and provide a briefing to the appropriate committees of Congress on the steps taken under subsections (a) and (b) to review and improve SCIP.

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

(A) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SA 2107. Mr. ROMNEY (for himself, Ms. CORTEZ MASTO, Mr. LANKFORD, Mr. BROWN, Mr. CORNYN, and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1266. REPORT ON ECONOMIC INTEGRATION BETWEEN THE UNITED STATES AND THE PEOPLE'S REPUBLIC OF CHINA AND RISKS TO THE NATIONAL SECURITY OF THE UNITED STATES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every 3 years thereafter for 15 years, the President, acting through the Director of the Office of Management and Budget (in this section referred to as the ''Director''), and in consultation with the officials specified in subsection (c), shall submit to Congress a report on—

(1) the state of economic integration between the United States and the People's Republic of China; and

(2) the risks that integration poses to the national security interests of the United States.

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

(1) An assessment of the current level of economic integration between the United States and the People's Republic of China in each priority sector.

(2) An assessment of how economic integration between the United States and the People's Republic of China has changed since 2000, and is predicted to change during the 3 years following submission of the report, for each priority sector.

(3) An analysis of the extent to which the degree of current or predicted economic integration between the United States and the People's Republic of China in each priority sector presents significant risks to the national security of the United States. The

analysis with respect to each such sector shall address the following:

(A) The sector's reliance on entities organized under the laws of, or otherwise subject to the jurisdiction of, the People's Republic of China, including entities owned or controlled by the Government of the People's Republic of China, for foreign direct investment and other sources of financial capital.

(B) The sector's reliance on supply chains that have a significant dependence on products or processes based in the People's Republic of China.

(C) An assessment of the risks of intellectual property theft or economic espionage by individuals or entities linked to or subject to the control of the Government of the People's Republic of China or the Chinese Communist Party.

(D) An assessment of the risks to the defense industrial base of the United States.

(E) An assessment of the risks posed by the use of subsidies and the dumping of goods into the customs territory of the United States by entities in the People's Republic of China, including entities owned or controlled by the Government of the People's Republic of China.

(4) Recommendations for steps the United States Government should take to mitigate the risks identified under paragraph (3).

(5) Any other information the Director considers appropriate.

(c) OFFICIALS SPECIFIED.—The officials specified in this subsection are the following:

(1) The Secretary of State.
(2) The Secretary of the Treasury.
(3) The Secretary of Defense.
(4) The Attorney General.
(5) The Secretary of the Interior.
(6) The Secretary of Commerce.
(7) The Secretary of Health and Human Services.
(8) The Secretary of Energy.
(9) The Secretary of Homeland Security.
(10) The United States Trade Representative.
(11) The Director of National Intelligence.
(12) The Director of the National Science Foundation.
(13) The head of any other agency the Director considers appropriate.

(d) CONSULTATION AUTHORITY.—In developing a report required by subsection (a), the Director may consult with any nongovernmental entity that the Director considers necessary.

(e) FORM OF REPORT.—Each report required by subsection (a) shall be submitted to Congress in unclassified form but may include a classified annex.

(f) APPLICABILITY OF FOIA.—Nothing in this section, or in a report required by subsection (a), shall be construed to allow the disclosure of information or a record that is exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

(g) APPLICABILITY OF PAPERWORK REDUCTION ACT.—Subchapter I of chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), shall not apply to this section.

(h) PRIORITY SECTOR DEFINED.—In this section, the term ''priority sector'' means one of the following elements of an economy:

(1) Financial services.

(2) Critical minerals (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a))), including rare-earth elements, that the Secretary of Defense determines to be important to the national security of the United States.

(3) Semiconductors and microelectronics.

(4) Artificial intelligence.

(5) Communications, including telecommunications, social media applications, satellites and other space-based systems, and undersea cables.

(6) Quantum computing.

(7) Cloud-based systems, including computing services and data storage.

(8) Biotechnology.

(9) Pharmaceuticals and medical technology, including medical devices.

(10) Manufacturing processes, particularly casting, machining, joining, and forming.

