SA 3022. Mr. SCHUMER proposed an amendment to amendment SA 3021 proposed by Mr. SCHUMER to the bill S. 2073, supra.

SA 3023. Mr. SCHUMER proposed an amendment to the bill S. 2073, supra.

SA 3024. Mr. SCHUMER proposed an amendment to amendment SA 3023 proposed by Mr. SCHUMER to the bill S. 2073, supra.

SA 3025. Mr. SCHUMER proposed an amendment to amendment SA 3024 proposed by Mr. SCHUMER to the amendment SA 3023 proposed by Mr. SCHUMER to the bill S. 2073, supra.

SA 3026. Mr. MULLIN 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 3027. Mr. BENNET (for himself, Mrs. BLACKBURN, Mr. COONS, and Mr. TILLIS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3028. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3029. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3030. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3031. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3032. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3033. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3034. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3035. Mr. MARKEY (for himself, Mr. SANDERS, Ms. WARREN, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3036. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3037. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3038. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3039. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3040. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3041. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3042. Mr. SCHUMER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3043. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3044. Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3045. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3046. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3047. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3048. Mr. RUBIO (for himself and Mr. OSSOFF) submitted an amendment intended to be proposed by him to the bill S. 4638, supra; which was ordered to lie on the table.

SA 3049. Mr. SCHUMER (for Mr. DURBIN (for himself, Mr. GRAHAM, Mr. HAWLEY, Ms. KLOBUCHAR, Mr. KING, Mr. LEE, and Mr. SCHUMER)) proposed an amendment to the bill S. 3696, to improve rights to relief for individuals affected by non-consensual activities involving intimate digital forgeries, and for other purposes.

TEXT OF AMENDMENTS

SA 2919. Mr. DAINES 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. _____. ACCESS TO BENEFICIAL OWNERSHIP INFORMATION.

Section 5336 of title 31, United States Code, is amended—

(1) by redesignating subsection (j) as subsection (k); and

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

''(j) ACCESS TO BENEFICIAL OWNERSHIP INFORMATION.—

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

''(A) ACCESS LICENSE.—The term 'access license' means a license to access beneficial ownership information on an oin accordance with this subsection.

''(B) COVERED ENTITY.—The term 'covered entity' means a financial institution that provides, or an entity that assists a financial institution in providing, screening services.

''(C) PERMITTED PERSONNEL.—The term 'permitted personnel' means personnel of a covered entity who are permitted to access beneficial ownership information in accordance with this subsection.

''(D) PERMITTED PURPOSE.—The term 'permitted purpose' means the use of beneficial ownership information for screening services.

''(E) SCREENING SERVICES.—The term 'screening services' means the risk management procedures and activities undertaken by permitted personnel for the protection of the United States national security from international illicit actors and corrupt foreign officials who seek to exploit the financial systems of the United States by engaging in illicit activity such as serious tax fraud, human and drug trafficking, money laundering, financing terrorism.

''(2) ACCESS LICENSES.—

''(A) IN GENERAL.—Notwithstanding any other provision of this section, the Director shall establish a process by which covered entities may apply to the Director for an access license.

''(B) DETERMINATION.—The Director may not issue an access license to a covered entity unless the Director determines that—

''(i) access to beneficial ownership information under this subsection is predicated upon a reasonable concern for United States national security and United States economic stability, by identifying international illicit actors and corrupt foreign officials and preventing international illicit activity such as—

''(I) international terrorist financing;

''(II) any activity engaged in by an agent of the Government of Iran, North Korea, Syria, or any other government the Secretary of State has determined has repeatedly provided support for acts of international terrorism for purposes of—

''(aa) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A)(i));

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

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

''(dd) any other provision of law;

''(III) any activity engaged in by any individual or entity included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury; or

''(IV) any other illicit financial conduct directly or indirectly supporting a transnational criminal organization, transnational drug trafficking organization, or transnational money laundering organization;

''(ii) the covered entity limits access to and use of the beneficial ownership information to permitted personnel of the covered entity in connection with, or to support, screening services; and

''(C) the use, disclosure, and retention of the beneficial ownership information is strictly limited to a permitted purpose.

''(D) DURATION.—

''(i) IN GENERAL.—An access license issued under this subsection shall expire on the date that is 2 years after the date on which the license is issued.

''(ii) RENEWAL.—An expired access license may be renewed for 2-year periods in accordance with the process established under this paragraph.

''(3) REGULATIONS.—The Director shall promulgate regulations governing the use, disclosure, and retention of the beneficial ownership information accessed pursuant to an access license issued under this subsection.''.

SA 2920. Mr. DAINES 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 IX, add the following:

SEC. 910. ELIMINATION OF THE CHIEF DIVERSITY OFFICER AND SENIOR ADVISORS FOR DIVERSITY AND INCLUSION.

(a) REPEAL OF POSITION.—

(1) IN GENERAL.—Section 147 of title 10, United States Code, is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 147.

(b) CONFORMING REPEAL.—Section 913 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 147 note) is repealed.

(c) PROHIBITION ON ESTABLISHMENT OF SIMILAR POSITIONS.—No Federal funds may be obligated or expended to establish a position within the Department of Defense that is the same as or substantially similar to—

(1) the position of Chief Diversity Officer, as described in section 147 of title 10, United States Code, as such section was in effect before the date of the enactment of this Act; or

(2) the position of Senior Advisor for Diversity and Inclusion, as described in section 913(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 147 note), as such section was in effect before the date of the enactment of this Act.

SA 2921. Mr. DAINES 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. DENIAL OF RETIREMENT BENEFITS.

(a) IN GENERAL.—Subchapter II of chapter 83 of title 5, United States Code, is amended by inserting after section 8312 the following:

''§ 8312a. Convicted child molesters

''(a) PROHIBITION.—

''(1) IN GENERAL.—An individual, or a survivor or beneficiary of an individual, may not be paid annuity or retired pay on the basis of the service of the individual which is creditable toward the annuity or retired pay, subject to the exceptions in sections 8311(2) and (3) of this title and subsections (d) and (e) of this section, if the individual is convicted of an offense—

''(A) within the purview of section 2241(c), section 2243(a), or paragraph (3) or (5) of section 2244(a) of title 18; and

''(B) for which the conduct constituting the offense is committed on or after the date of enactment of this section, which shall include any offense that includes conduct that continued on or after such date of enactment.

''(2) NOTICE.—If an individual entitled to an annuity or retired pay is convicted of an offense described in paragraph (1), the Attorney General shall notify the head of the agency administering the annuity or retired pay of the individual.

''(b) FOREIGN OFFENSES.—

''(1) IN GENERAL.—For purposes of subsection (a), a conviction of an offense within the meaning of such subsection may be established if the Attorney General certifies to the agency administering the annuity or retired pay concerned—

''(A) that an individual has been convicted by an impartial court of appropriate jurisdiction within a foreign country in circumstances in which the conduct would constitute an offense described in subsection (a)(1), had such conduct taken place within the United States, and that such conviction is not being appealed or that final action has been taken on such appeal;

''(B) that such conviction was obtained in accordance with procedures that provided the defendant due process rights comparable to such rights provided by the United States Constitution, and such conviction was based upon evidence which would have been admissible in the courts of the United States; and

''(C) that such conduct occurred after the date of enactment of this section, which shall include any offense that includes conduct that continued on or after such date of enactment.

''(2) REVIEW.—Any certification made pursuant to this subsection shall be subject to review by the United States Court of Federal Claims based upon the application of the individual concerned, or his or her attorney, alleging that a condition set forth in subparagraph (A), (B), or (C) of paragraph (1), as certified by the Attorney General, has not been satisfied in his or her particular circumstances. Should the court determine that any of these conditions has not been satisfied in such case, the court shall order any annuity or retirement benefit to which the individual concerned is entitled to be restored and shall order that any payments which may have been previously denied or withheld to be paid by the department or agency concerned.

''(c) ABSENCE FROM THE UNITED STATES TO AVOID PROSECUTION.—

''(1) IN GENERAL.—An individual, or a survivor or beneficiary of an individual, may not be paid annuity or retired pay on the basis of the service of the individual in any position as an officer or employee of the Federal Government which is creditable toward the annuity or retired pay, subject to the exceptions in sections 8311(2) and (3) of this title, if the individual—

''(A) is under indictment for an offense described in subsection (a); and

''(B) willfully remains outside the United States, or its territories and possessions including the Commonwealth of Puerto Rico, for more than 1 year with knowledge of the indictment.

''(2) PERIOD.—The prohibition on payment of annuity or retired pay under paragraph (1) applies during the period—

''(A) beginning on the day after the end of the 1-year period described in paragraph (1); and

''(B) ending on the date on which—

''(i) a nolle prosequi to the entire indictment is entered on the record or the charges are dismissed by competent authority;

''(ii) the individual returns and thereafter the indictment or charges is or are dismissed; or

''(iii) after trial by court or court-martial, the accused is found not guilty of the offense or offenses.

''(d) PARDONS.—

''(1) RESTORATION OF ANNUITY OR RETIRED PAY.—If an individual who forfeits an annuity or retired pay under this section is pardoned by the President, the right of the individual and a survivor or beneficiary of the individual to receive annuity or retired pay previously denied under this section is restored as of the date of the pardon.

''(2) LIMITATION.—Payment of annuity or retired pay which is restored under paragraph (1) based on pardon by the President may not be made for a period before the date of pardon.

''(e) PAYMENTS TO VICTIMS.—

''(1) IN GENERAL.—Notwithstanding section 8346(a), section 8470(a), or any other provision of law exempting an annuity or retired pay from execution, levy, attachment, garnishment, or other legal process, if the annuity or retired pay of an individual is subject to forfeiture under this section, the head of the agency administering the annuity or retired pay shall pay, from amounts that would have been used to pay the annuity or retired pay, amounts to a victim of an offense described in subsection (a) committed by the individual if and to the extent payment of such amounts is expressly provided for in—

''(A) any court order of restitution to or similar compensation of the victim; or

''(B) any court order or other similar process in the nature of garnishment for the enforcement of a judgment rendered against such individual relating to the offense or the course of conduct constituting the offense.

''(2) MAXIMUM AMOUNT.—The total amount paid to a victim under paragraph (1) shall not exceed the amount that is subject to forfeiture under this section.

''(3) LIMIT ON REFUNDS.—Contributions and deposits by an individual whose annuity or retired pay is subject to forfeiture under this section shall not be refunded under section 8316 to the extent the amount of such contributions or deposits are paid to a victim under paragraph (1).

''(f) SPOUSE OR CHILDREN EXCEPTION.—

''(1) IN GENERAL.—The Director of the Office of Personnel Management shall prescribe regulations that may provide for the payment to the spouse or children of an individual who forfeits an annuity or retired pay under this section of any amounts which (but for this subsection) would otherwise have been nonpayable by reason of this section.

''(2) SCOPE.—The regulations prescribed under paragraph (1) shall be consistent with the requirements of section 8332(o)(5) and 8411(l)(5), as applicable.''.

(b) NONACCRUAL OF INTEREST ON REFUNDS.—Section 8316 of title 5, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ''under section 8312a or'' before ''because an individual''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''or''; and

(C) by adding at the end the following:

''(3) if the individual is convicted of an offense described in section 8312a(a), for the period after the conviction.''.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8312 the following:

''8312a. Convicted child molesters.''.

SA 2922. Mr. DAINES 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. AVAILABILITY OF AUTHORIZED FUNDS FOR DEPARTMENT OF DEFENSE STATE PARTNERSHIP PROGRAM.

Section 341(e)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking ''; and'' and inserting a semicolon;

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

(3) by adding at the end the following:

''(C) for a period of not more than 2 years beginning on the first day of the fiscal year for which such funds are appropriated.''.

SA 2923. Mr. DAINES 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. INCLUSION OF CERTAIN PERSONS OF THE PEOPLE'S REPUBLIC OF CHINA ON ENTITY LISTS.

(a) FINDINGS.—Congress finds the following:

(1) On February 1, 2023, a spy balloon originating from the People's Republic of China was identified over the skies of Montana.

(2) From the time the balloon entered the airspace of the United States until the balloon was terminated on February 4, 2023, the balloon collected and transmitted data regarding sensitive national security sites, such as the missile fields at Malmstrom Air Force Base, Cascade County, Montana.

(3) Following the incident the Bureau of Industry and Security added 6 entities of the People's Republic of China to the Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations due to support by such entities for military programs of the People's Republic of China related to airships and balloons.

(4) Of the 6 entities, only 1 has been added to the Non-SDN Chinese Military-Industrial Complex Companies List maintained by the Office of Foreign Assets Control of the Department of the Treasury and subject to sanctions by the Department of the Treasury.

(5) According to Executive Order 14032 (86 Fed. Reg. 30145; relating to addressing the threat from securities investments that finance certain companies of the People's Republic of China)—

(A) there is a ''threat posed by the military-industrial complex of the People's Republic of China and its involvement in military, intelligence, and security research and development programs, and weapons and related equipment production under'' the Military-Civil Fusion strategy of the People's Republic of China; and

(B) ''the use of Chinese surveillance technology outside the PRC and the development or use of Chinese surveillance tech- nology to facilitate repression or serious human rights abuse constitute unusual and extraordinary threats, which have their source in whole or substantial part outside the United States, to the national security, foreign policy, and economy of the United States''.

(6) Executive Order 14032 explicitly expands the scope of Executive Order 13959 (50 U.S.C. 1701 note; relating to addressing the threat from securities investments that finance Communist Chinese military companies).

(b) INCLUSION ON NON-SDN CHINESE MILITARY-INDUSTRIAL COMPLEX COMPANIES LIST.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall include on the Non-SDN Chinese Military-Industrial Complex Companies List maintained by the Office of Foreign Assets Control of the Department of the Treasury the following persons:

(1) The Beijing Nanjiang Aerospace Technology Company.

(2) The Dongguan Lingkong Remote Sensing Technology Company.

(3) The Eagles Men Aviation Science and Technology Group Company.

(4) The Guangzhou Tian-Hai-Xiang Aviation Technology Company.

(5) The Shanxi Eagles Men Aviation Science and Technology Group Company.

(c) INCLUSION ON SDN LIST.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury shall include on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control the following persons:

(1) Xiong Qunli, the Chairman of China Electronics Technology Group Corporation.

(2) Wu Zhe, a Chinese scientist and professor of aeronautics at Beihang University.

(3) Wang Dong, the General Manager and largest shareholder of Deluxe Family.

SA 2924. Mr. DAINES 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 E of title X, insert the following:

SEC. _____. PROHIBITION ON USE OF FUNDS FOR ADULT CABARET PERFORMANCES.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for fiscal year 2025 for the Department of Defense and no facilities owned or operated by Department of Defense may be used to host, advertise, or otherwise support an adult cabaret performance.

(b) DEFINITIONS.—In this section:

(1) ADULT CABARET PERFORMANCE.—The term ''adult cabaret performance'' means a performance that features topless dancers, go-go dancers, exotic dances, strippers, or male or female impersonators who provide entertainment that appeals to prurient interest.

(2) FACILITIES OWNED OR OPERATED BY THE DEPARTMENT OF DEFENSE.—The term ''facilities owned or operated by the Department of Defense'' means any facility owned, operated, or defended by members of the Armed Forces or civilian employees of the Department of Defense, including maritime vessels, OCONUS installations, Department of State facilities, intelligence community facilities, and cemeteries.

(3) HOST, ADVERTISE, OR OTHERWISE SUPPORT.—The term ''host, advertise, or otherwise support'' includes such activities as social media, background checks, transportation or escort, meal services, event venues, nongovernmental or nonmilitary related flags, banners, and fliers.

SEC. ____. ELIMINATION OF DISCRETION OF MILITARY CHAIN OF COMMAND AND SENIOR CIVILIAN LEADERSHIP WITH RESPECT TO DISPLAY OF FLAGS.

Section 1052(d)(1)(N) of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 10 U.S.C. 2661 note) is amended by striking subparagraph (N).

SA 2925. Mr. PAUL 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. PROHIBITION ON USE OF FUNDS FOR WUHAN INSTITUTE OF VIROLOGY.

None of the funds authorized to be appropriated by this Act may be made available, directly or indirectly, to the Wuhan Institute of Virology.

SA 2926. Mr. ROUNDS 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. 10_____. WOUNDED KNEE MASSACRE MEMORIAL AND SACRED SITE.

(a) DEFINITIONS.—In this section:

(1) RESTRICTED FEE STATUS.—The term ''restricted fee status'' means a status in which the Tribal land—

(A) shall continue to be owned by the Tribes;

(B) shall be part of the Pine Ridge Indian Reservation and expressly made subject to the civil and criminal jurisdiction of the Oglala Sioux Tribe;

(C) shall not be transferred without the consent of Congress and the Tribes;

(D) shall not be subject to taxation by a State or local government; and

(E) shall not be subject to any provision of law providing for the review or approval by the Secretary of the Interior before the Tribes may use the land for any purpose as allowed by the document titled ''Covenant Between the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe'' and dated October 21, 2022, directly, or through agreement with another party.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) TRIBAL LAND.—The term ''Tribal land'' means the approximately 40 acres (including the surface and subsurface estate, and mineral estate, and any and all improvements, structures, and personal property on those acres) on the Pine Ridge Indian Reservation in Oglala Lakota County, at Rural County Road 4, Wounded Knee, South Dakota, and generally depicted as ''Area of Interest'' on the map entitled ''Wounded Knee Sacred Site and Memorial Land'' and dated October 26, 2022, which is a segment of the December 29, 1890, Wounded Knee Massacre site.

(4) TRIBES.—The term ''Tribes'' means the Oglala Sioux Tribe and Cheyenne River Sioux Tribe of the Cheyenne River Reservation, both tribes being among the constituent tribes of the Great Sioux Nation and signatories to the Fort Laramie Treaty of 1868 between the United States of America and the Great Sioux Nation, 15 Stat. 635.

(b) LAND HELD IN RESTRICTED FEE STATUS BY THE TRIBES.—

(1) ACTION BY SECRETARY.—Not later than 365 days after enactment of this Act, the Secretary shall—

(A) complete all actions, including documentation and minor corrections to the survey and legal description of Tribal land, necessary for the Tribal land to be held by the Tribes in restricted fee status; and

(B) appropriately assign each applicable private and municipal utility and service right or agreement with regard to the Tribal land.

(2) CONDITIONS.—

(A) FEDERAL LAWS RELATING TO INDIAN LAND.—Except as otherwise provided in this section, the Tribal land shall be subject to Federal laws relating to Indian country, as defined by section 1151 of title 18, United States Code and protected by the restriction against alienation in section 177 of title 25, United States Code.

(B) USE OF LAND.—The Tribal land shall be used for the purposes allowed by the document titled ''Covenant Between the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe'' and dated October 21, 2022.

(C) ENCUMBRANCES AND AGREEMENTS.—The Tribal land shall remain subject to any private or municipal encumbrance, right-of-way, restriction, easement of record, or utility service agreement in effect on the date of the enactment of this Act.

(D) GAMING.—Pursuant to the document titled ''Covenant Between the Oglala Sioux Tribe and the Cheyenne River Sioux Tribe'' and dated October 21, 2022, the Tribal land shall not be used for gaming activity under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.).

SA 2927. Mr. PAUL 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. REPORT ON CONFLICT IN UKRAINE.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the ongoing conflict in Ukraine that includes information on casualties, wounded, and materials or equipment losses for each country involved in the conflict .

SA 2928. Mr. PAUL 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. PROHIBITION ON USE OF FUNDS FOR ACADEMY OF MILITARY MEDICAL SCIENCES OF THE PEOPLE'S LIBERATION ARMY.

None of the funds authorized to be appropriated by this Act may be made available, directly or indirectly, to the Academy of Military Medical Sciences of the People's Liberation Army or any research institute controlled by, or affiliated with, the Academy of Military Medical Sciences of the People's Liberation Army, including the Beijing Institute of Microbiology and Epidemiology.

SA 2929. Mr. BRAUN (for himself 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 appropriate place in title II, insert the following:

SEC. _____. PLAN FOR LEVERAGING HYPERSONIC TEST FACILITIES OF ACADEMIC INSTITUTIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for leveraging the hypersonic test facilities of academic institutions to lower the cost burden of hypersonic testing on industry and accelerate innovation, development, and deployment of new systems, while addressing critical national security needs.

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

(1) An inventory of current hypersonics test infrastructure.

(2) An inventory and the status of relevant hypersonics test infrastructure planned or under construction.

(3) An assessment of relevant hypersonics test infrastructure at academic institutions.

(4) A proposal for standardizing accessibility, cost structures, and use requirements for hypersonic facilities at academic institutions to match those of facilities located at Department of Defense laboratories and Department-supported industry test facilities.

(5) A timeline for implementation of this standardization.

SA 2930. Mr. CASSIDY 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 part I of subtitle F of title V, insert the following:

SEC. 578. INTERVENTIONS RELATING TO DYSLEXIA AT SCHOOLS OPERATED BY DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

(a) DYSLEXIA SCREENING PROGRAM.—The Director of the Department of Defense Education Activity shall establish a dyslexia screening program, under which each school operated by the Activity screens—

(1) each student enrolled in the school for dyslexia near the end of kindergarten and near the end of first grade; and

(2) screens new enrollees in the school regardless of year, unless the new enrollee has already been diagnosed with dyslexia.