SA 2108. Mr. ROMNEY (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

Subtitle C—Expansion of Authorities of Office of Strategic Capital

SEC. 931. SHORT TITLE.

This subtitle may be cited as the ''Investing in Our Defense Act of 2024''.

SEC. 932. AUTHORIZATION TO MAKE EQUITY INVESTMENTS.

(a) IN GENERAL.—Section 149 of title 10, United States Code, as amended by section 913, is further amended—

(1) by redesignating subsection (e) as subsection (f); and

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

''(e) EQUITY INVESTMENTS.—

''(1) IN GENERAL.—The Office may, as a minority investor, support eligible investments with funds or use other mechanisms for the purpose of purchasing, and may make and fund commitments to purchase, invest in, make pledges in respect of, or otherwise acquire, equity or quasi-equity securities or shares or financial interests of any entity, upon such terms and conditions as the Director may determine.

''(2) LIMITATIONS ON EQUITY INVESTMENTS.—

''(A) PER PROJECT LIMIT.—The aggregate amount of support provided under this subsection with respect to any eligible investment shall not exceed 20 percent of the aggregate amount of all equity investment made to the project at the time that the Office approves support for the eligible investment.

''(B) TOTAL LIMIT.—Support provided under this subsection shall be limited to not more than 35 percent of the aggregate exposure of the Office on the date on which the support is provided.

''(3) SALES AND LIQUIDATION OF SUPPORT.—The Office shall seek to sell and liquidate any support for an eligible investment provided under this subsection as soon as commercially feasible, commensurate with other similar investors in the project and taking into consideration the national security interests of the United States.

''(4) TIMETABLE.—The Office shall create an eligible investment-specific timetable for support provided under paragraph (1).

''(5) BUDGETARY TREATMENT OF EQUITY INVESTMENTS.—Support provided under this subsection shall constitute a credit program under the Federal Credit Reform Act of 1990 (2 U.S.C. 621 et seq.), and the budgetary cost of equity investments shall accordingly be calculated on a net-present basis.''.

(b) CONFORMING AMENDMENT.—Subsection (f)(1) of such section, as redesignated by subsection (a), is further amended by inserting '', equity investment'' after ''loan guarantee''.

SEC. 933. AUTHORIZATION TO COLLECT FEES FOR PROVIDING CAPITAL INVESTMENTS.

Section 149 of title 10, United States Code, as amended by section 932, is further amended—

(1) by redesignating subsection (f) as subsection (g); and

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

''(f) FEE AUTHORITY.—The Director may charge and collect fees for providing capital assistance in amounts to be determined by the Director. Such fees, once collected, may be used only for the purposes and to the extent provided in advance by appropriations Acts.''.

SEC. 934. HIRING AUTHORITIES.

Section 149 of title 10, United States Code, as amended by sections 932 and 933, is further amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following new subsection (g):

''(g) OFFICERS AND EMPLOYEES.—

''(1) IN GENERAL.—Except as otherwise provided in this section, officers, employees, and agents of the Office shall be selected and appointed by the Director, and shall be vested with such powers and duties as the Director may determine.

''(2) ADMINISTRATIVELY DETERMINED EMPLOYEES.—

''(A) APPOINTMENT; COMPENSATION; REMOVAL.—Of officers and employees employed by the Office under paragraph (1), not more than 50 may be appointed, compensated, or removed without regard to title 5.

''(B) REINSTATEMENT.—Under such regulations as the Secretary of Defense may prescribe, officers and employees appointed to a position under subparagraph (A) may be entitled, upon removal from such position (unless the removal was for cause), to reinstatement to the position occupied at the time of appointment or to a position of comparable grade and salary.

''(C) ADDITIONAL POSITIONS.—Positions authorized by subparagraph (A) shall be in addition to those otherwise authorized by law, including positions authorized under section 5108 of title 5.

''(D) RATES OF PAY FOR OFFICERS AND EMPLOYEES.—The Director may set and adjust rates of basic pay for officers and employees appointed under subparagraph (A) without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, relating to classification of positions and General Schedule pay rates, respectively.''.

SA 2109. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STUDY ON CYBER, ARTIFICIAL INTELLIGENCE, AND DATA ANALYSIS EXPERIENCE OR KNOWLEDGE OF SENIOR OFFICERS IN CERTAIN ROLES.

(a) IDENTIFICATION OF RELEVANT SENIOR OFFICER ROLES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that identifies a list of senior officer positions at the

O–7 level or higher that require significant experience in or knowledge of cyber, artificial intelligence, and data analysis.

(b) STUDY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall complete a study on the extent of experience in or knowledge of the cyber, artificial intelligence, and data analysis fields of the officers occupying the positions identified in the report required by subsection (a).

(c) ELEMENTS OF THE STUDY.—The study described in subsection (b) shall—

(1) assess what, if any, experience in or knowledge of the cyber, artificial intelligence, or data analysis fields are required before being eligible for the positions identified in the report required by subsection (a);

(2) evaluate the relevant training in cyber, artificial intelligence, and data analysis that each military department provides to prepare officers for such positions;

(3) assess whether each military department is placing adequate value on experience in or knowledge of the cyber, artificial intelligence, or data analysis fields when evaluating officers for the positions identified in the report required by subsection (a); and

(4) include recommendations for each Secretary concerned (as defined in section 101 of title 10, United States Code) regarding potential additional requirements to increase the value placed on experience in or knowledge of the cyber, artificial intelligence, or data analysis fields when individuals are being considered for the positions identified in the report required by subsection (a).

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the findings of the Secretary with respect to the study completed pursuant to subsection (b).

SA 2110. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CYBER, ARTIFICIAL INTELLIGENCE, AND DATA ANALYSIS TRAINING FOR CERTAIN SENIOR OFFICER ROLES.

(a) IDENTIFICATION OF RELEVANT SENIOR OFFICER ROLES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report that identifies a list of senior officer positions at the O–7 level or higher that require significant experience in or knowledge of cyber, artificial intelligence, and data analysis.

(b) TRAINING REQUIREMENTS.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall issue regulations requiring that for a senior officer to be eligible for a position identified in the report required by subsection (a), the officer must have received training on cyber, artificial intelligence, and data analysis tools and capabilities.

(c) ELEMENTS.—The training requirements issued pursuant to subsection (b) shall include information relating to—

(1) the cyber, artificial intelligence, and data analysis capabilities and tools for the military departments and the Department of Defense;

(2) the potential value of cyber, artificial intelligence, and data analysis capabilities and tools for the position for which the officer is eligible for promotion and relevant use cases; and

(3) resources available to better understand cyber, artificial intelligence, and data analysis capabilities and tools.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the requirements issued pursuant to subsection (b).

SA 2111. Mr. ROMNEY (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. TELEWORK.

(a) IN GENERAL.—Chapter 65 of title 5, United States Code, is amended—

(1) in section 6502—

(A) in subsection (b)(2)—

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

(ii) by adding at the end the following:

''(C) provides that, subject to subsection (d), an employee may not telework for more than 40 percent of the work days of the employee per pay period;

''(D) shall be reviewed on an annual basis by, and be subject to the annual approval of, the head of the executive agency; and

''(E) provides that the executive agency, by using remote technical means or other appropriate methods, will monitor and evaluate the applicable employee when the employee is engaged in telework;''; and

(B) by adding at the end the following:

''(d) ADJUSTMENTS TO THE PERMITTED NUMBER OF TELEWORK DAYS.—With respect to the limitation under subsection (b)(2)(C), the head of an executive agency may—

''(1) further limit the number of work days per pay period that an employee of the executive agency may telework based on the specific role of the employee or other circumstances determined appropriate by the head of the executive agency, including—

''(A) the frequency with which the employee needs to access classified information;

''(B) whether the employee is newly appointed; and

''(C) whether the employee occupies a managerial position within the executive agency; or

''(2) waive that limitation with respect to an employee of the executive agency if—

''(A) the employee is a spouse of—

''(i) a member of the Armed Forces; or

''(ii) a Federal law enforcement officer;

''(B) the employee occupies a position—

''(i) the duties of which require—

''(I) highly specialized expertise; or

''(II) frequent travel; or

''(ii) for which finding qualified candidates is challenging; or

''(C) inclement weather or other exigent circumstances prevent the employee from reaching the worksite of the employee during a pay period.''; and

(2) in section 6506, by adding at the end the following:

''(e) EXECUTIVE AGENCY REPORTS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the head of each executive agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report that describes, for the period covered by the report, the following:

''(A) What metrics and methods the executive agency uses to determine the productivity of employees who telework.