(b) OTHER INTERVENTIONS.—The Director shall—

(1) develop and implement a plan for comprehensive literacy instruction;

(2) provide high-quality training for school personnel, particularly specialized instructional support personnel related to dyslexia; and

(3) ensure that each district of schools operated by the Activity employs at least one specialized instructional support personnel who specializes in dyslexia.

(c) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter, the Director shall submit to Congress a report on the implementation of the dyslexia screening program required by subsection (a) and on the high-quality training for school personnel required by subsection (b) that includes the number of students identified as having dyslexia under the program.

(d) DEFINITIONS.—In this section:

(1) COMPREHENSIVE LITERACY INSTRUCTION.—The term ''comprehensive literacy instruction'' has the meaning given that term in section 2221(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6641(b)(1)).

(2) DYSLEXIA.—The term ''dyslexia'' means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing (the appreciation of the individual sounds of spoken language), which affects the ability of an individual to speak, read, and spell.

(3) DYSLEXIA SCREENING PROGRAM.—The term ''dyslexia screening program'' means a screening program for dyslexia that is—

(A) evidence-based (as defined in section 8101(21)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21)(A)(i))) with proven psychometrics for validity;

(B) efficient and low-cost; and

(C) readily available.

(4) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term ''specialized instructional support personnel'' means personnel described in section 8101(47)(A)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(47)(A)(ii)).

SA 2931. Mr. DAINES 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:

SECTION 10_____. REINSTATEMENT OF THE BULL MOUNTAINS MINING PLAN MODIFICATION.

(a) DEFINITION OF BULL MOUNTAINS MINING PLAN MODIFICATION.—In this section, the term ''Bull Mountains Mining Plan Modification'' means Amendment 3, Bull Mountains Mine No. 1, Mining Plan Modification for Federal Coal Lease MTM 97988, that was—

(1) analyzed by the Office of Surface Mining Reclamation and Enforcement Environmental Assessment, dated May 11, 2018;

(2) approved by the Department of the Interior Assistant Secretary for Land and Minerals Management on August 3, 2018;

(3) further analyzed in the Office of Surface Mining Reclamation and Enforcement Environmental Assessment, dated October 2020; and

(4) affirmed by Department of the Interior Principal Deputy Assistant Secretary for Land and Minerals Management in a concurrence memorandum, dated November 18, 2020.

(b) BULL MOUNTAINS MINING PLAN MODIFICATION REINSTATEMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior shall, without modification or delay, reinstate the Bull Mountains Mining Plan Modification.

(2) DURATION.—On reinstatement under paragraph (1), the Bull Mountains Mining Plan Modification shall remain in effect and

operational until mining under the Bull Mountains Mining Plan Modification is complete, as determined by the Montana Department of Environmental Quality.

SA 2932. Mr. DAINES (for himself and Mr. TESTER) 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—FORT BELKNAP INDIAN COMMUNITY WATER RIGHTS SETTLEMENT ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Fort Belknap Indian Community Water Rights Settlement Act of 2024''.

SEC. 5002. PURPOSES.

The purposes of this division are—

(1) to achieve a fair, equitable, and final settlement of claims to water rights in the State of Montana for—

(A) the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; and

(B) the United States, acting as trustee for the Fort Belknap Indian Community and allottees;

(2) to authorize, ratify, and confirm the water rights compact entered into by the Fort Belknap Indian Community and the State, to the extent that the Compact is consistent with this division;

(3) to authorize and direct the Secretary—

(A) to execute the Compact; and

(B) to take any other actions necessary to carry out the Compact in accordance with this division;

(4) to authorize funds necessary for the implementation of the Compact and this division; and

(5) to authorize the exchange and transfer of certain Federal and State land.

SEC. 5003. DEFINITIONS.

In this division:

(1) ALLOTTEE.—The term ''allottee'' means an individual who holds a beneficial real property interest in an allotment of Indian land that is—

(A) located within the Reservation; and

(B) held in trust by the United States.

(2) BLACKFEET TRIBE.—The term ''Blackfeet Tribe'' means the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

(3) CERCLA.—The term ''CERCLA'' means the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(4) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of Reclamation.

(5) COMPACT.—The term ''Compact'' means—

(A) the Fort Belknap-Montana water rights compact dated April 16, 2001, as contained in section 85–20–1001 of the Montana Code Annotated (2021); and

(B) any appendix (including appendix amendments), part, or amendment to the Compact that is executed to make the Compact consistent with this division.

(6) ENFORCEABILITY DATE.—The term ''enforceability date'' means the date described in section 5011(f).

(7) FORT BELKNAP INDIAN COMMUNITY.—The term ''Fort Belknap Indian Community'' means the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation of Montana, a federally recognized Indian Tribal entity included on the list published by the Secretary pursuant to section 104(a) of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131(a)).

(8) FORT BELKNAP INDIAN COMMUNITY COUNCIL.—The term ''Fort Belknap Indian Community Council'' means the governing body of the Fort Belknap Indian Community.

(9) FORT BELKNAP INDIAN IRRIGATION PROJECT.—

(A) IN GENERAL.—The term ''Fort Belknap Indian Irrigation Project'' means the Federal Indian irrigation project constructed and operated by the Bureau of Indian Affairs, consisting of the Milk River unit, including—

(i) the Three Mile unit; and

(ii) the White Bear unit.

(B) INCLUSIONS.—The term ''Fort Belknap Indian Irrigation Project'' includes any addition to the Fort Belknap Indian Irrigation Project constructed pursuant to this division, including expansion of the Fort Belknap Indian Irrigation Project, the Pumping Plant, delivery Pipe and Canal, the Fort Belknap Reservoir and Dam, and the Peoples Creek Flood Protection Project.

(10) IMPLEMENTATION FUND.—The term ''Implementation Fund'' means the Fort Belknap Indian Community Water Settlement Implementation Fund established by section 5013(a).

(11) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(12) LAKE ELWELL.—The term ''Lake Elwell'' means the water impounded on the Marias River in the State by Tiber Dam, a feature of the Lower Marias Unit of the Pick-Sloan Missouri River Basin Program authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(13) MALTA IRRIGATION DISTRICT.—The term ''Malta Irrigation District'' means the public corporation—

(A) created on December 28, 1923, pursuant to the laws of the State relating to irrigation districts; and

(B) headquartered in Malta, Montana.

(14) MILK RIVER.—The term ''Milk River'' means the mainstem of the Milk River and each tributary of the Milk River between the headwaters of the Milk River and the confluence of the Milk River with the Missouri River, consisting of—

(A) Montana Water Court Basins 40F, 40G, 40H, 40I, 40J, 40K, 40L, 40M, 40N, and 40O; and

(B) the portion of the Milk River and each tributary of the Milk River that flows through the Canadian Provinces of Alberta and Saskatchewan.

(15) MILK RIVER PROJECT.—

(A) IN GENERAL.—The term ''Milk River Project'' means the Bureau of Reclamation project conditionally approved by the Secretary on March 14, 1903, pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), commencing at Lake Sherburne Reservoir and providing water to a point approximately 6 miles east of Nashua, Montana.

(B) INCLUSIONS.—The term ''Milk River Project'' includes—

(i) the St. Mary Unit;

(ii) the Fresno Dam and Reservoir; and

(iii) the Dodson pumping unit.

(16) MISSOURI RIVER BASIN.—The term ''Missouri River Basin'' means the hydrologic basin of the Missouri River, including tributaries.

(17) OPERATIONS AND MAINTENANCE.—The term ''operations and maintenance'' means the Bureau of Indian Affairs operations and maintenance activities related to costs described in section 171.500 of title 25, Code of Federal Regulations (or a successor regulation).

(18) OPERATIONS, MAINTENANCE, AND REPLACEMENT.—The term ''operations, maintenance, and replacement'' means—

(A) any recurring or ongoing activity associated with the day-to-day operation of a project;

(B) any activity relating to scheduled or unscheduled maintenance of a project; and

(C) any activity relating to repairing, replacing, or rehabilitating a feature of a project.

(19) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM.—The term ''Pick-Sloan Missouri River Basin Program'' means the Pick-Sloan Missouri River Basin Program (authorized by section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665)).

(20) PMM.—The term ''PMM'' means the Principal Meridian, Montana.

(21) RESERVATION.—

(A) IN GENERAL.—The term ''Reservation'' means the area of the Fort Belknap Reservation in the State, as modified by this division.

(B) INCLUSIONS.—The term ''Reservation'' includes—

(i) all land and interests in land established by—

(I) the Agreement with the Gros Ventre and Assiniboine Tribes of the Fort Belknap Reservation, ratified by the Act of May 1, 1888 (25 Stat. 113, chapter 212), as modified by the Agreement with the Indians of the Fort Belknap Reservation of October 9, 1895 (ratified by the Act of June 10, 1896) (29 Stat. 350, chapter 398);

(II) the Act of March 3, 1921 (41 Stat. 1355, chapter 135); and

(III) Public Law 94–114 (25 U.S.C. 5501 et seq.);

(ii) the land known as the ''Hancock lands'' purchased by the Fort Belknap Indian Community pursuant to the Fort Belknap Indian Community Council Resolution No. 234–89 (October 2, 1989); and

(iii) all land transferred to the United States to be held in trust for the benefit of the Fort Belknap Indian Community under section 5006.

(22) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(23) ST. MARY UNIT.—

(A) IN GENERAL.—The term ''St. Mary Unit'' means the St. Mary Storage Unit of the Milk River Project authorized by Congress on March 25, 1905.

(B) INCLUSIONS.—The term ''St. Mary Unit'' includes—

(i) Sherburne Dam and Reservoir;

(ii) Swift Current Creek Dike;

(iii) Lower St. Mary Lake;

(iv) St. Mary Canal Diversion Dam; and

(v) St. Mary Canal and appurtenances.

(24) STATE.—The term ''State'' means the State of Montana.

(25) TRIBAL WATER CODE.—The term ''Tribal water code'' means the Tribal water code enacted by the Fort Belknap Indian Community pursuant to section 5005(g).

(26) TRIBAL WATER RIGHTS.—The term ''Tribal water rights'' means the water rights of the Fort Belknap Indian Community, as described in Article III of the Compact and this division, including the allocation of water to the Fort Belknap Indian Community from Lake Elwell under section 5007.

(27) TRUST FUND.—The term ''Trust Fund'' means the Aaniiih Nakoda Settlement Trust Fund established for the Fort Belknap Indian Community under section 5012(a).

SEC. 5004. RATIFICATION OF COMPACT.

(a) RATIFICATION OF COMPACT.—

(1) IN GENERAL.—As modified by this division, the Compact is authorized, ratified, and confirmed.

(2) AMENDMENTS.—Any amendment to the Compact is authorized, ratified, and confirmed to the extent that the amendment is executed to make the Compact consistent with this division.

(b) EXECUTION.—

(1) IN GENERAL.—To the extent that the Compact does not conflict with this division, the Secretary shall execute the Compact, including all appendices to, or parts of, the Compact requiring the signature of the Secretary.

(2) MODIFICATIONS.—Nothing in this division precludes the Secretary from approving any modification to an appendix to the Compact that is consistent with this division, to the extent that the modification does not otherwise require congressional approval under section 2116 of the Revised Statutes (25 U.S.C. 177) or any other applicable provision of Federal law.

(c) ENVIRONMENTAL COMPLIANCE.—

(1) IN GENERAL.—In implementing the Compact and this division, the Secretary shall comply with all applicable provisions of—

(A) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(B) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the implementing regulations of that Act; and

(C) other applicable Federal environmental laws and regulations.

(2) COMPLIANCE.—

(A) IN GENERAL.—In implementing the Compact and this division, the Fort Belknap Indian Community shall prepare any necessary environmental documents, except for any environmental documents required under section 5008, consistent with all applicable provisions of—

(i) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4231 et seq.), including the implementing regulations of that Act; and

(iii) all other applicable Federal environmental laws and regulations.

(B) AUTHORIZATIONS.—The Secretary shall—

(i) independently evaluate the documentation submitted under subparagraph (A); and

(ii) be responsible for the accuracy, scope, and contents of that documentation.

(3) EFFECT OF EXECUTION.—The execution of the Compact by the Secretary under this section shall not constitute a major Federal action for purposes of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COSTS.—Any costs associated with the performance of the compliance activities described in paragraph (2) shall be paid from funds deposited in the Trust Fund, subject to the condition that any costs associated with the performance of Federal approval or other review of such compliance work or costs associated with inherently Federal functions shall remain the responsibility of the Secretary.

SEC. 5005. TRIBAL WATER RIGHTS.

(a) CONFIRMATION OF TRIBAL WATER RIGHTS.—

(1) IN GENERAL.—The Tribal water rights are ratified, confirmed, and declared to be valid.

(2) USE.—Any use of the Tribal water rights shall be subject to the terms and conditions of the Compact and this division.

(3) CONFLICT.—In the event of a conflict between the Compact and this division, this division shall control.

(b) INTENT OF CONGRESS.—It is the intent of Congress to provide to each allottee benefits that are equivalent to, or exceed, the benefits the allottees possess on the day before the date of enactment of this Act, taking into consideration—

(1) the potential risks, cost, and time delay associated with litigation that would be resolved by the Compact and this division;

(2) the availability of funding under this division and from other sources;

(3) the availability of water from the Tribal water rights; and

(4) the applicability of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), and this division to protect the interests of allottees.

(c) TRUST STATUS OF TRIBAL WATER RIGHTS.—The Tribal water rights—

(1) shall be held in trust by the United States for the use and benefit of the Fort Belknap Indian Community and allottees in accordance with this division; and

(2) shall not be subject to loss through nonuse, forfeiture, or abandonment.

(d) ALLOTTEES.—

(1) APPLICABILITY OF THE ACT OF FEBRUARY 8, 1887.—The provisions of section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), relating to the use of water for irrigation purposes, shall apply to the Tribal water rights.

(2) ENTITLEMENT TO WATER.—Any entitlement to water of an allottee under Federal law shall be satisfied from the Tribal water rights.

(3) ALLOCATIONS.—An allottee shall be entitled to a just and equitable allocation of water for irrigation purposes.

(4) CLAIMS.—

(A) EXHAUSTION OF REMEDIES.—Before asserting any claim against the United States under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or any other applicable law, an allottee shall exhaust remedies available under the Tribal water code or other applicable Tribal law.

(B) ACTION FOR RELIEF.—After the exhaustion of all remedies available under the Tribal water code or other applicable Tribal law, an allottee may seek relief under section 7 of the Act of February 8, 1887 (24 Stat. 390, chapter 119; 25 U.S.C. 381), or other applicable law.

(5) AUTHORITY OF THE SECRETARY.—The Secretary shall have the authority to protect the rights of allottees in accordance with this section.

(e) AUTHORITY OF THE FORT BELKNAP INDIAN COMMUNITY.—

(1) IN GENERAL.—The Fort Belknap Indian Community shall have the authority to allocate, distribute, and lease the Tribal water rights for use on the Reservation in accordance with the Compact, this division, and applicable Federal law.

(2) OFF-RESERVATION USE.—The Fort Belknap Indian Community may allocate, distribute, and lease the Tribal water rights for off-Reservation use in accordance with the Compact, this division, and applicable Federal law—

(A) subject to the approval of the Secretary; or

(B) pursuant to Tribal water leasing regulations consistent with the requirements of subsection (f).

(3) LAND LEASES BY ALLOTTEES.—Notwithstanding paragraph (1), an allottee may lease any interest in land held by the allottee, together with any water right determined to be appurtenant to the interest in land, in accordance with the Tribal water code.

(f) TRIBAL WATER LEASING REGULATIONS.—

(1) IN GENERAL.—At the discretion of the Fort Belknap Indian Community, any water lease of the Fort Belknap Indian Community of the Tribal water rights for use on or off the Reservation shall not require the approval of the Secretary if the lease—

(A) is executed under tribal regulations, approved by the Secretary under this subsection;

(B) is in accordance with the Compact; and

(C) does not exceed a term of 100 years, except that a lease may include an option to renew for 1 additional term of not to exceed 100 years.

(2) AUTHORITY OF THE SECRETARY OVER TRIBAL WATER LEASING REGULATIONS.—

(A) IN GENERAL.—The Secretary shall have the authority to approve or disapprove any Tribal water leasing regulations issued in accordance with paragraph (1).

(B) CONSIDERATIONS FOR APPROVAL.—The Secretary shall approve any Tribal water leasing regulations issued in accordance with paragraph (1) if the Tribal water leasing regulations—

(i) provide for an environmental review process that includes—

(I) the identification and evaluation of any significant effects of the proposed action on the environment; and

(II) a process for ensuring that—

(aa) the public is informed of, and has a reasonable opportunity to comment on, any significant environmental impacts of the proposed action identified by the Fort Belknap Indian Community; and

(bb) the Fort Belknap Indian Community provides responses to relevant and substantive public comments on those impacts prior to its approval of a water lease; and

(ii) are consistent with this division and the Compact.

(3) REVIEW PROCESS.—

(A) IN GENERAL.—Not later than 120 days after the date on which Tribal water leasing regulations under paragraph (1) are submitted to the Secretary, the Secretary shall review and approve or disapprove the regulations.

(B) WRITTEN DOCUMENTATION.—If the Secretary disapproves the Tribal water leasing regulations described in subparagraph (A), the Secretary shall include written documentation with the disapproval notification that describes the basis for this disapproval.

(C) EXTENSION.—The deadline described in subparagraph (A) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(4) FEDERAL ENVIRONMENTAL REVIEW.—Notwithstanding paragraphs (2) and (3), if the Fort Belknap Indian Community carries out a project or activity funded by a Federal agency, the Fort Belknap Indian Community—

(A) shall have the authority to rely on the environmental review process of the applicable Federal agency; and

(B) shall not be required to carry out a tribal environmental review process under this subsection.

(5) DOCUMENTATION.—If the Fort Belknap Indian Community issues a lease pursuant to Tribal water leasing regulations under paragraph (1), the Fort Belknap Indian Community shall provide the Secretary and the State a copy of the lease, including any amendments or renewals to the lease.

(6) LIMITATION OF LIABILITY.—

(A) IN GENERAL.—The United States shall not be liable in any claim relating to the negotiation, execution, or approval of any lease or exchange agreement or storage agreement, including any claims relating to the terms included in such an agreement, made pursuant to Tribal water leasing regulations under paragraph (1).

(B) OBLIGATIONS.—The United States shall have no trust obligation or other obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease or exchange agreement or storage agreement; or

(ii) the expenditure of those funds.

(g) TRIBAL WATER CODE.—

(1) IN GENERAL.—Notwithstanding Article IV.A.2. of the Compact, not later than 4 years after the date on which the Fort Belknap Indian Community approves the Compact in accordance with section 5011(f)(1), the Fort Belknap Indian Community shall enact a Tribal water code that provides for—

(A) the administration, management, regulation, and governance of all uses of the Tribal water rights in accordance with the Compact and this division; and

(B) the establishment by the Fort Belknap Indian Community of the conditions, permit requirements, and other requirements for the allocation, distribution, or use of the Tribal water rights in accordance with the Compact and this division.

(2) INCLUSIONS.—Subject to the approval of the Secretary, the Tribal water code shall provide—

(A) that use of water by allottees shall be satisfied with water from the Tribal water rights;

(B) a process by which an allottee may request that the Fort Belknap Indian Community provide water for irrigation use in accordance with this division, including the provision of water under any allottee lease under section 4 of the Act of June 25, 1910 (36 Stat. 856, chapter 431; 25 U.S.C. 403);

(C) a due process system for the consideration and determination by the Fort Belknap Indian Community of any request of an allottee (or a successor in interest to an allottee) for an allocation of water for irrigation purposes on allotted land, including a process for—

(i) appeal and adjudication of any denied or disputed distribution of water; and

(ii) resolution of any contested administrative decision;

(D) a requirement that any allottee asserting a claim relating to the enforcement of rights of the allottee under the Tribal water code, including to the quantity of water allocated to land of the allottee, shall exhaust all remedies available to the allottee under Tribal law before initiating an action against the United States or petitioning the Secretary pursuant to subsection (d)(4)(B);

(E) a process by which an owner of fee land within the boundaries of the Reservation may apply for use of a portion of the Tribal water rights; and

(F) a process for the establishment of a controlled Groundwater area and for the management of that area in cooperation with establishment of a contiguous controlled Groundwater area off the Reservation established pursuant to Section B.2. of Article IV of the Compact and State law.

(3) ACTION BY SECRETARY.—

(A) IN GENERAL.—During the period beginning on the date of enactment of this Act and ending on the date on which a Tribal water code described in paragraphs (1) and (2) is enacted, the Secretary shall administer, with respect to the rights of allottees, the Tribal water rights in accordance with the Compact and this division.

(B) APPROVAL.—The Tribal water code described in paragraphs (1) and (2) shall not be valid unless—

(i) the provisions of the Tribal water code required by paragraph (2) are approved by the Secretary; and

(ii) each amendment to the Tribal water code that affects a right of an allottee is approved by the Secretary.

(C) APPROVAL PERIOD.—

(i) IN GENERAL.—The Secretary shall approve or disapprove the Tribal water code or an amendment to the Tribal water code by not later than 180 days after the date on which the Tribal water code or amendment to the Tribal water code is submitted to the Secretary.

(ii) EXTENSIONS.—The deadline described in clause (i) may be extended by the Secretary, after consultation with the Fort Belknap Indian Community.

(h) ADMINISTRATION.—

(1) NO ALIENATION.—The Fort Belknap Indian Community shall not permanently alienate any portion of the Tribal water rights.