''(B) What barriers, if any, prevent the executive agency from enforcing the limitation under section 6502(b)(2)(C) and any initiatives of the executive agency to address those barriers.

''(C) Any negative effects of telework, including whether telework results in increased costs, security vulnerabilities, lower employee morale, decreased employee productivity, or waste, fraud, or abuse.

''(D) Any actions taken by the executive agency (or a detailed justification for any lack of action) in response to any findings of, or recommendations made by, the Inspector General of the executive agency with respect to telework.

''(2) GAO REPORT.—With respect to each report submitted by the head of an executive agency under paragraph (1), the Comptroller General of the United States shall submit an accompanying report that evaluates the accuracy and thoroughness of the report submitted by the head of the executive agency with respect to the matters required to be included in the report of the executive agency under that paragraph.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is 180 days after the date of enactment of this Act.

SA 2112. Mr. ROMNEY (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—EXPORT ENFORCEMENT COORDINATION

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Export Controls Enforcement Improvement Act of 2024''.

SEC. 1702. ESTABLISHMENT OF EXPORT ENFORCEMENT COORDINATION CENTER.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall establish, within the Department of Homeland Security for administrative purposes, an interagency Federal Export Enforcement Coordination Center (in this title referred to as the ''Center'').

(b) PURPOSES.—The Center shall coordinate on matters relating to export enforcement among the following:

(1) The Department of State.

(2) The Department of the Treasury.

(3) The Department of Defense.

(4) The Department of Justice.

(5) The Department of Commerce.

(6) The Department of Energy.

(7) The Department of Homeland Security.

(8) The Office of the Director of National Intelligence.

(9) Such other executive branch departments, agencies, or offices as the President, from time to time, may designate.

(c) FUNCTIONS.—The Center shall—

(1) serve as the primary forum within the Federal Government for executive departments and agencies—

(A) to coordinate and enhance the export control enforcement efforts of those departments and agencies; and

(B) to identify and resolve conflicts that have not been otherwise resolved in criminal and administrative investigations and actions involving violations of the export control laws of the United States;

(2) serve as a conduit between Federal law enforcement agencies and the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))) for the exchange of information related to potential violations of United States export controls;

(3) serve as a primary point of contact between enforcement authorities and agencies engaged in export licensing;

(4) coordinate law enforcement public outreach activities related to United States export controls; and

(5) establish governmentwide statistical tracking capabilities for United States criminal and administrative export control enforcement activities, to be conducted by the Department of Homeland Security with information provided by and shared with all relevant departments and agencies participating in the Center.

(d) DIRECTOR; OTHER PERSONNEL.—

(1) DIRECTOR.—

(A) IN GENERAL.—The Center shall have a Director, who shall be a full-time senior officer or employee of the Department of Homeland Security, designated by the Secretary of Homeland Security.

(B) FUNCTIONS OF DIRECTOR.—The Director shall—

(i) convene and preside at meetings of the Center;

(ii) determine the agenda for those meetings;

(iii) direct the work of the Center; and

(iv) as appropriate to particular subject matters, organize and coordinate subgroups of the members of the Center.

(2) DEPUTY DIRECTORS.—The Center shall have 2 Deputy Directors, who shall be full-time senior officers or employees of the Department of Commerce and the Department of Justice, designated by the Secretary of Commerce and the Attorney General, respectively, detailed to the Center and reporting to the Director.

(3) INTELLIGENCE COMMUNITY LIAISON.—The Center shall have an Intelligence Community Liaison, who shall be a full-time senior officer or employee of the Federal Government, designated by the Director of National Intelligence, and detailed or assigned to the Center.

(4) STAFF.—

(A) IN GENERAL.—The Center shall have a full-time staff reporting to the Director.

(B) DETAILEES.—Executive departments and agencies specified in subsection (b) shall detail or assign their employees to the Center.

(e) ADMINISTRATION.—The Department of Homeland Security shall operate and provide funding and administrative support for the Center to the extent permitted by law and subject to the availability of appropriations.

(f) WEBSITE.—The Director of the Center may establish a publicly accessible website for the Center with a domain name that is independent of websites of the Department of Homeland Security.

SEC. 1703. UNLAWFUL TRANSSHIPMENT AND DIVERSION OF EXPORTS.

(a) IN GENERAL.—The Center shall—

(1) serve as a primary forum for the coordination of export control enforcement efforts focused on unlawful transshipment and diversion of exports; and

(2) develop best practices for executive departments and agencies to improve efforts to combat the unlawful transshipment and diversion of exports.

(b) AREAS OF FOCUS.—In carrying out the duties described in subsection (a), the Center shall focus its efforts on, among other matters—

(1) sensitive technologies, including technologies relating to—

(A) semiconductors;

(B) the development of advanced artificial intelligence capabilities; and

(C) the development of quantum technology components and capabilities; and

(2) the unlawful transshipment and diversion of exports to—

(A) the People's Republic of China;

(B) the Russian Federation;

(C) the Islamic Republic of Iran; and

(D) the Democratic People's Republic of Korea.

(c) NOTICE TO THE PRIVATE SECTOR.—In carrying out the duties described in subsection (a), the Center shall develop best practices for and support the dissemination of specific and actionable information about transshipment and diversion risks to relevant private sector entities on a timely basis, as appropriate.

SEC. 1704. REPORTS ON POSTINGS OF UNITED STATES AND FOREIGN LAW ENFORCEMENT OFFICIALS.

(a) REPORT ON FOREIGN POSTINGS OF LAW ENFORCEMENT AGENTS.—Not later than 180 days after the date of the enactment of this Act, the Director of the Center shall submit to Congress a report that includes—

(1) an assessment of the value of increasing the number of law enforcement officials posted in foreign countries to enhance export control enforcement efforts focused on the unlawful transshipment and diversion of exports;

(2) an analysis of specific countries, regions, and shipping routes that pose a heightened risk with respect to such transshipment and diversion; and

(3) an assessment of resources required to increase the number of law enforcement officials posted in foreign countries pursuant to paragraph (1).

(b) REPORT ON POSTINGS OF FOREIGN OFFICIALS AT THE CENTER.—Not later than one year after the date of the enactment of this Act, the Director of the Center shall submit to Congress a report that includes—

(1) an assessment of the value of hosting foreign law enforcement or other officials at the Center;

(2) an assessment of which countries would provide the most value for the United States Government in posting officials at the Center; and

(3) an assessment of what, if any, changes to statute, regulation, or policy would be required to host foreign officials at the Center.

SEC. 1705. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Homeland Security for fiscal year 2025 $25,000,000 for the costs of establishing the Center.

SA 2113. Mr. CARDIN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1095. ESTABLISHMENT OF AVIATION SECURITY CHECKPOINT TECHNOLOGY FUND.

(a) IN GENERAL.—Section 44923 of title 49, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

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

''(i) AVIATION SECURITY CHECKPOINT TECHNOLOGY FUND.—

''(1) IN GENERAL.—There is established within the Department of Homeland Security a fund to be known as the Aviation Security Checkpoint Technology Fund (in this subsection referred to as the 'ASCT Fund'). The second $250,000,000 from fees received under section 44940(a)(1) in each of fiscal years 2024 through 2028 shall be available to be deposited in the ASCT Fund. The Administrator of the Transportation Security Administration shall impose the fee authorized by section 44940(a)(1) so as to collect not less than $250,000,000 in each of such fiscal years for deposit into the ASCT Fund. Amounts in the ASCT Fund shall be available until expended to the Administrator of the Transportation Security Administration to fund the procurement, test, deployment, and post-deployment enhancements of aviation security checkpoint technology.