(2) PURCHASES OR GRANTS OF LAND FROM INDIANS.—An authorization provided by this division for the allocation, distribution, leasing, or other arrangement entered into pursuant to this division shall be considered to satisfy any requirement for authorization of the action required by Federal law.

(3) PROHIBITION ON FORFEITURE.—The nonuse of all or any portion of the Tribal water rights by any water user shall not result in the forfeiture, abandonment, relinquishment, or other loss of all or any portion of the Tribal water rights.

(i) EFFECT.—Except as otherwise expressly provided in this section, nothing in this division—

(1) authorizes any action by an allottee against any individual or entity, or against the Fort Belknap Indian Community, under Federal, State, Tribal, or local law; or

(2) alters or affects the status of any action brought pursuant to section 1491(a) of title 28, United States Code.

(j) PICK-SLOAN MISSOURI RIVER BASIN PROGRAM POWER RATES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary, in cooperation with the Secretary of Energy, shall make available the Pick-Sloan Missouri River Basin Program irrigation project pumping power rates to the Fort Belknap Indian Community, the Fort Belknap Indian Irrigation Project, and any projects funded under this division.

(2) AUTHORIZED PURPOSES.—The power rates made available under paragraph (1) shall be authorized for the purposes of wheeling, administration, and payment of irrigation project pumping power rates, including project use power for gravity power.

SEC. 5006. EXCHANGE AND TRANSFER OF LAND.

(a) EXCHANGE OF ELIGIBLE LAND AND STATE LAND.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE LAND.—The term ''eligible land'' means—

(i) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)) that are administered by the Secretary, acting through the Director of the Bureau of Land Management; and

(ii) land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a)) that is administered by the Secretary of Agriculture, acting through the Chief of the Forest Service.

(B) SECRETARY CONCERNED.—The term ''Secretary concerned'' means, as applicable—

(i) the Secretary, with respect to the eligible land administered by the Bureau of Land Management; and

(ii) the Secretary of Agriculture, with respect to eligible land managed by the Forest Service.

(2) NEGOTIATIONS AUTHORIZED.—

(A) IN GENERAL.—The Secretary concerned shall offer to enter into negotiations with the State for the purpose of exchanging eligible land described in paragraph (4) for the State land described in paragraph (3).

(B) REQUIREMENTS.—Any exchange of land made pursuant to this subsection shall be subject to the terms and conditions of this subsection.

(C) PRIORITY.—

(i) IN GENERAL.—In carrying out this paragraph, the Secretary and the Secretary of Agriculture shall, during the 5-year period beginning on the date of enactment of this Act, give priority to an exchange of eligible land located within the State for State land.

(ii) SECRETARY OF AGRICULTURE.—The responsibility of the Secretary of Agriculture under clause (i), during the 5-year period described in that clause, shall be limited to negotiating with the State an acceptable package of land in the National Forest System (as defined in section 11(a) of the Forest and Rangeland Resources Planning Act of 1974 (16 U.S.C. 1609(a))).

(3) STATE LAND.—The Secretary is authorized to accept the following parcels of State land located on and off the Reservation:

(A) 717.56 acres in T. 26 N., R. 22 E., sec. 16.
(B) 707.04 acres in T. 27 N., R. 22 E., sec. 16.
(C) 640 acres in T. 27 N., R. 21 E., sec. 36.
(D) 640 acres in T. 26 N., R. 23 E., sec. 16.
(E) 640 acres in T. 26 N., R. 23 E., sec. 36.
(F) 640 acres in T. 26 N., R. 26 E., sec. 16.
(G) 640 acres in T. 26 N., R. 22 E., sec. 36.
(H) 640 acres in T. 27 N., R. 23 E., sec. 16.
(I) 640 acres in T. 27 N., R. 25 E., sec. 36.
(J) 640 acres in T. 28 N., R. 22 E., sec. 36.
(K) 640 acres in T. 28 N., R. 23 E., sec. 16.
(L) 640 acres in T. 28 N., R. 24 E., sec. 36.
(M) 640 acres in T. 28 N., R. 25 E., sec. 16.
(N) 640 acres in T. 28 N., R. 25 E., sec. 36.
(O) 640 acres in T. 28 N., R. 26 E., sec. 16.
(P) 94.96 acres in T. 28 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act, comprised of—
(i) 30.68 acres in lot 5;
(ii) 26.06 acres in lot 6;
(iii) 21.42 acres in lot 7; and
(iv) 16.8 acres in lot 8.
(Q) 652.32 acres in T. 29 N., R. 22 E., sec. 16, excluding the 73.36 acres under lease by individuals who are not members of the Fort Belknap Indian Community, on the date of enactment of this Act.
(R) 640 acres in T. 29 N., R. 22 E., sec. 36.
(S) 640 acres in T. 29 N., R. 23 E., sec. 16.
(T) 640 acres in T. 29 N., R. 24 E., sec. 16.
(U) 640 acres in T. 29 N., R. 24 E., sec. 36.
(V) 640 acres in T. 29 N., R. 25 E., sec. 16.
(W) 640 acres in T. 29 N., R. 25 E., sec. 36.
(X) 640 acres in T. 29 N., R. 26 E., sec. 16.
(Y) 663.22 acres in T. 30 N., R. 22 E., sec. 16, excluding the 58.72 acres under lease by individuals who are not members of the Fort Belknap Indian Community on the date of enactment of this Act.
(Z) 640 acres in T. 30 N., R. 22 E., sec. 36.
(AA) 640 acres in T. 30 N., R. 23 E., sec. 16.
(BB) 640 acres in T. 30 N., R. 23 E., sec. 36.
(CC) 640 acres in T. 30 N., R. 24 E., sec. 16.
(DD) 640 acres in T. 30 N., R. 24 E., sec. 36.
(EE) 640 acres in T. 30 N., R. 25 E., sec. 16.
(FF) 275.88 acres in T. 30 N., R. 26 E., sec. 36, under lease by the Fort Belknap Indian Community Council on the date of enactment of this Act.
(GG) 640 acres in T. 31 N., R. 22 E., sec. 36.
(HH) 640 acres in T. 31 N., R. 23 E., sec. 16.
(II) 640 acres in T. 31 N., R. 23 E., sec. 36.
(JJ) 34.04 acres in T. 31 N., R. 26 E., sec. 16, lot 4.
(KK) 640 acres in T. 25 N., R. 22 E., sec. 16.

(4) ELIGIBLE LAND.—

(A) IN GENERAL.—Subject to valid existing rights, the reservation of easements or rights-of-way deemed necessary to be retained by the Secretary concerned, and the requirements of this subsection, the Secretary is authorized and directed to convey to the State any eligible land within the State identified in the negotiations authorized by paragraph (2) and agreed to by the Secretary concerned.

(B) EXCEPTIONS.—The Secretary concerned shall exclude from any conveyance any parcel of eligible land that is—

(i) included within the National Landscape Conservation System established by section 2002(a) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(a)), without regard to whether that land has been identified as available for disposal in a land use plan;

(ii) designated as wilderness by Congress;

(iii) within a component of the National Wild and Scenic Rivers System; or

(iv) designated in the Forest Land and Resource Management Plan as a Research Natural Area.

(C) ADMINISTRATIVE RESPONSIBILITY.—The Secretary shall be responsible for meeting all substantive and any procedural requirements necessary to complete the exchange and the conveyance of the eligible land.

(5) LAND INTO TRUST.—On completion of the land exchange authorized by this subsection, the Secretary shall, as soon as practicable after the enforceability date, take the land received by the United States pursuant to this subsection into trust for the benefit of the Fort Belknap Indian Community.

(6) TERMS AND CONDITIONS.—

(A) EQUAL VALUE.—The values of the eligible land and State land exchanged under this subsection shall be equal, except that the Secretary concerned may—

(i) exchange land that is of approximately equal value if such an exchange complies with the requirements of section 206(h) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(h)) (and any regulations implementing that section) without regard to the monetary limitation described in paragraph (1)(A) of that section; and

(ii) make or accept an equalization payment, or waive an equalization payment, if such a payment or waiver of a payment complies with the requirements of section 206(b) of that Act (43 U.S.C. 1716(b)) (and any regulations implementing that section).

(B) IMPACTS ON LOCAL GOVERNMENTS.—In identifying eligible land to be exchanged with the State, the Secretary concerned and the State may—

(i) consider the financial impacts of exchanging specific eligible land on local governments; and

(ii) attempt to minimize the financial impact of the exchange on local governments.

(C) EXISTING AUTHORIZATIONS.—

(i) ELIGIBLE LAND CONVEYED TO THE STATE.—

(I) IN GENERAL.—Any eligible land conveyed to the State under this subsection shall be subject to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

(II) ASSUMPTION BY STATE.—The State shall assume all benefits and obligations of the Forest Service or the Bureau of Land Management, as applicable, under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I).

(ii) STATE LAND CONVEYED TO THE UNITED STATES.—

(I) IN GENERAL.—Any State land conveyed to the United States under this subsection and taken into trust for the benefit of the Fort Belknap Indian Community subject shall be to any valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, or right-of-way requests an earlier termination in accordance with existing law.

(II) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—

(aa) assume all benefits and obligations of the State under the existing rights, contracts, leases, permits, and rights-of-way described in subclause (I); and

(bb) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-way, after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the benefit of the Fort Belknap Indian Community.

(D) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred to the United States under this subsection shall—

(I) remain the property of the holder; and

(II) be removed not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Fort Belknap Indian Community; and

(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable for costs incurred by the Fort Belknap Indian Community in removing and disposing of the personal property under clause (ii)(II).

(7) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of land owned by the State under paragraph (3), the State may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the State parcels to be exchanged.

(8) ASSISTANCE.—The Secretary shall provide $10,000,000 of financial or other assistance to the State and the Fort Belknap Indian Community as may be necessary to obtain the appraisals, and to satisfy administrative requirements, necessary to accomplish the exchanges under paragraph (2).

(b) FEDERAL LAND TRANSFERS.—

(1) IN GENERAL.—Subject to valid existing rights and the requirements of this subsection, all right, title, and interest of the United States in and to the land described in paragraph (2) shall be held by the United States in trust for the benefit of the Fort Belknap Indian Community as part of the Reservation on the enforceability date.

(2) FEDERAL LAND.—

(A) BUREAU OF LAND MANAGEMENT PARCELS.—

(i) 59.46 acres in T. 25 N., R. 22 E., sec. 4, comprised of—

(I) 19.55 acres in lot 10;

(II) 19.82 acres in lot 11; and

(III) 20.09 acres in lot 16.

(ii) 324.24 acres in the N½ of T. 25 N., R. 22 E., sec. 5.

(iii) 403.56 acres in T. 25 N., R. 22 E., sec. 9, comprised of—

(I) 20.39 acres in lot 2;

(II) 20.72 acres in lot 7;

(III) 21.06 acres in lot 8;

(IV) 40.00 acres in lot 9;

(V) 40.00 acres in lot 10;

(VI) 40.00 acres in lot 11;

(VII) 40.00 acres in lot 12;

(VIII) 21.39 acres in lot 13; and

(IX) 160 acres in SW¼.

(iv) 70.63 acres in T. 25 N., R. 22 E., sec. 13, comprised of—

(I) 18.06 acres in lot 5;

(II) 18.25 acres in lot 6;

(III) 18.44 acres in lot 7; and

(IV) 15.88 acres in lot 8.

(v) 71.12 acres in T. 25 N., R. 22 E., sec. 14, comprised of—

(I) 17.65 acres in lot 5;

(II) 17.73 acres in lot 6;

(III) 17.83 acres in lot 7; and

(IV) 17.91 acres in lot 8.

(vi) 103.29 acres in T. 25 N., R. 22 E., sec. 15, comprised of—

(I) 21.56 acres in lot 6;

(II) 29.50 acres in lot 7;

(III) 17.28 acres in lot 8;

(IV) 17.41 acres in lot 9; and

(V) 17.54 acres in lot 10.

(vii) 160 acres in T. 26 N., R. 21 E., sec. 1, comprised of—

(I) 80 acres in the S½ of the NW¼ ; and

(II) 80 acres in the W½ of the SW¼.

(viii) 567.50 acres in T. 26 N., R. 21 E., sec. 2, comprised of—

(I) 82.54 acres in the E½ of the NW¼;

(II) 164.96 acres in the NE¼; and

(III) 320 acres in the S½.

(ix) 240 acres in T. 26 N., R. 21 E., sec. 3, comprised of—

(I) 40 acres in the SE¼ of the NW¼;

(II) 160 acres in the SW¼; and

(III) 40 acres in the SW¼ of the SE¼.

(x) 120 acres in T. 26 N., R. 21 E., sec. 4, comprised of—

(I) 80 acres in the E½ of the SE¼; and

(II) 40 acres in the NW¼ of the SE¼.

(xi) 200 acres in T. 26 N., R. 21 E., sec. 5, comprised of—

(I) 160 acres in the SW¼; and

(II) 40 acres in the SW¼ of the NW¼.

(xii) 40 acres in the SE¼ of the SE¼ of T. 26 N., R. 21 E., sec. 6.

(xiii) 240 acres in T. 26 N., R. 21 E., sec. 8, comprised of—

(I) 40 acres in the NE¼ of the SW¼;

(II) 160 acres in the NW¼; and

(III) 40 acres in the NW¼ of the SE¼.

(xiv) 320 acres in the E½ of T. 26 N., R. 21 E., sec. 9.

(xv) 640 acres in T. 26 N., R. 21 E., sec. 10.

(xvi) 600 acres in T. 26 N., R. 21 E., sec. 11, comprised of—

(I) 320 acres in the N½;

(II) 80 acres in the N½ of the SE¼;

(III) 160 acres in the SW¼; and

(IV) 40 acres in the SW¼ of the SE¼.

(xvii) 525.81 acres in T. 26 N., R. 22 E., sec. 21, comprised of—

(I) 6.62 acres in lot 1;

(II) 5.70 acres in lot 2;

(III) 56.61 acres in lot 5;

(IV) 56.88 acres in lot 6;

(V) 320 acres in the W½; and

(VI) 80 acres in the W½ of the SE¼.

(xviii) 719.58 acres in T. 26 N., R. 22 E., sec. 28.

(xix) 560 acres in T. 26 N., R. 22 E., sec. 29, comprised of—

(I) 320 acres in the N½;

(II) 160 acres in the N½ of the S½; and

(III) 80 acres in the S½ of the SE¼.

(xx) 400 acres in T. 26 N., R. 22 E., sec. 32, comprised of—

(I) 320 acres in the S½; and

(II) 80 acres in the S½ of the NW¼.

(xxi) 455.51 acres in T. 26 N., R. 22 E., sec. 33, comprised of—

(I) 58.25 acres in lot 3;

(II) 58.5 acres in lot 4;

(III) 58.76 acres in lot 5;

(IV) 40 acres in the NW¼ of the NE¼;

(V) 160 acres in the SW¼; and

(VI) 80 acres in the W½ of the SE¼.

(xxii) 88.71 acres in T. 27 N., R. 21 E., sec. 1, comprised of—

(I) 24.36 acres in lot 1;

(II) 24.35 acres in lot 2; and

(III) 40 acres in the SW¼ of the SW¼.

(xxiii) 80 acres in T. 27 N., R. 21 E., sec. 3, comprised of—

(I) 40 acres in lot 11; and

(II) 40 acres in lot 12.

(xxiv) 80 acres in T. 27 N., R. 21 E., sec. 11, comprised of—

(I) 40 acres in the NW¼ of the SW¼; and

(II) 40 acres in the SW¼ of the NW¼.

(xxv) 200 acres in T. 27 N., R. 21 E., sec. 12, comprised of—

(I) 80 acres in the E½ of the SW¼;

(II) 40 acres in the NW¼ of the NW¼; and

(III) 80 acres in the S½ of the NW¼.

(xxvi) 40 acres in the SE¼ of the NE¼ of T. 27 N., R. 21 E., sec. 23.

(xxvii) 320 acres in T. 27 N., R. 21 E., sec. 24, comprised of—

(I) 80 acres in the E½ of the NW¼;

(II) 160 acres in the NE¼;

(III) 40 acres in the NE¼ of the SE¼; and

(IV) 40 acres in the SW¼ of the SW¼.

(xxviii) 120 acres in T. 27 N., R. 21 E., sec. 25, comprised of—

(I) 80 acres in the S½ of the NE¼; and

(II) 40 acres in the SE¼ of the NW¼.

(xxix) 40 acres in the NE¼ of the SE¼ of T. 27 N., R. 21 E., sec. 26.

(xxx) 160 acres in the NW¼ of T. 27 N., R. 21 E., sec. 27.

(xxxi) 40 acres in the SW¼ of the SW¼ of T. 27 N., R. 21 E., sec. 29.

(xxxii) 40 acres in the SW¼ of the NE¼ of T. 27 N., R. 21 E., sec 30.

(xxxiii) 120 acres in T. 27 N., R. 21 E., sec. 33, comprised of—

(I) 40 acres in the SE¼ of the NE¼; and

(II) 80 acres in the N½ of the SE¼.

(xxxiv) 440 acres in T. 27 N., R. 21 E., sec. 34, comprised of—

(I) 160 acres in the N½ of the S½;

(II) 160 acres in the NE¼;

(III) 80 acres in the S½ of the NW¼; and

(IV) 40 acres in the SE¼ of the SE¼.

(xxxv) 133.44 acres in T. 27 N., R. 22 E., sec. 4, comprised of—

(I) 28.09 acres in lot 5;

(II) 25.35 acres in lot 6;

(III) 40 acres in lot 10; and

(IV) 40 acres in lot 15.

(xxxvi) 160 acres in T. 27 N., R. 22 E., sec. 7, comprised of—

(I) 40 acres in the NE¼ of the NE¼;

(II) 40 acres in the NW¼ of the SW¼; and

(III) 80 acres in the W½ of the NW¼.

(xxxvii) 120 acres in T. 27 N., R. 22 E., sec. 8, comprised of—

(I) 80 acres in the E½ of the NW¼; and

(II) 40 acres in the NE¼ of the SW¼.

(xxxviii) 40 acres in the SW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 9.

(xxxix) 40 acres in the NE¼ of the SW¼ of T. 27 N., R. 22 E., sec. 17.

(xl) 40 acres in the NW¼ of the NW¼ of T. 27 N., R. 22 E., sec. 19.

(xli) 40 acres in the SE¼ of the NW¼ of T. 27 N., R22 E., sec. 20.

(xlii) 80 acres in the W½ of the SE¼ of T. 27 N., R. 22 E., sec. 31.

(xliii) 52.36 acres in the SE¼ of the SE¼ of T. 27 N., R. 22 E., sec. 33.

(xliv) 40 acres in the NE¼ of the SW¼ of T. 28 N., R. 22 E., sec. 29.

(xlv) 40 acres in the NE¼ of the NE¼ of T. 26 N., R. 21 E., sec. 7.

(xlvi) 40 acres in the SW¼ of the NW¼ of T. 26 N., R. 21 E., sec. 12.

(xlvii) 42.38 acres in the NW¼ of the NE¼ of T. 26 N., R. 22 E., sec. 6.

(xlviii) 320 acres in the E½ of T. 26 N., R. 22 E., sec. 17.

(xlix) 80 acres in the E½ of the NE¼ of T. 26 N., R. 22 E., sec. 20.

(l) 240 acres in T. 26 N., R. 22 E., sec. 30, comprised of—

(I) 80 acres in the E½ of the NE¼;

(II) 80 acres in the N½ of the SE¼;

(III) 40 acres in the SE¼ of the NW¼; and

(IV) 40 acres in the SW¼ of the NE¼.

(B) BUREAU OF INDIAN AFFAIRS.—The parcels of approximately 3,519.3 acres of trust land that have been converted to fee land, judicially foreclosed on, acquired by the Department of Agriculture, and transferred to the Bureau of Indian Affairs, described in clauses (i) through (iii).

(i) PARCEL 1.—The land described in this clause is 640 acres in T. 29 N., R. 26 E., comprised of—

(I) 160 acres in the SW¼ of sec. 27;

(II) 160 acres in the NE¼ of sec. 33; and

(III) 320 acres in the W½ of sec. 34.

(ii) PARCEL 2.—The land described in this clause is 320 acres in the N½ of T. 30 N., R. 23 E., sec. 28.

(iii) PARCEL 3.—The land described in this clause is 2,559.3 acres, comprised of—

(I) T. 28 N., R. 24 E., including—

(aa) of sec. 16—

(AA) 5 acres in the E½, W½, E½, W½, W½, NE¼;

(BB) 10 acres in the E½ , E½, W½, W½, NE¼;

(CC) 40 acres in the E½, W½, NE¼;

(DD) 40 acres in the W½, E½, NE¼;

(EE) 20 acres in the W½, E½, E½, NE¼;

(FF) 5 acres in the W½, W½, E½, E½, E½, NE¼; and

(GG) 160 acres in the SE¼;

(bb) 640 acres in sec. 21;

(cc) 320 acres in the S½ of sec. 22; and

(dd) 320 acres in the W½ of sec. 27;

(II) T. 29 N., R. 25 E., PMM, including—

(aa) 320 acres in the S½ of sec. 1; and

(bb) 320 acres in the N½ of sec. 12;

(III) 39.9 acres in T. 29 N., R. 26 E., PMM, sec. 6, lot 2;

(IV) T. 30 N., R. 26 E., PMM, including—

(aa) 39.4 acres in sec. 3, lot 2;

(bb) 40 acres in the SW¼ of the SW¼ of sec. 4;

(cc) 80 acres in the E½ of the SE¼ of sec. 5;

(dd) 80 acres in the S½ of the SE¼ of sec. 7; and

(ee) 40 acres in the N½, N½, NE¼ of sec. 18; and

(V) 40 acres in T. 31 N., R. 26 E., PMM, the NW¼ of the SE¼ of sec. 31.