''(2) TSA BRIEFING.—Not later than 180 days after the date of the enactment of this subsection and quarterly thereafter for 5 years, the Administrator of the Transportation Security Administration shall brief the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate regarding planned procurement, test, deployment, and post-deployment enhancement efforts of aviation security checkpoint technology at airport checkpoints through amounts made available from the ASCT Fund.''.

(b) CONFORMING AMENDMENT.—Section 44940(i)(1) of title 49, United States Code, is amended by striking ''section 44923(h)'' and inserting ''subsections (h) and (i) of section 44923''.

SA 2114. Mr. CARDIN (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1095. NBACC AUTHORIZATION ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''National Biodefense Analysis and Countermeasures Center Authorization Act of 2024'' or the ''NBACC Authorization Act of 2024''.

(b) NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER.—

(1) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following:

''SEC. 324. NATIONAL BIODEFENSE ANALYSIS AND COUNTERMEASURES CENTER.

''(a) IN GENERAL.—The Secretary, acting through the Under Secretary for Science and

Technology, shall designate the laboratory described in subsection (b) as an additional laboratory pursuant to the authority under section 308(c)(2), which shall be the lead Federal facility dedicated to defending the United States against biological threats by—

''(1) understanding the risks posed by intentional, accidental, and natural biological events; and

''(2) providing the operational capabilities to support the investigation, prosecution, and prevention of biocrimes and bioterrorism.

''(b) LABORATORY DESCRIBED.—The laboratory described in this subsection may be a federally funded research and development center—

''(1) known, as of the date of enactment of this section, as the National Biodefense Analysis and Countermeasures Center;

''(2) that may include—

''(A) the National Bioforensic Analysis Center, which conducts technical analyses in support of Federal law enforcement investigations; and

''(B) the National Biological Threat Characterization Center, which conducts experiments and studies to better understand biological vulnerabilities and hazards; and

''(3) transferred to the Department pursuant to subparagraphs (A), (D), and (F) of section 303(1) and section 303(2).

''(c) LABORATORY ACTIVITIES.—The National Biodefense Analysis and Countermeasures Center shall—

''(1) conduct studies and experiments to better understand current and future biological threats and hazards and pandemics;

''(2) provide the scientific data required to assess vulnerabilities, conduct risk assessments, and determine potential impacts to guide the development of countermeasures;

''(3) conduct and facilitate the technical forensic analysis and interpretation of materials recovered following a biological attack, or in other law enforcement investigations requiring evaluation of biological materials, in support of the appropriate lead Federal agency;

''(4) coordinate with other national laboratories to enhance research capabilities, share lessons learned, and provide training more efficiently;

''(5) collaborate with the Homeland Security Enterprise, as defined in section 2200, to plan and conduct research to address gaps and needs in biodefense; and

''(6) carry out other such activities as the Secretary determines appropriate.

''(d) WORK FOR OTHERS.—The National Biodefense Analysis and Countermeasures Center shall engage in a continuously operating Work for Others program to make the unique biocontainment and bioforensic capabilities of the National Biodefense Analysis and Countermeasures Center available to other Federal agencies.

''(e) FACILITY REPAIR AND ROUTINE EQUIPMENT REPLACEMENT.—The National Biodefense Analysis and Countermeasures Center shall—

''(1) perform regularly scheduled and required maintenance of laboratory infrastructure; and

''(2) procure mission-critical equipment and capability upgrades.

''(f) FACILITY MISSION NEEDS ASSESSMENT.—

''(1) IN GENERAL.—To address capacity concerns and accommodate future mission needs and advanced capabilities, the Under Secretary for Science and Technology shall conduct a mission needs assessment, to include scoping for potential future needs or expansion, of the National Biodefense Analysis and Countermeasures Center.