(3) TERMS AND CONDITIONS.—

(A) EXISTING AUTHORIZATIONS.—

(i) IN GENERAL.—Federal land transferred under this subsection shall be conveyed and taken into trust subject to valid existing rights, contracts, leases, permits, and rights-of-way, unless the holder of the right, contract, lease, permit, and rights-of-way requests an earlier termination in accordance with existing law.

(ii) ASSUMPTION BY BUREAU OF INDIAN AFFAIRS.—The Bureau of Indian Affairs shall—

(I) assume all benefits and obligations of the previous land management agency under the existing rights, contracts, leases, permits, and rights-of-way described in clause (i); and

(II) disburse to the Fort Belknap Indian Community any amounts that accrue to the United States from those rights, contracts, leases, permits, and rights-of-ways after the date of transfer from any sale, bonus, royalty, or rental relating to that land in the same manner as amounts received from other land held by the Secretary in trust for the Fort Belknap Indian Community.

(B) PERSONAL PROPERTY.—

(i) IN GENERAL.—Any improvements constituting personal property, as defined by State law, belonging to the holder of a right, contract, lease, permit, or right-of-way on land transferred under this subsection shall—

(I) remain the property of the holder; and

(II) be removed from the land not later than 90 days after the date on which the right, contract, lease, permit, or right-of-way expires, unless the Fort Belknap Indian Community and the holder agree otherwise.

(ii) REMAINING PROPERTY.—Any personal property described in clause (i) remaining with the holder described in that clause beyond the 90-day period described in subclause (II) of that clause shall—

(I) become the property of the Fort Belknap Indian Community; and

(II) be subject to removal and disposition at the discretion of the Fort Belknap Indian Community.

(iii) LIABILITY OF PREVIOUS HOLDER.—The holder of personal property described in clause (i) shall be liable to the Fort Belknap Indian Community for costs incurred by the Fort Belknap Indian Community in removing and disposing of the property under clause (ii)(II).

(C) EXISTING ROADS.—If any road within the Federal land transferred under this subsection is necessary for customary access to private land, the Bureau of Indian Affairs shall offer the owner of the private land to apply for a right-of-way along the existing road, at the expense of the landowner.

(D) LIMITATION ON THE TRANSFER OF WATER RIGHTS.—Water rights that transfer with the land described in paragraph (2) shall not become part of the Tribal water rights, unless those rights are recognized and ratified in the Compact.

(4) WITHDRAWAL OF FEDERAL LAND.—

(A) IN GENERAL.—Subject to valid existing rights, effective on the date of enactment of this Act, all Federal land within the parcels described in paragraph (2) is withdrawn from all forms of—

(i) entry, appropriation, or disposal under the public land laws;

(ii) location, entry, and patent under the mining laws; and

(iii) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(B) EXPIRATION.—The withdrawals pursuant to subparagraph (A) shall terminate on the date that the Secretary takes the land into trust for the benefit of the Fort Belknap Indian Community pursuant to paragraph (1).

(C) NO NEW RESERVATION OF FEDERAL WATER RIGHTS.—Nothing in this paragraph establishes a new reservation in favor of the United States or the Fort Belknap Indian Community with respect to any water or water right on the land withdrawn by this paragraph.

(5) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in paragraph (2), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels.

(6) SURVEY.—

(A) IN GENERAL.—Unless the United States or the Fort Belknap Indian Community request an additional survey for the transferred land or a technical correction is made under paragraph (5), the description of land under this subsection shall be controlling.

(B) ADDITIONAL SURVEY.—If the United States or the Fort Belknap Indian Community requests an additional survey, that survey shall control the total acreage to be transferred into trust under this subsection.

(C) ASSISTANCE.—The Secretary shall provide such financial or other assistance as may be necessary—

(i) to conduct additional surveys under this subsection; and

(ii) to satisfy administrative requirements necessary to accomplish the land transfers under this subsection.

(7) DATE OF TRANSFER.—The Secretary shall complete all land transfers under this subsection and shall take the land into trust

for the benefit of the Fort Belknap Indian Community as expeditiously as practicable after the enforceability date, but not later than 10 years after the enforceability date.

(c) TRIBALLY OWNED FEE LAND.—Not later than 10 years after the enforceability date, the Secretary shall take into trust for the benefit of the Fort Belknap Indian Community all fee land owned by the Fort Belknap Indian Community on or adjacent to the Reservation to become part of the Reservation, provided that—

(1) the land is free from any liens, encumbrances, or other infirmities; and

(2) no evidence exists of any hazardous substances on, or other environmental liability with respect to, the land.

(d) DODSON LAND.—

(1) IN GENERAL.—Subject to paragraph (2), as soon as practicable after the enforceability date, but not later than 10 years after the enforceability date, the Dodson Land described in paragraph (3) shall be taken into trust by the United States for the benefit of the Fort Belknap Indian Community as part of the Reservation.

(2) RESTRICTIONS.—The land taken into trust under paragraph (1) shall be subject to a perpetual easement, reserved by the United States for use by the Bureau of Reclamation, its contractors, and its assigns for—

(A) the right of ingress and egress for Milk River Project purposes; and

(B) the right to—

(i) seep, flood, and overflow the transferred land for Milk River Project purposes;

(ii) conduct routine and non-routine operation, maintenance, and replacement activities on the Milk River Project facilities, including modification to the headworks at the upstream end of the Dodson South Canal in support of Dodson South Canal enlargement, to include all associated access, construction, and material storage necessary to complete those activities; and

(iii) prohibit the construction of permanent structures on the transferred land, except—

(I) as provided in the cooperative agreement under paragraph (4); and

(II) to meet the requirements of the Milk River Project.

(3) DESCRIPTION OF DODSON LAND.—

(A) IN GENERAL.—The Dodson Land referred to in paragraphs (1) and (2) is the approximately 2,500 acres of land owned by the United States that is, as of the date of enactment of this Act, under the jurisdiction of the Bureau of Reclamation and located at the northeastern corner of the Reservation (which extends to the point in the middle of the main channel of the Milk River), where the Milk River Project facilities, including the Dodson Diversion Dam, headworks to the Dodson South Canal, and Dodson South Canal, are located, and more particularly described as follows:

(i) Supplemental Plat of T. 30 N., R. 26 E., PMM, secs. 1 and 2.

(ii) Supplemental Plat of T. 31 N., R. 25 E., PMM, sec. 13.

(iii) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 18, 19, 20, and 29.

(iv) Supplemental Plat of T. 31 N., R. 26 E., PMM, secs. 26, 27, 35, and 36.

(B) CLARIFICATION.—The supplemental plats described in clauses (i) through (iv) of subparagraph (A) are official plats, as documented by retracement boundary surveys of the General Land Office, approved on March 11, 1938, and on record at the Bureau of Land Management.

(C) TECHNICAL CORRECTIONS.—Notwithstanding the descriptions of the parcels of Federal land in subparagraph (A), the United States may, with the consent of the Fort Belknap Indian Community, make technical corrections to the legal land descriptions to more specifically identify the parcels to be transferred.

(4) COOPERATIVE AGREEMENT.—Not later than 3 years after the enforceability date, the Bureau of Reclamation, the Malta Irrigation District, the Bureau of Indian Affairs, and the Fort Belknap Indian Community shall negotiate and enter into a cooperative agreement that identifies the uses to which the Fort Belknap Indian Community may put the land described in paragraph (3), provided that the cooperative agreement may be amended by mutual agreement of the Fort Belknap Indian Community, Bureau of Reclamation, the Malta Irrigation District, and the Bureau of Indian Affairs, including to modify the perpetual easement to narrow the boundaries of the easement or to terminate the perpetual easement and cooperative agreement.

(e) LAND STATUS.—All land held in trust by the United States for the benefit of the Fort Belknap Indian Community under this section shall be—

(1) beneficially owned by the Fort Belknap Indian Community; and

(2) part of the Reservation and administered in accordance with the laws and regulations generally applicable to land held in trust by the United States for the benefit of an Indian Tribe.

SEC. 5007. STORAGE ALLOCATION FROM LAKE ELWELL.

(a) STORAGE ALLOCATION OF WATER TO FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall allocate to the Fort Belknap Indian Community 20,000 acre-feet per year of water stored in Lake Elwell for use by the Fort Belknap Indian Community for any beneficial purpose on or off the Reservation, under a water right held by the United States and managed by the Bureau of Reclamation for the benefit of the Fort Belknap Indian Community, as measured and diverted at the outlet works of the Tiber Dam or through direct pumping from Lake Elwell.

(b) TREATMENT.—

(1) IN GENERAL.—The allocation to the Fort Belknap Indian Community under subsection (a) shall be considered to be part of the Tribal water rights.

(2) PRIORITY DATE.—The priority date of the allocation to the Fort Belknap Indian Community under subsection (a) shall be the priority date of the Lake Elwell water right held by the Bureau of Reclamation.

(3) ADMINISTRATION.—The Fort Belknap Indian Community shall administer the water allocated under subsection (a) in accordance with the Compact and this division.

(c) ALLOCATION AGREEMENT.—

(1) IN GENERAL.—As a condition of receiving the allocation under this section, the Fort Belknap Indian Community shall enter into an agreement with the Secretary to establish the terms and conditions of the allocation, in accordance with the Compact and this division.

(2) INCLUSIONS.—The agreement under paragraph (1) shall include provisions establishing that—

(A) the agreement shall be without limit as to term;

(B) the Fort Belknap Indian Community, and not the United States, shall be entitled to all consideration due to the Fort Belknap Indian Community under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(C) the United States shall have no obligation to monitor, administer, or account for—

(i) any funds received by the Fort Belknap Indian Community as consideration under any lease, contract, exchange, or agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d); or

(ii) the expenditure of those funds;

(D) if the capacity or function of Lake Elwell facilities are significantly reduced, or are anticipated to be significantly reduced, for an extended period of time, the Fort Belknap Indian Community shall have the same storage rights as other storage contractors with respect to the allocation under this section;

(E) the costs associated with the construction of the storage facilities at Tiber Dam allocable to the Fort Belknap Indian Community shall be nonreimbursable;

(F) no water service capital charge shall be due or payable for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, regardless of whether that water is delivered for use by the Fort Belknap Indian Community or under a lease, contract, exchange, or by agreement entered into by the Fort Belknap Indian Community pursuant to subsection (d);

(G) the Fort Belknap Indian Community shall not be required to make payments to the United States for any water allocated to the Fort Belknap Indian Community under this section or the allocation agreement, except for each acre-foot of stored water leased or transferred for industrial purposes as described in subparagraph (H); and

(H) for each acre-foot of stored water leased or transferred by the Fort Belknap Indian Community for industrial purposes—

(i) the Fort Belknap Indian Community shall pay annually to the United States an amount necessary to cover the proportional share of the annual operations, maintenance, and replacement costs allocable to the quantity of water leased or transferred by the Fort Belknap Indian Community for industrial purposes; and

(ii) the annual payments of the Fort Belknap Indian Community shall be reviewed and adjusted, as appropriate, to reflect the actual operations, maintenance, and replacement costs for Tiber Dam.

(d) AGREEMENT BY FORT BELKNAP INDIAN COMMUNITY.—The Fort Belknap Indian Community may use, lease, contract, exchange, or enter into other agreements for the use of the water allocated to the Fort Belknap Indian Community under subsection (a) if—

(1) the use of water that is the subject of such an agreement occurs within the Missouri River Basin; and

(2) the agreement does not permanently alienate any water allocated to the Fort Belknap Indian Community under that subsection.

(e) EFFECTIVE DATE.—The allocation under subsection (a) takes effect on the enforceability date.

(f) NO CARRYOVER STORAGE.—The allocation under subsection (a) shall not be increased by any year-to-year carryover storage.

(g) DEVELOPMENT AND DELIVERY COSTS.—The United States shall not be required to pay the cost of developing or delivering any water allocated under this section.

SEC. 5008. MILK RIVER PROJECT MITIGATION.

(a) IN GENERAL.—In complete satisfaction of the Milk River Project mitigation requirements provided for in Article VI.B. of the Compact, the Secretary, acting through the Commissioner—

(1) in cooperation with the State and the Blackfeet Tribe, shall carry out appropriate activities concerning the restoration of the St. Mary Canal and associated facilities, including activities relating to the—

(A) planning and design to restore the St. Mary Canal and appurtenances to convey 850 cubic-feet per second; and

(B) rehabilitating, constructing, and repairing of the St. Mary Canal and appurtenances; and

(2) in cooperation with the State and the Fort Belknap Indian Community, shall carry out appropriate activities concerning the enlargement of Dodson South Canal and associated facilities, including activities relating to the—

(A) planning and design to enlarge Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; and

(B) rehabilitating, constructing, and enlarging the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second.

(b) FUNDING.—The total amount of obligations incurred by the Secretary, prior to any adjustments provided for in section 5014(b), shall not exceed $300,000,000 to carry out activities described in subsection (c)(1).

(c) SATISFACTION OF MITIGATION REQUIREMENT.—Notwithstanding any provision of the Compact, the mitigation required by Article VI.B. of the Compact shall be deemed satisfied if—

(1) the Secretary has—

(A) restored the St. Mary Canal and associated facilities to convey 850 cubic-feet per second; and

(B) enlarged the Dodson South Canal and headworks at the upstream end of Dodson South Canal to divert and convey 700 cubic-feet per second; or

(2) the Secretary—

(A) has expended all of the available funding provided pursuant to section 5014(a)(1)(D) to rehabilitate the St. Mary Canal and enlarge the Dodson South Canal; and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

(d) NONREIMBURSABILITY OF COSTS.—The costs to the Secretary of carrying out this section shall be nonreimbursable.

SEC. 5009. FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall rehabilitate, modernize, and expand the Fort Belknap Indian Irrigation Project, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, which shall include—

(1) planning, studies, and designing of the existing and expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project;

(2) the rehabilitation, modernization, and construction of the existing Milk River unit; and

(3) construction of the expanded Milk River unit, including the irrigation system, Pumping Plant, delivery pipe and canal, Fort Belknap Dam and Reservoir, and Peoples Creek Flood Protection Project.

(b) LEAD AGENCY.—The Bureau of Indian Affairs, in coordination with the Bureau of Reclamation, shall serve as the lead agency with respect to any activities carried out under this section.

(c) CONSULTATION WITH THE FORT BELKNAP INDIAN COMMUNITY.—The Secretary shall consult with the Fort Belknap Indian Community on appropriate changes to the final design and costs of any activity under this section.

(d) FUNDING.—The total amount of obligations incurred by the Secretary in carrying out this section, prior to any adjustment provided for in section 5014(b), shall not exceed $415,832,153.

(e) NONREIMBURSABILITY OF COSTS.—All costs incurred by the Secretary in carrying out this section shall be nonreimbursable.

(f) ADMINISTRATION.—The Secretary and the Fort Belknap Indian Community shall negotiate the cost of any oversight activity carried out by the Bureau of Indian Affairs or the Bureau of Reclamation under any agreement entered into under subsection (j), subject to the condition that the total cost for the oversight shall not exceed 3 percent of the total project costs for each project.

(g) PROJECT MANAGEMENT COMMITTEE.—Not later than 1 year after the date of enactment of this Act, the Secretary shall facilitate the formation of a project management committee composed of representatives of the Bureau of Indian Affairs, the Bureau of Reclamation, and the Fort Belknap Indian Community—

(1) to review and make recommendations relating to cost factors, budgets, and implementing the activities for rehabilitating, modernizing, and expanding the Fort Belknap Indian Irrigation Project; and

(2) to improve management of inherently governmental activities through enhanced communication.

(h) PROJECT EFFICIENCIES.—If the total cost of planning, studies, design, rehabilitation, modernization, and construction activities relating to the projects described in subsection (a) results in cost savings and is less than the amounts authorized to be obligated, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under section 5012(b)(2).

(i) TREATMENT.—Any activities carried out pursuant to this section that result in improvements, additions, or modifications to the Fort Belknap Indian Irrigation Project shall—

(1) become a part of the Fort Belknap Indian Irrigation Project; and

(2) be recorded in the inventory of the Secretary relating to the Fort Belknap Indian Irrigation Project.

(j) APPLICABILITY OF ISDEAA.—At the request of the Fort Belknap Indian Community, and in accordance with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Secretary shall enter into agreements with the Fort Belknap Indian Community to carry out all or a portion of this section.

(k) EFFECT.—Nothing in this section—

(1) alters any applicable law under which the Bureau of Indian Affairs collects assessments or carries out the operations and maintenance of the Fort Belknap Indian Irrigation Project; or

(2) impacts the availability of amounts under section 5014.

(l) SATISFACTION OF FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM REQUIREMENT.—The obligations of the Secretary under subsection (a) shall be deemed satisfied if the Secretary—

(1) has rehabilitated, modernized, and expanded the Fort Belknap Indian Irrigation Project in accordance with subsection (a); or

(2)(A) has expended all of the available funding provided pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 5014(a); and

(B) despite diligent efforts, could not complete the activities described in subsection (a).

SEC. 5010. SATISFACTION OF CLAIMS.

(a) IN GENERAL.—The benefits provided under this division shall be in complete replacement of, complete substitution for, and full satisfaction of any claim of the Fort Belknap Indian Community against the United States that is waived and released by the Fort Belknap Indian Community under section 5011(a).

(b) ALLOTTEES.—The benefits realized by the allottees under this division shall be in complete replacement of, complete substitution for, and full satisfaction of—

(1) all claims waived and released by the United States (acting as trustee for the allottees) under section 5011(a)(2); and

(2) any claims of the allottees against the United States similar to the claims described in section 5011(a)(2) that the allottee asserted or could have asserted.

SEC. 5011. WAIVERS AND RELEASES OF CLAIMS.

(a) IN GENERAL.—

(1) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AND UNITED STATES AS TRUSTEE FOR THE FORT BELKNAP INDIAN COMMUNITY.—Subject to the reservation of rights and retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), and the United States, acting as trustee for the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims for water rights within the State that the Fort Belknap Indian Community, or the United States acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(2) WAIVER AND RELEASE OF CLAIMS BY THE UNITED STATES AS TRUSTEE FOR ALLOTTEES.—Subject to the reservation of rights and the retention of claims under subsection (d), as consideration for recognition of the Tribal water rights and other benefits described in the Compact and this division, the United States, acting as trustee for the allottees, shall execute a waiver and release of all claims for water rights within the Reservation that the United States, acting as trustee for the allottees, asserted or could have asserted in any proceeding, including a State stream adjudication, on or before the enforceability date, except to the extent that such rights are recognized in the Compact and this division.

(3) WAIVER AND RELEASE OF CLAIMS BY THE FORT BELKNAP INDIAN COMMUNITY AGAINST THE UNITED STATES.—Subject to the reservation of rights and retention of claims under subsection (d), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community (but not any member of the Fort Belknap Indian Community as an allottee), shall execute a waiver and release of all claims against the United States (including any agency or employee of the United States)—

(A) first arising before the enforceability date relating to—

(i) water rights within the State that the United States, acting as trustee for the Fort Belknap Indian Community, asserted or could have asserted in any proceeding, including a general stream adjudication in the State, except to the extent that such rights are recognized as Tribal water rights under this division;

(ii) foregone benefits from nontribal use of water, on and off the Reservation (including water from all sources and for all uses);

(iii) damage, loss, or injury to water, water rights, land, or natural resources due to loss of water or water rights, including damages,

losses, or injuries to hunting, fishing, gathering, or cultural rights due to loss of water or water rights, claims relating to interference with, diversion of, or taking of water, or claims relating to a failure to protect, acquire, replace, or develop water, water rights, or water infrastructure) within the State;

(iv) a failure to establish or provide a municipal rural or industrial water delivery system on the Reservation;

(v) damage, loss, or injury to water, water rights, land, or natural resources due to construction, operation, and management of the Fort Belknap Indian Irrigation Project and other Federal land and facilities (including damages, losses, or injuries to Tribal fisheries, fish habitat, wildlife, and wildlife habitat);

(vi) a failure to provide for operation and maintenance, or deferred maintenance, for the Fort Belknap Indian Irrigation Project or any other irrigation system or irrigation project;

(vii) the litigation of claims relating to any water rights of the Fort Belknap Indian Community in the State;

(viii) the negotiation, execution, or adoption of the Compact (including appendices) and this division;

(ix) the taking or acquisition of land or resources of the Fort Belknap Indian Community for the construction or operation of the Fort Belknap Indian Irrigation Project or the Milk River Project; and

(x) the allocation of water of the Milk River and the St. Mary River (including tributaries) between the United States and Canada pursuant to the International Boundary Waters Treaty of 1909 (36 Stat. 2448); and

(B) relating to damage, loss, or injury to water, water rights, land, or natural resources due to mining activities in the Little Rockies Mountains prior to the date of trust acquisition, including damages, losses, or injuries to hunting, fishing, gathering, or cultural rights.

(b) EFFECTIVENESS.—The waivers and releases under subsection (a) shall take effect on the enforceability date.