''(2) SUBMISSION.—Not later than 120 days after the date of enactment of this section, the Under Secretary for Science and Technology shall provide the assessment conducted under paragraph (1) to—

''(A) the Committee on Homeland Security and Governmental Affairs and the Subcommittee on Homeland Security Appropriations of the Committee on Appropriations of the Senate; and

''(B) the Committee on Homeland Security and the Subcommittee on Homeland Security Appropriations of the Committee on Appropriations of the House of Representatives.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to support the activities of the laboratory designated under this section.

''(h) RULE OF CONSTRUCTION.—Nothing in this section may be construed as affecting in any manner the authorities or responsibilities of the Countering Weapons of Mass Destruction Office of the Department.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 323 the following:

''Sec. 324. National Biodefense Analysis and Countermeasures Center.''.

SA 2115. Mr. CORNYN (for himself and Mr. KING) submitted an amendment intended to be proposed by him to the bill S. 4638, to authorize appropriations for fiscal year 2025 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. REPORTS ON CRITICAL MINERAL AND RARE EARTH ELEMENT RESOURCES.

(a) SHORT TITLE.—This section may be cited as the ''Critical Minerals Security Act of 2024''.

(b) DEFINITIONS.—In this section:

(1) COVERED NATION.—The term ''covered nation'' has the meaning given that term in section 4872 of title 10, United States Code.

(2) CRITICAL MINERAL.—The term ''critical mineral'' has the meaning given that term in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(3) FOREIGN ENTITY OF CONCERN.—The term ''foreign entity of concern'' has the meaning given that term in section 40207 of the Infrastructure Investment and Jobs Act (42 U.S.C. 18741)

(4) RARE EARTH ELEMENTS.—The term ''rare earth elements'' means cerium, dysprosium, erbium, europium, gadolinium, holmium, lanthanum, lutetium, neodymium, praseodymium, promethium, samarium, scandium, terbium, thulium, ytterbium, and yttrium.

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

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

(c) REPORTS ON CRITICAL MINERAL AND RARE EARTH ELEMENT RESOURCES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and every 2 years thereafter, the Secretary of the Interior, in consultation with the Secretary of Energy and the heads of other relevant Federal agencies, shall submit to Congress a report on all critical mineral and rare earth element resources (including recyclable or recycled materials containing such resources) around the world that includes—

(A) an assessment of—

(i) which of such resources are under the control of a foreign entity of concern, including through ownership, contract, or economic or political influence;

(ii) which of such resources are owned by, controlled by, or subject to the jurisdiction or direction of the United States or a country that is an ally or partner of the United States;

(iii) which of such resources are not owned by, controlled by, or subject to the jurisdiction or direction of a foreign entity of concern or a country described in clause (ii); and

(iv) in the case of such resources not undergoing commercial mining, the reasons for the lack of commercial mining;

(B) for each mine from which significant quantities of critical minerals or rare earth elements are being extracted, as of the date that is one year before the date of the report—

(i) an estimate of the annual volume of output of the mine as of that date;

(ii) an estimate of the total volume of mineral or elements that remain in the mine as of that date;

(iii)(I) an identification of the country and entity operating the mine; or

(II) if the mine is operated by more than one country or entity, an estimate of the output of each mineral or element from the mine to which each such country or entity has access; and

(iv) an identification of the ultimate beneficial owners of the mine and the percentage of ownership held by each such owner;

(C) for each mine not described in subparagraph (B), to the extent practicable—

(i) an estimate of the aggregate annual volume of output of the mines as of the date that is one year before the date of the report;

(ii) an estimate of the aggregate total volume of mineral or elements that remain in the mines as of that date;

(iii) an estimate of the aggregate total output of each mineral or element from the mine to which a foreign entity of concern has access;

(D)(i) a list of key foreign entities of concern involved in mining critical minerals and rare earth elements;

(ii) a list of key entities in the United States and countries that are allies or partners of the United States involved in mining critical minerals and rare earth elements; and

(iii) an assessment of the technical feasibility of entities listed under clauses (i) and (ii) mining and processing resources identified under subparagraph (A)(iii) using existing advanced technology;