(c) OBJECTIONS IN MONTANA WATER COURT.—Nothing in this division or the Compact prohibits the Fort Belknap Indian Community, a member of the Fort Belknap Indian Community, an allottee, or the United States in any capacity from objecting to any claim to a water right filed in any general stream adjudication in the Montana Water Court.

(d) RESERVATION OF RIGHTS AND RETENTION OF CLAIMS.—Notwithstanding the waivers and releases under subsection (a), the Fort Belknap Indian Community, acting on behalf of the Fort Belknap Indian Community and members of the Fort Belknap Indian Community, and the United States, acting as trustee for the Fort Belknap Indian Community and the allottees shall retain—

(1) all claims relating to—

(A) the enforcement of water rights recognized under the Compact, any final court decree relating to those water rights, or this division or to water rights accruing on or after the enforceability date;

(B) the quality of water under—

(i) CERCLA, including damages to natural resources;

(ii) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

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

(iv) any regulations implementing the Acts described in clauses (i) through (iii);

(C) damage, loss, or injury to land or natural resources that are—

(i) not due to loss of water or water rights (including hunting, fishing, gathering, or cultural rights); and

(ii) not described in subsection (a)(3); and

(D) an action to prevent any person or party (as defined in sections 29 and 30 of Article II of the Compact) from interfering with the enjoyment of the Tribal water rights;

(2) all claims relating to off-Reservation hunting rights, fishing rights, gathering rights, or other rights;

(3) all claims relating to the right to use and protect water rights acquired after the date of enactment of this Act;

(4) all claims relating to the allocation of waters of the Milk River and the Milk River Project between the Fort Belknap Indian Community and the Blackfeet Tribe, pursuant to section 3705(e)(3) of the Blackfeet Water Rights Settlement Act (Public Law 114–322; 130 Stat. 1818);

(5) all claims relating to the enforcement of this division, including the required transfer of land under section 5006; and

(6) all rights, remedies, privileges, immunities, and powers not specifically waived and released pursuant to this division or the Compact.

(e) EFFECT OF COMPACT AND ACT.—Nothing in the Compact or this division—

(1) affects the authority of the Fort Belknap Indian Community to enforce the laws of the Fort Belknap Indian Community, including with respect to environmental protections;

(2) affects the ability of the United States, acting as sovereign, to carry out any activity authorized by law, including—

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

(B) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(C) CERCLA; and

(D) any regulations implementing the Acts described in subparagraphs (A) through (C);

(3) affects the ability of the United States to act as trustee for any other Indian Tribe or an allottee of any other Indian Tribe;

(4) confers jurisdiction on any State court—

(A) to interpret Federal law relating to health, safety, or the environment;

(B) to determine the duties of the United States or any other party under Federal law relating to health, safety, or the environment; or

(C) to conduct judicial review of any Federal agency action;

(5) waives any claim of a member of the Fort Belknap Indian Community in an individual capacity that does not derive from a right of the Fort Belknap Indian Community;

(6) revives any claim adjudicated in the decision in Gros Ventre Tribe v. United States, 469 F.3d 801 (9th Cir. 2006); or

(7) revives any claim released by an allottee or member of the Fort Belknap Indian Community in the settlement in Cobell v. Salazar, No. 1:96CV01285–JR (D.D.C. 2012).

(f) ENFORCEABILITY DATE.—The enforceability date shall be the date on which the Secretary publishes in the Federal Register a statement of findings that—

(1) the eligible members of the Fort Belknap Indian Community have voted to approve this division and the Compact by a majority of votes cast on the day of the vote;

(2)(A) the Montana Water Court has approved the Compact in a manner from which no further appeal may be taken; or

(B) if the Montana Water Court is found to lack jurisdiction, the appropriate district court of the United States has approved the Compact as a consent decree from which no further appeal may be taken;

(3) all of the amounts authorized to be appropriated under section 5014 have been appropriated and deposited in the designated accounts;

(4) the Secretary and the Fort Belknap Indian Community have executed the allocation agreement described in section 5007(c)(1);

(5) the State has provided the required funding into the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund pursuant to section 5014(a)(3); and

(6) the waivers and releases under subsection (a) have been executed by the Fort Belknap Indian Community and the Secretary.

(g) TOLLING OF CLAIMS.—

(1) IN GENERAL.—Each applicable period of limitation and time-based equitable defense relating to a claim described in this section shall be tolled for the period beginning on the date of enactment of this Act and ending on the enforceability date.

(2) EFFECT OF SUBSECTION.—Nothing in this subsection revives any claim or tolls any period of limitations or time-based equitable defense that expired before the date of enactment of this Act.

(h) EXPIRATION.—

(1) IN GENERAL.—This division shall expire in any case in which—

(A) the amounts authorized to be appropriated by this division have not been made available to the Secretary by not later than—

(i) January 21, 2034; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary; or

(B) the Secretary fails to publish a statement of findings under subsection (f) by not later than—

(i) January 21, 2035; and

(ii) such alternative later date as is agreed to by the Fort Belknap Indian Community and the Secretary, after providing reasonable notice to the State.

(2) CONSEQUENCES.—If this division expires under paragraph (1)—

(A) the waivers and releases under subsection (a) shall—

(i) expire; and

(ii) have no further force or effect;

(B) the authorization, ratification, confirmation, and execution of the Compact under section 5004 shall no longer be effective;

(C) any action carried out by the Secretary, and any contract or agreement entered into, pursuant to this division shall be void;

(D) any unexpended Federal funds appropriated or made available to carry out the activities authorized by this division, together with any interest earned on those funds, and any water rights or contracts to use water and title to other property acquired or constructed with Federal funds appropriated or made available to carry out the activities authorized by this division shall be returned to the Federal Government, unless otherwise agreed to by the Fort Belknap Indian Community and the United States and approved by Congress; and

(E) except for Federal funds used to acquire or construct property that is returned to the Federal Government under subparagraph (D), the United States shall be entitled to offset any Federal funds made available to carry out this division that were expended or withdrawn, or any funds made available to carry out this division from other Federal authorized sources, together with any interest accrued on those funds, against any claims against the United States—

(i) relating to—

(I) water rights in the State asserted by—

(aa) the Fort Belknap Indian Community; or

(bb) any user of the Tribal water rights; or

(II) any other matter described in subsection (a)(3); or

(ii) in any future settlement of water rights of the Fort Belknap Indian Community or an allottee.

SEC. 5012. AANIIIH NAKODA SETTLEMENT TRUST FUND.

(a) ESTABLISHMENT.—The Secretary shall establish a trust fund for the Fort Belknap Indian Community, to be known as the ''Aaniiih Nakoda Settlement Trust Fund'', to be managed, invested, and distributed by the Secretary and to remain available until expended, withdrawn, or reverted to the general fund of the Treasury, consisting of the amounts deposited in the Trust Fund under subsection (c), together with any investment earnings, including interest, earned on those amounts, for the purpose of carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Trust Fund the following accounts:

(1) The Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account.

(2) The Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account.

(3) The Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1), the amounts made available pursuant to paragraphs (1)(A) and (2)(A)(i) of section 5014(a);

(2) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the amounts made available pursuant to section 5014(a)(2)(A)(ii); and

(3) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the amounts made available pursuant to paragraphs (1)(B) and (2)(A)(iii) of section 5014(a).

(d) MANAGEMENT AND INTEREST.—

(1) MANAGEMENT.—On receipt and deposit of the funds into the accounts in the Trust Fund pursuant to subsection (c), the Secretary shall manage, invest, and distribute all amounts in the Trust Fund in accordance with the investment authority of the Secretary under—

(A) the first section of the Act of June 24, 1938 (25 U.S.C. 162a);

(B) the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.); and

(C) this section.

(2) INVESTMENT EARNINGS.—In addition to the amounts deposited under subsection (c), any investment earnings, including interest, credited to amounts held in the Trust Fund shall be available for use in accordance with subsections (e) and (g).

(e) AVAILABILITY OF AMOUNTS.—

(1) IN GENERAL.—Amounts appropriated to, and deposited in, the Trust Fund, including any investment earnings, including interest, earned on those amounts shall be made available—

(A) to the Fort Belknap Indian Community by the Secretary beginning on the enforceability date; and

(B) subject to the uses and restrictions in this section.

(2) EXCEPTIONS.—Notwithstanding paragraph (1)—

(A) amounts deposited in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for uses described in subparagraphs (A) and (B) of subsection (g)(1);

(B) amounts deposited in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2) shall be made available to the Fort Belknap Indian Community on the date on which the amounts are deposited and the Fort Belknap Indian Community has satisfied the requirements of section 5011(f)(1), for the uses described in subsection (g)(2)(A); and

(C) amounts deposited in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3) shall be available to the Fort Belknap Indian Community on the date on which the amounts are deposited for the uses described in subsection (g)(3)(A).

(f) WITHDRAWALS.—

(1) AMERICAN INDIAN TRUST FUND MANAGEMENT REFORM ACT OF 1994.—

(A) IN GENERAL.—The Fort Belknap Indian Community may withdraw any portion of the funds in the Trust Fund on approval by the Secretary of a Tribal management plan submitted by the Fort Belknap Indian Community in accordance with the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.).

(B) REQUIREMENTS.—In addition to the requirements under the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4001 et seq.), the Tribal management plan under this paragraph shall require that the Fort Belknap Indian Community spend all amounts withdrawn from the Trust Fund, and any investment earnings accrued through the investments under the Tribal management plan, in accordance with this division.

(C) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary—

(i) to enforce the Tribal management plan; and

(ii) to ensure that amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community under this paragraph are used in accordance with this division.

(2) WITHDRAWALS UNDER EXPENDITURE PLAN.—

(A) IN GENERAL.—The Fort Belknap Indian Community may submit to the Secretary a request to withdraw funds from the Trust Fund pursuant to an approved expenditure plan.

(B) REQUIREMENTS.—To be eligible to withdraw funds under an expenditure plan under this paragraph, the Fort Belknap Indian Community shall submit to the Secretary for approval an expenditure plan for any portion of the Trust Fund that the Fort Belknap Indian Community elects to withdraw pursuant to this paragraph, subject to the condition that the funds shall be used for the purposes described in this division.

(C) INCLUSIONS.—An expenditure plan under this paragraph shall include a description of the manner and purpose for which the amounts proposed to be withdrawn from the Trust Fund will be used by the Fort Belknap Indian Community in accordance with subsections (e) and (g).

(D) APPROVAL.—On receipt of an expenditure plan under this paragraph, the Secretary shall approve the expenditure plan if the Secretary determines that the expenditure plan—

(i) is reasonable; and

(ii) is consistent with, and will be used for, the purposes of this division.

(E) ENFORCEMENT.—The Secretary may carry out such judicial and administrative actions as the Secretary determines to be necessary to enforce an expenditure plan under this paragraph to ensure that amounts disbursed under this paragraph are used in accordance with this division.

(g) USES.—Amounts from the Trust Fund shall be used by the Fort Belknap Indian Community for the following purposes:

(1) FORT BELKNAP INDIAN COMMUNITY TRIBAL IRRIGATION AND OTHER WATER RESOURCES DEVELOPMENT ACCOUNT.—Amounts in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account established under subsection (b)(1) shall be used to pay the cost of activities relating to—

(A) planning, studies, and design of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019;

(B) environmental compliance;

(C) construction of the Southern Tributary Irrigation Project and the Peoples Creek Irrigation Project, including the Upper Peoples Creek Dam and Reservoir;

(D) wetlands restoration and development;

(E) stock watering infrastructure; and

(F) on farm development support and reacquisition of fee lands within the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(2) FORT BELKNAP INDIAN COMMUNITY WATER RESOURCES AND WATER RIGHTS ADMINISTRATION, OPERATION, AND MAINTENANCE ACCOUNT.—Amounts in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account established under subsection (b)(2), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities described in subparagraphs (A) through (C) as follows:

(A) $9,000,000 shall be used for the establishment, operation, and capital expenditures in connection with the administration of the Tribal water resources and water rights development, including the development or enactment of a Tribal water code.

(B) Only investment earnings, including interest, on $29,299,059 shall be used and be available to pay the costs of activities for administration, operations, and regulation of the Tribal water resources and water rights department, in accordance with the Compact and this division.

(C) Only investment earnings, including interest, on $28,331,693 shall be used and be available to pay the costs of activities relating to a portion of the annual assessment costs for the Fort Belknap Indian Community and Tribal members, including allottees, under the Fort Belknap Indian Irrigation Project and Fort Belknap Indian Community irrigation projects within the Reservation.

(3) FORT BELKNAP INDIAN COMMUNITY CLEAN AND SAFE DOMESTIC WATER AND SEWER SYSTEMS, AND LAKE ELWELL PROJECT ACCOUNT.—Amounts in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account established under subsection (b)(3), the principal and investment earnings, including interest, may only be used by the Fort Belknap Indian Community to pay the costs of activities relating to—

(A) planning, studies, design, and environmental compliance of domestic water supply, and sewer collection and treatment systems, as generally described in the document of Natural Resources Consulting Engineers, Inc., entitled ''Fort Belknap Indian Community Comprehensive Water Development Plan'' and dated February 2019, including the Lake Elwell Project water delivery to the southern part of the Reservation;

(B) construction of domestic water supply, sewer collection, and treatment systems;

(C) construction, in accordance with applicable law, of infrastructure for delivery of Lake Elwell water diverted from the Missouri River to the southern part of the Reservation; and

(D) planning, studies, design, environmental compliance, and construction of a Tribal wellness center for a work force health and wellbeing project.

(h) LIABILITY.—The Secretary shall not be liable for any expenditure or investment of amounts withdrawn from the Trust Fund by the Fort Belknap Indian Community pursuant to subsection (f).

(i) PROJECT EFFICIENCIES.—If the total cost of the activities described in subsection (g) results in cost savings and is less than the amounts authorized to be obligated under any of paragraphs (1) through (3) of that subsection required to carry out those activities, the Secretary, at the request of the Fort Belknap Indian Community, shall deposit those savings in the Trust Fund to be used in accordance with that subsection.

(j) ANNUAL REPORT.—The Fort Belknap Indian Community shall submit to the Secretary an annual expenditure report describing accomplishments and amounts spent from use of withdrawals under a Tribal management plan or an expenditure plan described in this section.

(k) NO PER CAPITA PAYMENTS.—No principal or interest amount in any account established by this section shall be distributed to any member of the Fort Belknap Indian Community on a per capita basis.

(l) EFFECT.—Nothing in this division entitles the Fort Belknap Indian Community to judicial review of a determination of the Secretary regarding whether to approve a Tribal management plan under subsection (f)(1) or an expenditure plan under subsection (f)(2), except as provided under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act'').

SEC. 5013. FORT BELKNAP INDIAN COMMUNITY WATER SETTLEMENT IMPLEMENTATION FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a nontrust, interest-bearing account to be known as the ''Fort Belknap Indian Community Water Settlement Implementation Fund'', to be managed and distributed by the Secretary, for use by the Secretary for carrying out this division.

(b) ACCOUNTS.—The Secretary shall establish in the Implementation Fund the following accounts:

(1) The Fort Belknap Indian Irrigation Project System Account.

(2) The Milk River Project Mitigation Account.

(c) DEPOSITS.—The Secretary shall deposit—

(1) in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1), the amount made available pursuant to paragraphs (1)(C) and (2)(A)(iv) of section 5014(a); and

(2) in the Milk River Project Mitigation Account established under subsection (b)(2), the amount made available pursuant to section 5014(a)(1)(D).

(d) USES.—

(1) FORT BELKNAP INDIAN IRRIGATION PROJECT SYSTEM ACCOUNT.—The Fort Belknap Indian Irrigation Project Rehabilitation Account established under subsection (b)(1) shall be used to carry out section 5009, except as provided in subsection (h) of that section.

(2) MILK RIVER PROJECT MITIGATION ACCOUNT.—The Milk River Project Mitigation Account established under subsection (b)(2) may only be used to carry out section 5008.

(e) MANAGEMENT.—

(1) IN GENERAL.—Amounts in the Implementation Fund shall not be available to the Secretary for expenditure until the enforceability date.

(2) EXCEPTION.—Notwithstanding paragraph (1), amounts deposited in the Fort Belknap Indian Irrigation Project System Account established under subsection (b)(1) shall be available to the Secretary on the date on which the amounts are deposited for uses described in paragraphs (1) and (2) of section 5009(a).

(f) INTEREST.—In addition to the deposits under subsection (c), any interest credited to amounts unexpended in the Implementation Fund are authorized to be appropriated to be used in accordance with the uses described in subsection (d).

SEC. 5014. FUNDING.

(a) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (b), there are authorized to be appropriated to the Secretary—

(A) for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 5012(b)(1), $89,643,100, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(B) for deposit in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 5012(b)(3), $331,885,220, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(C) for deposit in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 5013(b)(1), such sums as are necessary, but not more than $187,124,469, for the Secretary to carry out section 5009, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury; and

(D) for deposit in the Milk River Project Mitigation Account of the Implementation Fund established under section 5013(b)(2), such sums as are necessary, but not more than $300,000,000, for the Secretary to carry out obligations of the Secretary under section 5008, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury.

(2) MANDATORY APPROPRIATIONS.—

(A) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall deposit—

(i) in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 5012(b)(1), $29,881,034, to be retained until expended, withdrawn, or reverted to the general fund of the Treasury;

(ii) in the Fort Belknap Indian Community Water Resources and Water Rights Administration, Operation, and Maintenance Account of the Trust Fund established under section 5012(b)(2), $66,630,752;

(iii) in the Fort Belknap Indian Community Clean and Safe Domestic Water and Sewer Systems, and Lake Elwell Project Account of the Trust Fund established under section 5012(b)(3), $110,628,407; and

(iv) in the Fort Belknap Indian Irrigation Project System Account of the Implementation Fund established under section 5013(b)(1), $228,707,684.

(B) AVAILABILITY.—Amounts deposited in the accounts under subparagraph (A) shall be available without further appropriation.

(3) STATE COST SHARE.—The State shall contribute $5,000,000, plus any earned interest, payable to the Secretary for deposit in the Fort Belknap Indian Community Tribal Irrigation and Other Water Resources Development Account of the Trust Fund established under section 5012(b)(1) on approval of a final decree by the Montana Water Court for the purpose of activities relating to the Upper Peoples Creek Dam and Reservoir under subparagraphs (A) through (C) of section 5012(g)(1).

(b) FLUCTUATION IN COSTS.—

(1) IN GENERAL.—The amounts authorized to be appropriated under paragraphs (1) and (2) of subsection (a) and this subsection shall be—

(A) increased or decreased, as appropriate, by such amounts as may be justified by reason of ordinary fluctuations in costs occurring after the date of enactment of this Act as indicated by the Bureau of Reclamation Construction Cost Index—Composite Trend; and

(B) adjusted to address construction cost changes necessary to account for unforeseen market volatility that may not otherwise be captured by engineering cost indices as determined by the Secretary, including repricing applicable to the types of construction and current industry standards involved.

(2) REPETITION.—The adjustment process under paragraph (1) shall be repeated for each subsequent amount appropriated until the amount authorized to be appropriated under subsection (a), as adjusted, has been appropriated.

(3) PERIOD OF INDEXING.—

(A) TRUST FUND.—With respect to the Trust Fund, the period of indexing adjustment under paragraph (1) for any increment of funding shall end on the date on which the funds are deposited into the Trust Fund.

(B) IMPLEMENTATION FUND.—With respect to the Implementation Fund, the period of adjustment under paragraph (1) for any increment of funding shall be annually.

SEC. 5015. MISCELLANEOUS PROVISIONS.

(a) WAIVER OF SOVEREIGN IMMUNITY BY THE UNITED STATES.—Except as provided in subsections (a) through (c) of section 208 of the Department of Justice Appropriation Act, 1953 (43 U.S.C. 666), nothing in this division waives the sovereign immunity of the United States.

(b) OTHER TRIBES NOT ADVERSELY AFFECTED.—Nothing in this division quantifies or diminishes any land or water right, or any claim or entitlement to land or water, of an Indian Tribe, band, or community other than the Fort Belknap Indian Community.

(c) ELIMINATION OF DEBTS OR LIENS AGAINST ALLOTMENTS OF THE FORT BELKNAP INDIAN COMMUNITY MEMBERS WITHIN THE FORT BELKNAP INDIAN IRRIGATION PROJECT.—On the date of enactment of this Act, the Secretary shall cancel and eliminate all debts or liens against the allotments of land held by the Fort Belknap Indian Community and the members of the Fort Belknap Indian Community due to construction assessments and annual operation and maintenance charges relating to the Fort Belknap Indian Irrigation Project.

(d) EFFECT ON CURRENT LAW.—Nothing in this division affects any provision of law (including regulations) in effect on the day before the date of enactment of this Act with respect to pre-enforcement review of any Federal environmental enforcement action.

(e) EFFECT ON RECLAMATION LAWS.—The activities carried out by the Commissioner under this division shall not establish a precedent or impact the authority provided under any other provision of the reclamation laws, including—

(1) the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2401 et seq.); and

(2) the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 991).

(f) ADDITIONAL FUNDING.—Nothing in this division prohibits the Fort Belknap Indian Community from seeking—

(1) additional funds for Tribal programs or purposes; or

(2) funding from the United States or the State based on the status of the Fort Belknap Indian Community as an Indian Tribe.

(g) RIGHTS UNDER STATE LAW.—Except as provided in section 1 of Article III of the Compact (relating to the closing of certain water basins in the State to new appropriations in accordance with the laws of the State), nothing in this division or the Compact precludes the acquisition or exercise of a right arising under State law (as defined in section 6 of Article II of the Compact) to the use of water by the Fort Belknap Indian Community, or a member or allottee of the Fort Belknap Indian Community, outside the Reservation by—

(1) purchase of the right; or

(2) submitting to the State an application in accordance with State law.

(h) WATER STORAGE AND IMPORTATION.—Nothing in this division or the Compact prevents the Fort Belknap Indian Community from participating in any project to import water to, or to add storage in, the Milk River Basin.

SEC. 5016. ANTIDEFICIENCY.

The United States shall not be liable for any failure to carry out any obligation or activity authorized by this division, including any obligation or activity under the Compact, if—

(1) adequate appropriations are not provided by Congress expressly to carry out the purposes of this division; or

(2) there are not enough funds available in the Reclamation Water Settlements Fund established by section 10501(a) of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 407(a)) to carry out the purposes of this division.

SA 2933. Mr. PADILLA 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 XXVIII, add the following:

SEC. 2836. LAND CONVEYANCE AND AUTHORIZATION FOR INTERIM LEASE, DEFENSE FUEL SUPPORT POINT SAN PEDRO, LOS ANGELES, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Navy (in this section referred to as the ''Secretary''), may convey to the city of Los Angeles or the city of Lomita, California, or both, at a cost less than fair market value, all right, title, and interest of the United States in and to parcels of real property, including any improvements therein or thereon, known as the ballfields and the firing range at Naval Weapons Station Seal Beach, Defense Fuel Support Point, San Pedro, California, as further described in subsection (i), for the purposes of permitting the city of Los Angeles or the city of Lomita (as appropriate) to use such conveyed parcel of real property for park and recreational activities or law enforcement affiliated purposes, as set forth in subsection (e).

(b) INTERIM LEASE.—

(1) IN GENERAL.—Until such time as a parcel of real property described in subsection (a) is conveyed to the city of Los Angeles or the city of Lomita (as appropriate), the Secretary may lease such parcel or a portion of such parcel to either the city of Los Angeles or the city of Lomita at no cost for a term of not more than 3 years.

(2) LIMITATION.—If the conveyance under subsection (a) of a parcel leased under paragraph (1), is not completed within the period of the lease term, the Secretary shall have no further obligation to make any part of such parcel available for use by the city of Los Angeles or the city of Lomita (as appropriate).

(c) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for a conveyance under subsection (a), the city of Los Angeles or the city of Lomita (as appropriate) shall pay to the Secretary an amount determined by the Secretary, which may consist of cash payment, in-kind consideration as described under paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the city of Los Angeles or the city of Lomita (as appropriate) under this subsection may include—

(A) the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or combination thereof, of any property, facility, or infrastructure with proximity to Naval Weapons Station Seal Beach, that the Secretary considers acceptable; or

(B) the delivery of services relating to the needs of Naval Weapons Station Seal Beach that the Secretary considers acceptable.

(3) TREATMENT OF AMOUNTS RECEIVED FOR CONVEYANCE.—Cash payments received under paragraph (1) as reimbursement for costs incurred by the Secretary to carry out a conveyance under subsection (a) shall be—

(A) credited to and merged with the fund or account used to cover the costs incurred by the Secretary in carrying out the conveyance or an appropriate fund or account available to the Secretary for the purposes for which the costs were paid; and

(B) available for the same purposes and subject to the same conditions and limitations as amounts in such fund or account.

(4) PAYMENT OF COSTS OF CONVEYANCE.—

(A) PAYMENT REQUIRED.—The Secretary shall require the city of Los Angeles or the city of Lomita (as appropriate) to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out a conveyance under subsection (a) or an inteirm lease under subsection (b), including costs for environmental and real estate due diligence and any other administrative costs related to the conveyance or lease execution.

(B) REFUND OF EXCESS AMOUNTS.—If amounts collected from the city of Los Angeles or the city of Lomita under subparagraph (A) exceed the costs actually incurred by the Secretary to carry out a conveyance under subsection (a) or an interim lease execution under subsection (b), the Secretary shall refund the excess amount to the city of Los Angeles or the city of Lomita (as appropriate).

(d) VALUATION.—The values of the property interests to be conveyed by the Secretary under subsection (a) shall be determined by an independent appraiser selected by the Secretary and in accordance with the Uniform Standards of Professional Appraisal Practice.

(e) CONDITIONS OF CONVEYANCE.—A conveyance under subsection (a) shall be subject to all existing easements, restrictions, and covenants of record and the following conditions:

(1) The parcels of real property described in paragraphs (1) and (2) of subsection (i) shall be used solely for park and recreational activities, which may include ancillary uses such as vending and restrooms.

(2) The parcel of real property described in paragraph (3) of subsection (i) shall be used solely for law enforcement affiliated purposes.

(3) The city of Los Angeles or the city of Lomita (as appropriate) may not use Federal funds to cover any portion of the amounts required by subsection (c) to be paid.

(f) EXCLUSION OF REQUIREMENTS FOR PRIOR SCREENING.—Section 2696(b) of title 10, United States Code, and the requirements under title V of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411 et seq.) relating to prior screenings shall not apply to a conveyance under subsection (a) or the grant of interim lease authorized under subsection (b).

(g) REVERSIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that a parcel of real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in this section, all right, title, and interest in and to the land, including any improvements thereon, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property.

(2) OPPORTUNITY FOR HEARING.—A determination by the Secretary under paragraph (1) shall be made on the record after an opportunity for a hearing.

(h) CONVEYANCE AGREEMENT.—A conveyance of land under subsection (a) shall be accomplished—

(1) using a quitclaim deed or other legal instrument; and

(2) upon terms and conditions mutually satisfactory to the Secretary and the city of Los Angeles or the city of Lomita (as appropriate), including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(i) DESCRIPTION OF PROPERTY.—The parcels of real property that may be conveyed under subsection (a) are the following:

(1) The City of Lomita Ballfield Parcel consisting of approximately 5.7 acres.

(2) The City of Los Angeles Ballfield Parcels consisting of approximately 15.3 acres.

(3) The firing range located at 2981 North Gaffey Street, San Pedro, California, consisting of approximately 3.2 acres.

(j) RULE OF CONSTRUCTION.—Nothing in this section affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

SA 2934. Mr. PADILLA 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 E of title V, add the following:

SEC. 562. COUNSELING IN THE TRANSITION ASSISTANCE PROGRAM REGARDING MILITARY SEXUAL TRAUMA.

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

''(20) Information concerning benefits and health care (including mental health care) furnished by the Secretary of Veterans Affairs to veterans and members of the Armed Forces who have survived military sexual trauma.''.

SA 2935. Mr. LUJÁN 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 XXXI, insert the following:

SEC. _____. EXPANSION OF AUTHORITY OF SECRETARY OF ENERGY REGARDING PROTECTION OF CERTAIN NUCLEAR FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Section 4510 of the Atomic Energy Defense Act (50 U.S.C. 2661) is amended—

(1) in subsection (a), by inserting ''section 46502 of title 49, United States Code, section 705 of the Communications Act of 1934 (47 U.S.C. 605), or'' after ''Notwithstanding''; and

(2) in subsection (e)(1)(C), by striking ''owned by the United States or contracted to the United States, to'' and inserting ''owned by or contracted to the Department of Energy, including facilities that''.

SA 2936. Mr. LUJÁN 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 XXXII, insert the following:

SEC. 31_____. HIRING POWER OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Section 313(b)(1)(B) of the Atomic Energy Act of 1954 (42 U.S.C. 2286b(b)(1)(B)) is amended by striking ''the Board determines to be reasonable'' and inserting ''that do not exceed level II of the Executive Schedule under section 5313 of that title''.

SA 2937. Ms. WARREN (for herself and 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:

Strike section 711 and insert the following:

SEC. 711. MODIFICATIONS TO BRAIN HEALTH INITIATIVE OF DEPARTMENT OF DEFENSE.

Section 735 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 10 U.S.C. 1071 note) is amended—

(1) in subsection (b)(1)—

(A) by amending subparagraph (B) to read as follows:

''(B) The identification and dissemination of thresholds for blast exposure and overpressure safety and associated emerging scientific evidence that—

''(i) cover brain injury and impulse noise;

''(ii) measure impact over 24-hour, 72-hour to 96-hour, monthly, annual, and lifetime periods;

''(iii) are designed to prevent cognitive deficits after firing;

''(iv) account for the firing of multiple types of heavy weaponry and use of grenades in one period of time;

''(v) include minimum safe distances and levels of exposure for observers and instructors; and

''(vi) address shoulder-fired heavy weapons.''; and

(B) by adding at the end the following new subparagraphs:

''(H) The establishment of a standardized treatment program based on interventions that have shown benefit to individuals with brain health issues after a brain injury and the provision of that treatment program to individuals with brain health issues after a brain injury resulting from a potential brain exposure described in subparagraph (A) or high-risk training or occupational activities described in subparagraph (D).

''(I) The establishment of policies to encourage members of the Armed Forces to seek support for brain health when needed, prevent retaliation against such members who seek care, and address other barriers to seeking help for brain health due to the impact of blast exposure, blast overpressure, or traumatic brain injury.

''(J) The modification of existing weapons systems to reduce blast exposure of the individual using the weapon and those within the minimum safe distance.'';

(2) in subsection (c), by striking ''each of fiscal years 2025 through 2029'' and inserting ''each fiscal year'';

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''or other remote measurement technology'' after ''wearable sensors''; and

(B) by adding at the end the following new paragraph:

''(4) WEAPONS USE.—Monitoring activities under a pilot program conducted pursuant to paragraph (1) shall be carried out for any member of the Armed Forces firing tier 1 weapons in training or combat, as identified by the Secretary of Defense.'';

(4) by striking subsections (e) and (f);

(5) by redesignating subsection (g) as subsection (h); and

(6) by inserting after subsection (d) the following new subsections:

''(e) THRESHOLDS FOR BLAST EXPOSURE AND OVERPRESSURE SAFETY.—

''(1) DEADLINE.—

''(A) IN GENERAL.—Not later than January 1, 2027, the Secretary of Defense shall identify and disseminate the thresholds for blast exposure and overpressure safety required under subsection (b)(1)(B).

''(B) UPDATE.—Not less frequently than once every five years following the identification and dissemination under subparagraph (A) of the thresholds for blast exposure and overpressure safety required under subsection (b)(1)(B), the Secretary of Defense shall update those thresholds.

''(2) FORMAL TRAINING REQUIREMENT.—The Secretary of Defense shall ensure that training on the thresholds for blast exposure and overpressure safety is provided to members of the Armed Forces before training, deployment, or entering other high-risk environments where exposure to blast overpressure is likely.

''(3) CENTRAL REPOSITORY.—Not later than January 1, 2027, the Secretary of Defense shall establish a central repository of blast-related characteristics, such as pressure profiles and common blast loads associated with specific systems and the environments in which they are used.

''(4) WAIVERS.—

''(A) PROTOCOLS.—The Secretary of Defense may establish and implement protocols to require waivers in cases in which members of the Armed Forces must exceed the safety thresholds described in subsection (b)(1)(B), which shall include a justification for exceeding those safety thresholds.

''(B) TRACKING SYSTEM.—Not later than one year after establishing protocols for waivers under subparagraph (A), the Secretary of Defense shall establish a Department of Defense-wide tracking system for such waivers, which shall include data contributed by the Secretary of each military department.

''(C) REPORT ON WAIVERS.—Not later than one year after establishing protocols for waivers under subparagraph (A), and annually thereafter for a period of five years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on such waivers that includes—

''(i) the number of waivers issued, disaggregated by military department; and

''(ii) a description of actions taken by the Secretary concerned to track the health effects on members of the Armed Forces of exceeding safety thresholds described in subsection (b)(1)(B), document those effects in medical records, and provide care to those members.

''(f) STRATEGIES FOR MITIGATION AND PREVENTION OF BLAST EXPOSURE AND OVERPRESSURE RISK FOR HIGH-RISK INDIVIDUALS.—Not later than January 1, 2027, the Secretary of Defense shall establish strategies for mitigating and preventing blast exposure and blast overpressure risk for individuals most at risk for exposure to high-risk training or high-risk occupational activities, which shall include—

''(1) a timeline and process for implementing those strategies;

''(2) a determination of the frequency with which those strategies will be updated, which shall be not less frequently than once every five years; and

''(3) an assessment of how information regarding those strategies will be disseminated to such individuals, including after those strategies are updated.

''(g) REPORTS ON WARFIGHTER BRAIN HEALTH INITIATIVE.—Not later than March 31, 2025, and not less frequently than annually thereafter for a period of five years, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the following:

''(1) A description of the activities taken under the Initiative and resources expended under the Initiative during the prior fiscal year.

''(2) The number of members of the Armed Forces impacted by blast overpressure and blast exposure in the prior fiscal year, including—

''(A) the number of members who reported adverse health effects from blast overpressure or blast exposure;

''(B) the number of members exposed to blast overpressure or blast exposure;

''(C) the number of members who received treatment for injuries related to blast overpressure or blast exposure, including at facilities of the Department of Defense and at facilities in the private sector; and

''(D) the type of care that members receive from facilities of the Department of Defense and the type of care that members receive from facilities in the private sector.

''(3) A summary of the progress made during the prior fiscal year with respect to the objectives of the Initiative under subsection (b).

''(4) A description of the steps the Secretary is taking to ensure that activities under the Initiative are being implemented across the Department of Defense and the military departments.''.

SA 2938. Ms. SMITH 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:

Strike section 1413.

SA 2939. 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 end of title XII, add the following:

Subtitle G—Caribbean Basin Security Initiative

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Caribbean Basin Security Initiative Authorization Act''.

SEC. 1292. DEFINITIONS.

In this subtitle:

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

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

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

(2) BENEFICIARY COUNTRIES.—The term ''beneficiary countries'' means—

(A) Antigua and Barbuda;
(B) the Bahamas;
(C) Barbados;
(D) Dominica;
(E) the Dominican Republic;
(F) Grenada;
(G) Guyana;
(H) Jamaica;
(I) Saint Lucia;
(J) Saint Kitts and Nevis;
(K) Saint Vincent and the Grenadines;
(L) Suriname; and
(M) Trinidad and Tobago.

SEC. 1293. AUTHORIZATION FOR THE CARIBBEAN BASIN SECURITY INITIATIVE.

(a) AUTHORIZATION FOR THE CARIBBEAN BASIN SECURITY INITIATIVE.—The Secretary of State and the Administrator of the United States Agency for International Development may carry out an initiative, to be known as the ''Caribbean Basin Security Initiative'', in beneficiary countries to achieve the purposes described in subsection (b).

(b) PURPOSES.—The purposes described in this subsection are the following:

(1) To promote citizen safety, security, and the rule of law in the Caribbean through increased strategic engagement with—

(A) the governments of beneficiary countries; and

(B) elements of local civil society, including the private sector, in such countries.

(2) To counter transnational criminal organizations and local gangs in beneficiary countries, including through—

(A) maritime and aerial security cooperation, including—

(i) assistance to strengthen capabilities of maritime and aerial interdiction operations in the Caribbean; and

(ii) the provision of support systems and equipment, training, and maintenance;

(B) cooperation on border and port security, including support to strengthen capacity for screening and intercepting narcotics, weapons, bulk cash, and other contraband at airports and seaports; and

(C) capacity building and the provision of equipment and support for operations targeting—

(i) the finances and illegal activities of such organizations and gangs; and

(ii) the recruitment by such organizations and gangs of at-risk youth.

(3) To advance law enforcement and justice sector capacity building and rule of law initiatives in beneficiary countries, including by—

(A) strengthening special prosecutorial offices and providing technical assistance—

(i) to combat—

(I) corruption;
(II) money laundering;
(III) human, firearms, and wildlife trafficking;
(IV) human smuggling;
(V) financial crimes; and
(VI) extortion; and

(ii) to conduct asset forfeitures and criminal analysis;

(B) supporting training for civilian police and appropriate security services in criminal investigations, best practices for citizen security, and the protection of human rights;

(C) supporting capacity building for law enforcement and military units, including professionalization, anti-corruption and human rights training, vetting, and community-based policing;

(D) supporting justice sector reform and strengthening of the rule of law, including—

(i) capacity building for prosecutors, judges, and other justice officials; and

(ii) support to increase the efficacy of criminal courts; and

(E) strengthening cybersecurity and cybercrime cooperation, including capacity building and support for cybersecurity systems.

(4) To promote crime prevention efforts in beneficiary countries, particularly among at-risk-youth and other vulnerable populations, including through—

(A) improving community and law enforcement cooperation to improve the effectiveness and professionalism of police and increase mutual trust;

(B) increasing economic opportunities for at-risk youth and vulnerable populations, including through workforce development training and remedial education programs for at-risk youth;

(C) improving juvenile justice sectors through regulatory reforms, separating youth from traditional prison systems, and improving support and services in juvenile detention centers; and

(D) the provision of assistance to populations vulnerable to being victims of extortion and crime by criminal networks.

(5) To strengthen the ability of the security sector in beneficiary countries to respond to and become more resilient in the face of natural disasters, including by—

(A) carrying out training exercises to ensure critical infrastructure and ports are able to come back online rapidly following natural disasters; and

(B) providing preparedness training to police and first responders.

(6) To prioritize efforts to combat corruption and include anti-corruption components in programs in beneficiary countries, including by—

(A) building the capacity of national justice systems and attorneys general to prosecute and try acts of corruption;

(B) increasing the capacity of national law enforcement services to carry out anti-corruption investigations; and

(C) encouraging cooperative agreements among the Department of State, other relevant Federal departments and agencies, and the attorneys general of relevant countries.

(7) To promote the rule of law in beneficiary countries and counter malign influence from authoritarian regimes, including China, Russia, Iran, Venezuela, Nicaragua, and Cuba, by—

(A) monitoring security assistance from such authoritarian regimes and taking steps necessary to ensure that such assistance does not undermine or jeopardize United States security assistance;

(B) evaluating and, as appropriate, restricting the involvement of the United States in investment and infrastructure projects financed by authoritarian regimes that might obstruct or otherwise impact United States security assistance to beneficiary countries;

(C) monitoring and restricting equipment and support from high-risk vendors of telecommunications infrastructure in beneficiary countries;

(D) countering disinformation by promoting transparency and accountability from beneficiary countries; and

(E) eliminating corruption linked to investment and infrastructure facilitated by authoritarian regimes through support for investment screening, competitive tendering and bidding processes, the implementation of investment law, and contractual transparency.

(8) To support the effective branding and messaging of United States security assistance and cooperation in beneficiary countries, including by developing and implementing a public diplomacy strategy for informing citizens of beneficiary countries about the benefits to their respective countries of United States security assistance and cooperation programs.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State and the United States Agency for International Development $88,000,000 for each of fiscal years 2025 through 2029 to carry out the Caribbean Basin Security Initiative to achieve the purposes described in subsection (b).

SEC. 1294. IMPLEMENTATION PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an implementation plan that includes a timeline and stated objectives for actions to be taken in beneficiary countries with respect to the Caribbean Basin Security Initiative.

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

(1) A multi-year strategy with a timeline, overview of objectives, and anticipated outcomes for the region and for each beneficiary

country, with respect to each purpose described in section 1293.

(2) Specific, measurable benchmarks to track the progress of the Caribbean Basin Security Initiative toward accomplishing the outcomes included under paragraph (1).

(3) A plan for the delineation of the roles to be carried out by the Department of State and the United States Agency for International Development to prevent overlap and unintended competition between activities and resources of other Federal departments or agencies.

(4) A plan to coordinate and track all activities carried out under the Caribbean Basin Security Initiative among all relevant Federal departments and agencies, in accordance with the publication requirements described in section 4 of the Foreign Aid Transparency and Accountability Act of 2016 (22 U.S.C. 2394c).

(5) A description of the process for co-locating projects of the Caribbean Basin Security Initiative funded by the United States Agency for International Development and the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State to ensure that crime prevention funding and enforcement funding are used in the same localities as necessary.

(6) An assessment of steps taken, as of the date on which the plan is submitted, to increase regional coordination and collaboration between the law enforcement agencies of beneficiary countries and the Haitian National Police, and a framework with benchmarks for increasing such coordination and collaboration, in order to address the urgent security crisis in Haiti.

(c) ANNUAL PROGRESS UPDATE.—Not later than 1 year after the date on which the implementation plan required by subsection (a) is submitted, and annually thereafter, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a written description of results achieved through the Caribbean Basin Security Imitative, including with respect to—

(1) the implementation of the strategy and plans described in paragraphs (1), (3), and (4) of subsection (b);

(2) compliance with, and progress related to, meeting the benchmarks described in paragraph (2) of subsection (b); and

(3) funding statistics for the Caribbean Basin Security Initiative for the preceding year, disaggregated by country.

SEC. 1295. PROGRAMS AND STRATEGY TO INCREASE NATURAL DISASTER RESPONSE AND RESILIENCE.

(a) PROGRAMS.—During the 5-year period beginning on the date of the enactment of this Act, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development and the President and Chief Executive Officer of the Inter-American Foundation, shall promote natural disaster response and resilience in beneficiary countries by carrying out programs for the following purposes:

(1) Encouraging coordination between beneficiary countries and relevant Federal departments and agencies to provide expertise and information sharing.