(E) an assessment, prepared in consultation with the Secretary of State, of ways to collaborate with countries in which mines, mineral processing operations, or recycling operations (or any combination thereof) are located that are operated by other countries, or are operated by entities from other countries, to ensure ongoing access by the United States and countries that are allies and partners of the United States to those mines and processing or recycling operations;

(F) a list, prepared in consultation with the Secretary of Commerce, identifying, to the maximum extent practicable, all cases in which entities were forced to divest stock in mining, processing, or recycling operations (or any combination thereof) for critical minerals and rare earth elements based on—

(i) regulatory rulings of the government of a covered nation;

(ii) joint regulatory rulings of such a government and the government of another country; or

(iii) rulings of a relevant tribunal or other entity authorized to render binding decisions on divestiture;

(G) a list of all cases in which the government of a covered nation purchased an entity that was forced to divest stock as described in subparagraph (F); and

(H) a list of all cases in which mining, processing, or recycling operations (or any combination thereof) for critical minerals and rare earth elements that were not subject to a ruling described in subparagraph (F) were taken over by—

(i) the government of a covered nation; or

(ii) an entity located in, or influenced or controlled by, such a government.

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

(d) PROCESS FOR NOTIFYING UNITED STATES GOVERNMENT OF DIVESTMENT.—Not later than one year after the date of the enactment of this Act, the Secretary of the Interior, in consultation with the Secretary of State, shall establish a process under which—

(1) a United States person seeking to divest stock in mining, processing, or recycling operations for critical minerals and rare earth elements in a foreign country may notify the Secretary of the intention of the person to divest such stock; and

(2) the Secretary may provide assistance to the person to find a purchaser that is not under the control of the government of a covered nation.

(e) STRATEGY ON DEVELOPMENT OF ADVANCED MINING, REFINING, SEPARATION, PROCESSING, AND RECYCLING TECHNOLOGIES.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of the Interior, in consultation with the Secretary of Energy and the heads of other relevant Federal agencies, shall develop—

(A) a strategy to collaborate with the governments of countries that are allies and partners of the United States to develop advanced mining, refining, separation, processing, and recycling technologies; and

(B) a method for sharing the intellectual property resulting from the development of such technologies with those countries to enable those countries to license such technologies and mine, refine, separate, process, and recycle the resources of such countries.

(2) REPORTS REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report on the progress made in developing the strategy and method described in paragraph (1).

AUTHORITY FOR COMMITTEES TO MEET

Ms. KLOBUCHAR. Madam President, I have seven 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 BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, July 9, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, July 9, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, July 9, 2024, at 11:30 a.m., to hold a working coffee with His Excellency Christopher Luxon, Prime Minister of New Zealand.

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 Tuesday, July 9, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, July 9, 2024, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 9, 2024, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The Subcommittee on Transportation and Infrastructure of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, July 9, 2024, at 10 a.m., to conduct a hearing.

NEVER AGAIN EDUCATION REAUTHORIZATION ACT OF 2023

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from and the Senate now proceed to the immediate consideration of S. 3448.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3448) to reauthorize the Director of the United States Holocaust Memorial Museum to support Holocaust education programs, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Ms. KLOBUCHAR. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 3448) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3448

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Never Again Education Reauthorization Act of 2023''.

SEC. 2. REAUTHORIZATION.

Section 4(a) of the Never Again Education Act (Public Law 116–141; 134 Stat. 638) is amended by striking ''each of the 4 succeeding fiscal years'' and inserting ''each succeeding fiscal year through fiscal year 2030''.

RESOLUTIONS SUBMITTED TODAY

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 755, S. Res. 756, and S. Res. 757.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Ms. KLOBUCHAR. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, JULY 10, 2024

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, July 10; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that following the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Willoughby nomination, postcloture; that all time be considered expired at 11:30 a.m. and that if cloture is invoked on the Wagner nomination, all time be considered expired at 2:15 p.m.; that upon disposition of the Wagner nomination, notwithstanding rule XXII, the Senate resume legislative session and resume consideration of the motion to proceed to Calendar No. 420, S. 4554; further, that the cloture vote on the motion to proceed occur at 4:15 p.m.; finally, that if any nominations are confirmed during Wednesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.