(2) Supporting the sharing of best practices on natural disaster resilience, including on constructing resilient infrastructure and rebuilding after natural disasters.

(3) Improving rapid-response mechanisms and cross-government organizational preparedness for natural disasters.

(b) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and in consultation with the President and Chief Economic Officer of the Inter-American Foundation and nongovernmental organizations in beneficiary countries and in the United States, shall submit to the appropriate congressional committees a strategy that incorporates specific, measurable benchmarks—

(1) to achieve the purposes described in subsection (a); and

(2) to inform citizens of beneficiary countries about the extent and benefits of United States assistance to such countries.

(c) ANNUAL PROGRESS UPDATE.—Not later than 1 year after the date on which the strategy required by subsection (b) is submitted, and annually thereafter, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees a written description of the progress made as of the date of such submission in meeting the benchmarks included in the strategy.

SA 2940. 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 end of subtitle F of title XII, add the following:

SEC. 1291. MODIFICATION OF SUPPORT FOR EXECUTION OF BILATERAL AGREEMENTS CONCERNING ILLICIT TRANSNATIONAL MARITIME ACTIVITY.

Section 1808 of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 137 Stat. 668; 10 U.S.C. 331 note) is amended—

(1) in the section heading, by striking ''**IN AFRICA**''; and

(2) in subsection (a), by striking ''African''.

SA 2941. 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 end of subtitle C of title VIII, add the following:

SEC. 855. FUNDING FOR PROCUREMENT TECHNICAL ASSISTANCE AGREEMENTS.

(a) ESTABLISHING PARITY OF FUNDING ASSISTANCE FOR NATIVE AMERICAN APEX ACCELERATORS.—Section 4955(a) of title 10, United States Code, is amended by striking ''$1,000,000'' and inserting ''$1,500,000''.

(b) AUTHORITY TO TRANSFER FUNDS FOR IMPLEMENTATION OF PROGRAM ASSISTANCE AGREEMENTS.—Section 4955 of title 10, United States Code, is amended by inserting at the end the following new subsection:

''(e) AUTHORITY TO TRANSFER FUNDS FOR IMPLEMENTATION OF PROGRAM ASSISTANCE AGREEMENT.—Funds appropriated pursuant to this section for a Department of Defense Procurement Technical Assistance Cooperative Agreement Program (otherwise referred to as an APEX Accelerator program) may be transferred to any other appropriation solely for the purpose of implementing a Procurement Technical Assistance Cooperative Agreement Program assistance agreement pursuant to section 1241 of the National Defense Authorization Act for Fiscal Year 1985 (Public Law 98-525), as amended, under the authority of this provision or any other transfer authority.''.

SA 2942. 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 in title VI, insert the following:

SEC. 6____. COMBATTING ILLICIT TOBACCO PRODUCTS.

(a) IN GENERAL.—Beginning not later than 120 days after the date of the enactment of this Act, no exchange or commissary store operated by or for a military resale entity shall offer for sale any ENDS product or oral nicotine product unless the manufacturer of such product executes and delivers to the appropriate officer for each military resale entity a certification form for each ENDS product or oral nicotine product offered for retail sale at an exchange or commissary store that attests under penalty of perjury the following:

(1) The manufacturer has received a marketing granted order for such product under section 910 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j).

(2) The manufacturer submitted a timely filed premarket tobacco product application for such product, and the application either remains under review by the Secretary or has received a denial order that has been and remains stayed by the Secretary or court order, rescinded by the Secretary, or vacated by a court.

(b) FAILURE TO SUBMIT CERTIFICATION.—A manufacturer shall submit the certification forms required in subsection (a) on an annual basis. Failure to submit such forms to a military resale entity as required under the preceding sentence shall result in the removal of the relevant ENDS product or oral nicotine product from sale at any exchange or commissary store operated by or for such military resale entity.

(c) CERTIFICATION CONTENTS.—

(1) IN GENERAL.—A certification form required under subsection (a) shall separately list each brand name, product name, category (such as e-liquid, power unit, device, e-liquid cartridge, e-liquid pod, or disposable), and flavor for each product that is sold offered for sale by the manufacturer submitting such form.

(2) OTHER ITEMS.—A manufacturer shall, when submitting a certification under subsection (a), include in that submission—

(A) a copy of the publicly available marketing order granted under section 910 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j), as redacted by the Secretary and made available on the agency website;

(B) a copy of the acceptance letter issued under such section for a timely filed premarket tobacco product application; or

(C) a document issued by the Secretary or by a court confirming that the premarket tobacco product application has received a denial order that has been and remains stayed by the Secretary or court order, rescinded by the Secretary, or vacated by a court.

(d) DEVELOPMENT OF FORMS AND PUBLICATION.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, each military resale entity shall—

(A) develop and make public the certification form such entity will require a manfacturer to submit to meet the requirement under subsection (a); and

(B) provide instructions on how such certification form shall be submitted to such entity.

(2) SUBMISSION IN CASE OF FAILURE TO PUBLISH FORM.—If a military resale entity fails to prepare and make public the certification form required by subsection (a), a manufacturer may submit information necessary to prove compliance with the requirements of this section.

(e) CHANGES TO CERTIFICATION FORM.—A manufacturer that submits a certification form under subsection (a) shall notify each military resale entity to which such certification was submitted not later than 30 days after making any material change to the certification form, including—

(1) the issuance or denial of a marketing authorization or other order by the Secretary pursuant to section 910 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j); or

(2) any other order or action by the Secretary or any court that affects the ability of the ENDS product or oral nicotine product to be introduced or delivered into interstate commerce for commercial distribution in the United States.

(f) DIRECTORY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, each military resale entity shall maintain and make publicly available on its official website a directory that lists all ENDS product and oral nicotine product manufacturers and all product brand names, categories (such as e-liquid, e-liquid cartridge, e-liquid pod, or disposable), product names, and flavors for which certification forms have been submitted and approved by the military resale entity.

(2) UPDATES.—Each military resale entity shall—

(A) update the directory under paragraph (1) at least monthly to ensure accuracy; and

(B) establish a process to provide each exchange or commissary store notice of the initial publication of the directory and changes made to the directory in the preceding month.

(3) EXCLUSIONS AND REMOVALS.—An ENDS product or oral nicotine product shall not be included or retained in a directory of a military resale entity if the military resale entity determines that any of the following apply:

(A) The manufacturer failed to provide a complete and accurate certification as required by this section.

(B) The manufacturer submitted a certification that does not comply with the requirements of this section.

(C) The information provided by the manufacturer in its certification contains false information, material misrepresentations, or omissions.

(4) NOTICE REQUIRED.—In the case of a removal of a product from a directory under paragraph (3), the relevant military resale entity shall provide to the manufacturer involved notice and at least 30 days to cure deficiencies before removing the manufacturer or its products from the directory.

(5) EFFECT OF REMOVAL.—The ENDS product or oral nicotine product of a manufacturer identified in a notice of removal under paragraph (4) are, beginning on the date that is 30 days after such removal, subject to seizure, forfeiture, and destruction, and may not be purchased or sold for retail sale at any exchange or commissary store operated by or for a military resale entity.

(g) DEFINITONS.—In this section:

(1) ENDS PRODUCT.—The term ''ENDS product''—

(A) means any non-combustible product that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, to produce vapor from nicotine in a solution;

(B) includes a consumable nicotine liquid solution suitable for use in such product, whether sold with the product or separately; and

(C) does not include any product regulated as a drug or device under chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.).

(2) MILITARY RESALE ENTITY.—The term ''military resale entity'' means—

(A) the Defense Commissary Agency;

(B) the Army and Air Force Exchange Service;

(C) the Navy Exchange Service Command; and

(D) the Marine Corps Exchange.

(3) ORAL NICOTINE PRODUCT.—The term ''oral nicotine product'' means—

(A) means any non-combustible product that contains nicotine that is intended to be placed in the oral cavity; and

(B) does not include—

(i) any ENDS product;

(ii) smokeless tobacco (as defined in section 900 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387)); or

(iii) any product regulated as a drug or device under chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs.

(5) TIMELY FILED PREMARKET TOBACCO PRODUCT APPLICATION.—The term ''timely filed premarket tobacco product application'' means an application that was submitted under section 910 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387j) on or before September 9, 2020, and accepted for filing with respect to an ENDS product or oral nicotine product containing nicotine marketed in the United States as of August 8, 2016.

SA 2943. 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 end of subtitle B of VIII, insert the following:

SEC. 829. LIMITATION ON AVAILABILITY OF FUNDS FOR CHILLER CLASS PROJECTS OF THE DEPARTMENT OF THE AIR FORCE.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2025 for the Air Force may be obligated or expended to acquire goods or services under a noncompetitive justification and approval for the purposes of standardizing the heating, ventilation, and air conditioning chillers at installations of the Air Force until the date on which the Secretary of Defense submits to the congressional defense committees the certification described in subsection (b).

(b) CERTIFICATION DESCRIBED.—The certification described in this subsection is a certification that—

(1) the Secretary of Defense has developed a methodology to compare the cost of initially acquiring the heating, ventilation, and air conditioning chillers and equipment supporting such chillers for the purposes described in subsection (a) under a non-competitive justification and approval to the cost of initially acquiring such chillers and equipment for such purposes using competitive procedures;

(2) the Secretary of Defense has established metrics to measure the effects of standardizing the heating, ventilation, and air conditioning chillers at installations of the Air Force, including the costs of training technicians, any savings resulting from the ability of employees of the Government to repair such chillers, the cost of initially acquiring chillers and equipment supporting such chillers for such purpose, and the life cycle costs of such chillers; and

(3) the Secretary of Defense has collected data demonstrating that the use of procedures other than competitive procedures to acquire chillers for the purposes of standardizing the heating, ventilation, and air conditioning chillers at installations of the Air Force has resulted in lower life cycle costs compared to using competitive procedures for such acquisitions.

(c) DEFINITIONS.—In this section:

(1) COMPETITIVE PROCEDURES.—The term ''competitive procedures'' has the meaning given such term in section 3012 of title 10, United States Code.

(2) NON-COMPETITIVE JUSTIFICATION AND APPROVAL.—The term ''non-competitive justification and approval'' means the justification and approval required by section 3204(e)(1) of title 10, United States Code, for the use of procedures other than competitive procedures to award a contract.

SA 2944. 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 end of subtitle F of title XII, add the following:

SEC. 1291. SUBSCRIPTION TO ADDITIONAL SHARES OF CAPITAL STOCK OF THE INTER-AMERICAN INVESTMENT CORPORATION.

The Inter-American Investment Corporation Act (22 U.S.C. 283aa et seq.) is amended by adding at the end the following:

''SEC. 212. SUBSCRIPTION TO ADDITIONAL SHARES OF CAPITAL STOCK OF THE CORPORATION.

''(a) IN GENERAL.—The Secretary of the Treasury may subscribe on behalf of the United States to not more than 58,942 additional shares of the capital stock of the Corporation.

''(b) LIMITATION.—Any subscription to the additional shares shall be effective only to such extent or in such amounts as are provided in an appropriations Act.

''(c) REPORT REQUIRED.—

''(1) IN GENERAL.—At the conclusion of negotiations for an increase in the authorized capital stock of the Corporation to which the United States subscribes, the Secretary of the Treasury shall submit to the committees specified in paragraph (2) a report that includes—

''(A) the full dollar amount of the United States subscription to additional shares of capital stock of the Corporation; and

''(B) a certification that the Inter-American Development Bank Group has made satisfactory progress toward reforms that—

''(i) increase the responsiveness of the Inter-American Development Bank Group to the development needs of all borrowing countries in Latin America and the Caribbean;

''(ii) improve the effectiveness of the financing of the Inter-American Development Bank Group;

''(iii) foster the development of a vibrant private sector in the region;

''(iv) help address global and regional challenges; and

''(v) promote more efficient use of the financial resources of the Inter-American Development Bank Group.

''(2) COMMITTEES SPECIFIED.—The committees specified in this paragraph are—

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

''(B) the Committee on Appropriations and the Committee on Financial Services of the House of Representatives.''.

SA 2945. Mr. BLUMENTHAL (for Mr. LEE (for himself and Mr. BLUMENTHAL)) submitted an amendment intended to be proposed by Mr. Blumenthal 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—Congressional Approval of National Emergency Declarations

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act'' or the ''ARTICLE ONE Act''.

SEC. 1097. CONGRESSIONAL REVIEW OF NATIONAL EMERGENCIES.

The National Emergencies Act (50 U.S.C. 1621 et seq.) is amended by inserting after title I the following:

''TITLE II—DECLARATIONS OF FUTURE NATIONAL EMERGENCIES

''SEC. 201. DECLARATIONS OF NATIONAL EMERGENCIES.

''(a) AUTHORITY TO DECLARE NATIONAL EMERGENCIES.—With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such a national emergency by proclamation. Such proclamation shall immediately be transmitted to Congress and published in the Federal Register.

''(b) SPECIFICATION OF PROVISIONS OF LAW TO BE EXERCISED.—No powers or authorities made available by statute for use during the period of a national emergency shall be exercised unless and until the President specifies the provisions of law under which the President proposes that the President or other officers will act in—

''(1) a proclamation declaring a national emergency under subsection (a); or

''(2) one or more Executive orders relating to the emergency published in the Federal Register and transmitted to Congress.

''(c) PROHIBITION ON SUBSEQUENT ACTIONS IF EMERGENCIES NOT APPROVED.—

''(1) SUBSEQUENT DECLARATIONS.—If a joint resolution of approval is not enacted under section 203 with respect to a national emergency before the expiration of the 30-day period described in section 202(a), or with respect to a national emergency proposed to be renewed under section 202(b), the President may not, during the remainder of the term of office of that President, declare a subsequent national emergency under subsection (a) with respect to the same circumstances.

''(2) EXERCISE OF AUTHORITIES.—If a joint resolution of approval is not enacted under section 203 with respect to a power or authority specified by the President in a proclamation under subsection (a) or an Executive order under subsection (b)(2) with respect to a national emergency, the President may not, during the remainder of the term of office of that President, exercise that power or authority with respect to that emergency.

''(d) EFFECT OF FUTURE LAWS.—No law enacted after the date of the enactment of this Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.

''SEC. 202. EFFECTIVE PERIODS OF NATIONAL EMERGENCIES.

''(a) TEMPORARY EFFECTIVE PERIODS.—

''(1) IN GENERAL.—A declaration of a national emergency shall remain in effect for a period of 30 calendar days from the issuance of the proclamation under section 201(a) (not counting the day on which the proclamation was issued) and shall terminate when such period expires unless there is enacted into law a joint resolution of approval under section 203 with respect to the proclamation.

''(2) EXERCISE OF POWERS AND AUTHORITIES.—Any emergency power or authority made available under a provision of law specified pursuant to section 201(b) may be exercised pursuant to a declaration of a national emergency for a period of 30 calendar days from the issuance of the proclamation or Executive order (not counting the day on which such proclamation or Executive order was issued). That power or authority may not be exercised after such period expires unless there is enacted into law a joint resolution of approval under section 203 approving—

''(A) the proclamation of the national emergency or the Executive order; and

''(B) the exercise of the power or authority specified by the President in such proclamation or Executive order.

''(3) EXCEPTION IF CONGRESS IS UNABLE TO CONVENE.—If Congress is physically unable to convene as a result of an armed attack upon the United States or another national emergency, the 30-day periods described in paragraphs (1) and (2) shall begin on the first day Congress convenes for the first time after the attack or other emergency.

''(b) RENEWAL OF NATIONAL EMERGENCIES.—A national emergency declared by the President under section 201(a) or previously renewed under this subsection, and not already terminated pursuant to subsection (a) or (c), shall terminate on the date that is one year after the President transmitted to Congress the proclamation declaring the emergency or Congress approved a previous renewal pursuant to this subsection, unless—

''(1) the President publishes in the Federal Register and transmits to Congress an Executive order renewing the emergency; and

''(2) there is enacted into law a joint resolution of approval renewing the emergency pursuant to section 203 before the termination of the emergency or previous renewal of the emergency.

''(c) TERMINATION OF NATIONAL EMERGENCIES.—

''(1) IN GENERAL.—Any national emergency declared by the President under section 201(a) shall terminate on the earliest of—

''(A) the date provided for in subsection (a);

''(B) the date provided for in subsection (b);

''(C) the date specified in an Act of Congress terminating the emergency; or

''(D) the date specified in a proclamation of the President terminating the emergency.

''(2) EFFECT OF TERMINATION.—

''(A) IN GENERAL.—Effective on the date of the termination of a national emergency under paragraph (1)—

''(i) except as provided by subparagraph (B), any powers or authorities exercised by reason of the emergency shall cease to be exercised;

''(ii) any amounts reprogrammed or transferred under any provision of law with respect to the emergency that remain unobligated on that date shall be returned and made available for the purpose for which such amounts were appropriated; and

''(iii) any contracts entered into pursuant to authorities provided as a result of the emergency shall be terminated.

''(B) SAVINGS PROVISION.—The termination of a national emergency shall not affect—

''(i) any legal action taken or pending legal proceeding not finally concluded or determined on the date of the termination under paragraph (1);

''(ii) any legal action or legal proceeding based on any act committed prior to that date; or

''(iii) any rights or duties that matured or penalties that were incurred prior to that date.

''SEC. 203. REVIEW BY CONGRESS OF NATIONAL EMERGENCIES.

''(a) JOINT RESOLUTION OF APPROVAL DEFINED.—In this section, the term 'joint resolution of approval' means a joint resolution that contains only the following provisions after its resolving clause:

''(1) A provision approving—

''(A) a proclamation of a national emergency made under section 201(a);

''(B) an Executive order issued under section 201(b)(2); or

''(C) an Executive order issued under section 202(b).

''(2) A provision approving a list of all or a portion of the provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution.

''(b) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS OF APPROVAL.—

''(1) INTRODUCTION.—After the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a joint resolution of approval may be introduced in either House of Congress by any member of that House.

''(2) REQUESTS TO CONVENE CONGRESS DURING RECESSES.—If, when the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), Congress has adjourned sine die or has adjourned for any period in excess of 3 calendar days, the majority leader of the Senate and the Speaker of the House of Representatives, or their respective designees, acting jointly after consultation with and the concurrence of the minority leader of the Senate and the minority leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

''(3) CONSIDERATION IN SENATE.—In the Senate, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval has been referred has not reported it at the end of 10 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

''(B) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee to which a joint resolution of approval is referred has reported the resolution, or when that committee is discharged under subparagraph (A) from further consideration of the resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is subject to 4 hours of debate divided equally between those favoring and those opposing the joint resolution of approval. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business.

''(C) FLOOR CONSIDERATION.—A joint resolution of approval shall be subject to 10 hours of consideration, to be divided evenly between the proponents and opponents of the resolution.

''(D) AMENDMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), no amendments shall be in order with respect to a joint resolution of approval.

''(ii) AMENDMENTS TO STRIKE OR ADD SPECIFIED PROVISIONS OF LAW.—Clause (i) shall not apply with respect to any amendment—

''(I) to strike a provision or provisions of law from the list required by subsection (a)(2); or

''(II) to add to that list a provision or provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution of approval.

''(E) MOTION TO RECONSIDER FINAL VOTE.—A motion to reconsider a vote on passage of a joint resolution of approval shall not be in order.

''(F) APPEALS.—Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

''(4) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval has been referred has not reported it to the House within 10 calendar days after the date of referral, such committee shall be discharged from further consideration of the joint resolution.

''(B) PROCEEDING TO CONSIDERATION.—

''(i) IN GENERAL.—Beginning on the third legislative day after the committee to which a joint resolution of approval has been referred reports it to the House or has been discharged from further consideration, and except as provided in clause (ii), it shall be in order to move to proceed to consider the joint resolution in the House. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

''(ii) SUBSEQUENT MOTIONS TO PROCEED TO JOINT RESOLUTION OF APPROVAL.—A motion to proceed to consider a joint resolution of approval shall not be in order after the House has disposed of another motion to proceed on that resolution.

''(C) FLOOR CONSIDERATION.—Upon adoption of the motion to proceed in accordance with subparagraph (B)(i), the joint resolution of approval shall be considered as read. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except two hours of debate, which shall include debate on any amendments, equally divided and controlled by the sponsor of the joint resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

''(D) AMENDMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), no amendments shall be in order with respect to a joint resolution of approval.

''(ii) AMENDMENTS TO STRIKE OR ADD SPECIFIED PROVISIONS OF LAW.—Clause (i) shall not apply with respect to any amendment—

''(I) to strike a provision or provisions of law from the list required by subsection (a)(2); or

''(II) to add to that list a provision or provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution.

''(5) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before passing a joint resolution of approval, one House receives from the other a joint resolution of approval from the other House, then—

''(A) the joint resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day it is received; and

''(B) the procedures set forth in paragraphs (3) and (4), as applicable, shall apply in the receiving House to the joint resolution received from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

''(c) RULE OF CONSTRUCTION.—The enactment of a joint resolution of approval under this section shall not be interpreted to serve as a grant or modification by Congress of statutory authority for the emergency powers of the President.

''(d) RULES OF THE HOUSE AND SENATE.—This section is enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of joint resolutions described in this section, and supersedes other rules only to the extent that it is inconsistent with such other rules; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''SEC. 204. APPLICABILITY.

''This title shall apply to a national emergency pursuant to which the President proposes to exercise emergency powers or authorities made available under any provision of law that is not a provision of law described in section 604(a).''.

SEC. 1098. REPORTING REQUIREMENTS.

Section 401 of the National Emergencies Act (50 U.S.C. 1641) is amended—

(1) in subsection (c)—

(A) in the first sentence by inserting '', and make publicly available'' after ''transmit to Congress''; and

(B) in the second sentence by inserting '', and make publicly available,'' before ''a final report''; and

(2) by adding at the end the following:

''(d) REPORT ON EMERGENCIES.—The President shall transmit to the entities described in subsection (g), with any proclamation declaring a national emergency under section 201(a) or any Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a report, in writing, that includes the following:

''(1) A description of the circumstances necessitating the declaration of a national emergency, the renewal of such an emergency, or the use of a new emergency authority specified in the Executive order, as the case may be.

''(2) The estimated duration of the national emergency, or a statement that the duration of the national emergency cannot reasonably be estimated at the time of transmission of the report.

''(3) A summary of the actions the President or other officers intend to take, including any reprogramming or transfer of funds, and the statutory authorities the President and such officers expect to rely on in addressing the national emergency.

''(4) The total expenditures estimated to be incurred by the United States Government during such six-month period which are directly attributable to the exercise of powers and authorities conferred by such declaration.

''(5) In the case of a renewal of a national emergency, a summary of the actions the President or other officers have taken in the preceding one-year period, including any reprogramming or transfer of funds, to address the emergency.

''(e) PROVISION OF INFORMATION TO CONGRESS.—The President shall provide to the entities described in subsection (g) such other information as such entities may request in connection with any national emergency in effect under title II.

''(f) PERIODIC REPORTS ON STATUS OF EMERGENCIES.—If the President declares a national emergency under section 201(a), the President shall, not less frequently than every 6 months for the duration of the emergency, report to the entities described in subsection (g) on the status of the emergency, the total expenditures incurred by the United States Government, and the actions the President or other officers have taken and authorities the President and such officers have relied on in addressing the emergency.

''(g) ENTITIES DESCRIBED.—The entities described in this subsection are—

''(1) the Speaker of the House of Representatives;

''(2) minority leader of the House of Representatives;

''(3) the Committee on Transportation and Infrastructure of the House of Representatives; and

''(4) the Committee on Homeland Security and Governmental Affairs of the Senate.''.

SEC. 1099. EXCLUSION OF CERTAIN NATIONAL EMERGENCIES INVOKING INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

(a) IN GENERAL.—The National Emergencies Act (50 U.S.C. 1601 et seq.) is further amended by adding at the end the following:

''TITLE VI—DECLARATIONS OF CERTAIN EMERGENCIES INVOKING INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT

''SEC. 604. APPLICABILITY.

''(a) IN GENERAL.—This title shall apply to a national emergency pursuant to which the President proposes to exercise emergency powers or authorities made available under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

''(b) EFFECT OF ADDITIONAL POWERS AND AUTHORITIES.—This title shall not apply to a national emergency or the exercise of emergency powers and authorities pursuant to the national emergency if, in addition to the exercise of emergency powers and authorities described in subsection (a), the President proposes to exercise, pursuant to the national emergency, any emergency powers and authorities under any other provision of law.''.

(b) TRANSFER.—Sections 201, 202, and 301 of the National Emergencies Act (50 U.S.C. 1601 et seq.), as such sections appeared on the day before the date of enactment of this Act, are—

(1) transferred to title VI of such Act (as added by subsection (a));

(2) inserted before section 604 of such title (as added by subsection (a)); and

(3) redesignated as sections 601, 602, and 603, respectively.

(c) CONFORMING AMENDMENT.—Title II of the National Emergencies Act (50 U.S.C. 1601 et seq.), as such title appeared the day before the date of enactment of this Act, is amended by striking the heading for such title.

SEC. 1099A. CONFORMING AMENDMENTS.

(a) NATIONAL EMERGENCIES ACT.—Title III of the National Emergencies Act (50 U.S.C. 1631) is repealed.

(b) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 207(b) of the International Emergency Economic Powers Act (50 U.S.C. 1706) is amended by striking ''concurrent resolution'' each place it appears and inserting ''joint resolution''.

SEC. 1099B. EFFECTIVE DATE; APPLICABILITY.

(a) IN GENERAL.—This subtitle and the amendments made by this subtitle shall—

(1) take effect on the date of the enactment of this Act; and

(2) except as provided in subsection (b), apply with respect to national emergencies declared under section 201 of the National Emergencies Act on or after such date.

(b) APPLICABILITY TO RENEWALS OF EXISTING EMERGENCIES.—With respect to a national emergency declared under section 201 of the National Emergencies Act before the date of the enactment of this Act that would expire or be renewed under section 202(d) of that Act (as in effect on the day before such date of enactment), that national emergency shall be subject to the requirements for renewal under section 202(b) of that Act, as amended by section 1097.

(c) SUPERSESSION.—This subtitle and the amendments made by this subtitle shall supersede title II of the National Emergencies Act (50 U.S.C. 1621 et seq.) as such title was in effect on the day before the date of enactment of this Act.

SA 2946. Mr. TUBERVILLE (for Mr. LEE) submitted an amendment intended to be proposed by Mr. Tuberville 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, add the following:

SEC. 1239. ANNUAL REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.

(a) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(1) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (c)(2) for threats; and

(2) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

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

(1) the threats facing the United States—

(A) extend beyond the global war on terror; and

(B) include near-peer threats; and

(2) the President should seek from each country described in subsection (c)(2) acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with the collective defense agreements or treaties to which such country is a party.

(c) ANNUAL REPORT ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary of Defense, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member country of the North Atlantic Treaty Organization.

(B) Each member country of the Gulf Cooperation Council.

(C) Each country party to the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), done at Rio de Janeiro September 2, 1947, and entered into force December 3, 1948 (TIAS 1838).

(D) Australia.

(E) Japan.

(F) New Zealand.

(G) The Philippines.

(H) South Korea.

(I) Thailand.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

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

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

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

SA 2947. Mr. MULLIN 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 XVI, insert the following:

SEC. ___. USE OF OPERATIONS AND MAINTENANCE FUNDS FOR PROCUREMENT OF SOFTWARE AS A SERVICE AND DATA AS A SERVICE.

(a) AUTHORITY TO USE CERTAIN FUNDS.—Amounts authorized to be appropriated for fiscal year 2025 by section 301 for operation and maintenance may be used to procure software as a service and data as a service and modify software to include artificial intelligence systems to meet the operational needs of the Department of Defense.

(b) REVISED REGULATIONS.—The Secretary of Defense shall revise or develop regulations as necessary to carry out subsection (a). Such regulations shall include provisions governing the procurement and modification of software, data, and artificial intelligence systems, and the oversight of such activities.

(c) SUNSET.—The authority provided by subsection (a) shall terminate on September 30, 2026.

(d) DEFINITIONS.—In this section:

(1) The term ''artificial intelligence system'' means a system that is capable of performing tasks that normally require humanlike cognition, including learning, decision-making, and problem-solving.

(2) The term ''data as a service'' means a data delivery model in which data is provided on a subscription basis and is accessed remotely over the internet.

(3) The term ''software'' has the meaning given the term in the Federal Acquisition Regulation, including noncommercial, commercial, and commercial-off-the-shelf software.

(4) The term ''software as a service'' means a software delivery model in which software is provided on a subscription basis and is accessed remotely over the internet.

SA 2948. Mr. SCHATZ (for himself and Ms. HIRONO) 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. RED HILL HEALTH REGISTRY.

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

(1) ESTABLISHMENT OF REGISTRY.—The Secretary of Defense, in consultation with the Secretary of Health and Human Services, shall establish within the Department of Defense or through an award of a grant or contract, as the Secretary determines appropriate, a Red Hill Incident exposure registry to collect data on health implications of petroleum-contaminated water for impacted individuals and potentially impacted individuals on a voluntary basis.

(2) CONTRACTS.—The Secretary of Defense may contract with independent research institutes or consultants, nonprofit or public

entities, laboratories, or medical schools, as the Secretary considers appropriate, that are not part of the Federal Government to assist with the registry established under paragraph (1).

(3) CONSULTATION.—In carrying out paragraph (1), the Secretary of Defense shall consult with non-Federal experts, including individuals with certification in epidemiology, toxicology, mental health, pediatrics, and environmental health, and members of the impacted community.

(b) USE OF EXISTING FUNDS.—The Secretary of Defense shall carry out activities under this section using amounts previously appropriated for the Defense Health Agency for such activities.

(c) DEFINITIONS.—In this section:

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

(2) POTENTIALLY IMPACTED INDIVIDUAL.—The term ''potentially impacted individual'' means an individual who, after the Red Hill Incident, lived or worked in a building or residence served by the community water system at Joint Base Pearl Harbor-Hickam, Oahu, Hawaii, including an individual who is not a beneficiary of the military health system.

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

SA 2949. Mr. REED 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 XI, add the following:

SEC. 1115. EXTENSION OF DEMONSTRATION PROJECT ON ACQUISITION PERSONNEL MANAGEMENT.

Section 1762(g) of title 10, United States Code, is amended by striking ''2026'' and inserting ''2031''.

SA 2950. Mr. REED 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 E of title VIII, add the following:

SEC. 891. REVISION OF EXECUTIVE AGENCY WAIVER AUTHORITY FOR CERTAIN PURCHASES.

Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 41 U.S.C. 3901 note prec.) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

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

(C) by adding at the end the following new subparagraph:

''(C) prohibit the Secretary of Defense from procuring with an entity to provide vital supplies, equipment, services, food, clothing, transportation, care, or support for U.S. forces outside of the United States.''; and

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

''(3) SECRETARY OF DEFENSE.—The Secretary of Defense may provide a waiver with respect to the prohibition under subsection (a)(1)(B) on a date later than the effective dates described in subsection (c) if the Secretary determines the waiver is in the national security interests of the United States. The waiver shall not take effect until 15 days after the Secretary provides to the appropriate congressional defense committees written notification of intent to exercise the waiver.''.

SA 2951. Mr. MURPHY (for himself and Mr. BLUMENTHAL) 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. SERVICES AND USE OF FUNDS FOR, AND LEASING OF, THE NATIONAL COAST GUARD MUSEUM.

Section 316 of title 14, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''The Secretary'' and inserting ''Except as provided in paragraph (2), the Secretary''; and

(B) in paragraph (2), by striking ''on the engineering and design of a Museum.'' and inserting ''on—''

''(A) the design of the Museum; and

''(B) engineering, construction administration, and quality assurance services for the Museum.'';

(2) in subsection (e), by amending paragraph (2)(A) to read as follows:

''(2)(A) for the purpose of conducting Coast Guard operations, lease from the Association—

''(i) the Museum; and

''(ii) any property owned by the Association that is adjacent to the railroad tracks that are adjacent to the property on which the Museum is located; and''; and

(3) by amending subsection (g) to read as follows:

''(g) SERVICES.—With respect to the services related to the construction, maintenance, and operation of the Museum, the Commandant may—

''(1) solicit and accept services from nonprofit entities, including the Association; and

''(2) enter into contracts or memoranda of agreement with the Association to acquire such services.''.

SA 2952. 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 appropriate place in title VII, insert the following:

SEC. 7_____. PREVENTING PERINATAL MENTAL HEALTH CONDITIONS AMONGST PREGNANT AND POSTPARTUM SERVICEWOMEN AND DEPENDENTS TO IMPROVE MILITARY READINESS.

(a) PILOT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary, acting through the Director of the Defense Health Agency, shall establish a pilot program to assess the feasibility and impact of providing evidence-based perinatal mental health prevention programs for eligible members and dependents within military treatment facilities with the goal of reducing the rates of perinatal mental health conditions and improving the military readiness of members of the Armed Forces and their families.

(2) IMPLEMENTATION.—In implementing the pilot program, the Secretary shall—

(A) integrate evidence-based perinatal mental health prevention programs for eligible members and dependents within existing maternal or pediatric care or programming, including primary care, obstetric care, pediatric care, and family and parenting programs, when applicable;

(B) select sites for the pilot program—

(i) in a manner that represents the diversity of the Armed Forces, including—

(I) not fewer than 2 military treatment facilities for each military department; and

(II) geographically diverse sites across the United States, excluding any territory or possession of the United States; and

(ii) by prioritizing of military treatment facilities with established maternal health programs or women's clinics;

(C) implement the prevention programs at times, locations, and in a manner that incentivizes participation by eligible members and dependents, including by removing barriers to participation, such as childcare availability, differences in military rank and occupation, and any other factors as the Secretary shall determine; and

(D) increase awareness of and encourage participation in care and programming for eligible members and dependents.

(b) ADVISORY COMMITTEE.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish an advisory committee to assist the Secretary in implementing the pilot program pursuant to subsection (a)(2).

(2) COMPOSITION.—Members of the advisory committee shall—

(A) be appointed by the Secretary; and

(B) include—

(i) members of the Armed Forces and dependents, including individuals who—

(I) are or have experienced perinatal care in the previous five years while in the Armed Forces;

(II) represent various military departments and ranks; and

(III) experienced a perinatal mental health condition.

(ii) individuals with experience at military and veteran service organizations;

(iii) experts in perinatal mental health promotion, prevention, and intervention; and

(iv) representatives from the Federal Maternal Mental Health Hotline and related perinatal mental health programs.

(3) DUTIES.—In implementing the pilot program pursuant to subsection (a)(2), the advisory committee shall provide recommendations to the Secretary with respect to the following:

(A) Identification of evidence-based perinatal prevention programs.

(B) Strategies to increase diversity in participation of eligible members and dependents.

(C) Outreach to eligible members and dependents on the benefits of prevention and the availability of pilot program participation.

(D) Strategies to reduce stigma with respect to perinatal mental health conditions and the use of prevention programs.

(4) TERMINATION.—Section 1013 of title 5, United States Code, shall not apply to the advisory committee.

(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to military treatment facilities in implementing evidence-based perinatal prevention programs pursuant to subsection (a) and outside of the pilot program.

(d) STUDY.—Not later than June 30, 2029, the Secretary shall conduct a study of the effectiveness of the pilot program in preventing or reducing the onset of symptoms of perinatal mental health conditions for eligible and dependents.

(e) REPORTS.—

(1) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the congressional defense committees a report on the progress of the pilot program during the previous calendar year, including the number of eligible members and dependents completing a prevention program, disaggregated by type of prevention program, military component, military occupation, rank, marital status, location and setting of delivery, sex, age, race, and ethnicity.

(2) FINAL REPORT.—

(A) IN GENERAL.—Not later than 90 days after the termination of the pilot program under subsection (g), the Secretary shall submit to the congressional defense committees a final report, which shall include—

(i) the progress of the pilot program during the life of the pilot program;

(ii) the number of eligible members and dependents who completed a prevention program during the life of the pilot program, disaggregated by type of prevention program, military component, military occupation, rank, marital status, location and setting of delivery, sex, age, race, and ethnicity;

(iii) an assessment and findings with respect to the study required by subsection (e);

(iv) recommendations on whether the pilot program should be continued or more widely adopted by the Department of Defense; and

(v) recommendations on how to scale the pilot program and ensure cost-effective sustainability.

(B) PUBLIC AVAILABILITY.—The final report shall be made publicly available on a website of the Department of Defense.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2025 through 2029.

(g) SUNSET.—The pilot program shall terminate on December 31, 2029.

(h) DEFINITIONS.—In this section:

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

(2) ELIGIBLE MEMBER.—The term ''eligible member'' means a member of the Armed Forces who—

(A) is pregnant; or

(B) is not more than 1 year postpartum.

(3) PERINATAL MENTAL HEALTH CONDITION.—The term ''perinatal mental health condition'' means a mental health disorder that onsets during the pregnancy or within the one-year postpartum period.

(4) PILOT PROGRAM.—The term ''pilot program'' means the pilot program established under section 2(a).

(5) PREVENTION PROGRAM.—The term ''prevention program'' means a program or activity that averts or decreases the onset or symptoms of a perinatal mental health condition.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

SA 2953. 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 XII, add the following:

SEC. 1239. SPECIAL ENVOY FOR BELARUS.

Section 6406(d) of the National Defense Authorization Act for Fiscal Year 2024 (Public Law 118–31; 22 U.S.C. 5811 note) is amended—

(1) in the matter preceding paragraph (1), by inserting ''may, as appropriate'' before the em dash;

(2) by striking ''shall'' each place such term appears; and

(3) in paragraph (2), by striking ''may''.

SA 2954. 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 end of subtitle C of title VIII, add the following:

SEC. 855. CLARIFYING THE STATUTORY DEFINITION OF ''DISTRESSED AREA'' FOR THE PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENT PROGRAM.

Section 4915(2) of title 10, United States Code, is amending by striking subparagraph (B) and inserting the following:

''(B) a tribe, reservation, economic enterprise, or organization as defined in section 3(c), (d), (e) and (f) of the Indian Financing Act of 1974 (Public Law 93–262, 25 U.S.C. 1452(c), (d), (e) and (f)).''.

SA 2955. Mr. GRASSLEY (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 appropriate place, insert the following:

SEC. ___. SHARING OF INFORMATION WITH RESPECT TO SUSPECTED VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''suspects'' and inserting ''has a reasonable suspicion'';

(B) in paragraph (1)—

(i) by inserting '', packing materials, shipping containers,'' after ''its packaging'' each place it appears; and

(ii) by striking ''; and'' and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(3) may provide to the person nonpublic information about the merchandise that was—

''(A) generated by an online marketplace or other similar market platform, an express consignment operator, a freight forwarder, or any other entity that plays a role in the sale or importation of merchandise into the United States or the facilitation of such sale or importation; and

''(B) provided to, shared with, or obtained by, U.S. Customs and Border Protection.''; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''; and'' and inserting a semicolon;

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

(C) by adding at the end the following:

''(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.''.

SA 2956. Mr. RICKETTS (for himself, Mrs. SHAHEEN, Mr. COONS, and Mr. SCOTT of Florida) 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. IMPROVING MULTILATERAL COOPERATION TO IMPROVE THE SECURITY OF TAIWAN.

(a) SHORT TITLES.—This section may be cited as the ''Building Options for the Lasting Security of Taiwan through European Resolve Act'' or the ''BOLSTER Act''.

(b) CONSULTATIONS WITH EUROPEAN GOVERNMENTS REGARDING SANCTIONS AGAINST THE PRC UNDER CERTAIN CIRCUMSTANCES.—

(1) IN GENERAL.—The head of the Office of Sanctions Coordination at the Department of State, in consultation with the Director of the Office of Foreign Assets Control at the Department of the Treasury, shall engage in regular consultations with the International Special Envoy for the Implementation of European Union Sanctions and appropriate government officials of European countries, including the United Kingdom, to develop coordinated plans and share information on independent plans to impose sanctions and other economic measures against the PRC, as appropriate, if the PRC is found to be involved in—

(A) overthrowing or dismantling the governing institutions in Taiwan, including engaging in disinformation campaigns in Taiwan that promote the strategic interests of the PRC;

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

(C) violating the territorial integrity of Taiwan;

(D) taking significant action against Taiwan, including—

(i) creating a naval blockade or other quarantine of Taiwan;

(ii) seizing the outer lying islands of Taiwan; or

(iii) initiating a cyberattack that threatens civilian or military infrastructure in Taiwan; or

(E) providing assistance that helps the security forces of the Russian Federation in executing Russia's unprovoked, illegal war against Ukraine.

(2) SEMIANNUAL CONGRESSIONAL BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter for the following 5 years, the head of the Office of Sanctions Coordination shall provide a briefing regarding the progress of the consultations required under paragraph (1) to—

(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.

(c) COORDINATION OF HUMANITARIAN SUPPORT IN A TAIWAN CONTINGENCY.—

(1) PLAN.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the United States Agency for International Development (referred to in this section as the ''Administrator''), in coordination with the Secretary of State, shall develop a plan to deliver humanitarian aid to Taiwan in the event of a blockade, quarantine, or military invasion of Taiwan by the People's Liberation Army (referred to in this section as the ''PLA'').

(2) CONSULTATION REQUIREMENT.—In developing the plan required under paragraph (1), the Administrator shall consult with the European Commission's Emergency Response Coordination Centre and appropriate government officials of European countries regarding cooperation to provide aid to Indo-Pacific countries as the result of a blockade, quarantine, or military invasion of Taiwan by the PLA, including the extent to which European countries could backfill United States humanitarian aid to other parts of the world.

(3) CONGRESSIONAL ENGAGEMENT.—Upon completion of the plan required under paragraph (1), the Administrator shall provide a briefing regarding the details of such plan and the consultations required under paragraph (2) to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(d) REPORT ON THE ECONOMIC IMPACTS OF PRC MILITARY ACTION AGAINST TAIWAN.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the President shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that contains an independent assessment of the expected economic impact of—

(A) a 30-day blockade or quarantine of Taiwan by the PLA; and

(B) a 180-day blockade or quarantine of Taiwan by the PLA.

(2) ASSESSMENT ELEMENTS.—The assessment required under paragraph (1) shall contain a description of—

(A) the impact of the blockade or quarantine of Taiwan on global trade and output;

(B) the 10 economic sectors that would be most disrupted by a sustained blockade of Taiwan by the PLA; and

(C) the expected economic impact of a sustained blockade of Taiwan by the PLA on the domestic economies of European countries that are members of NATO or the European Union.

(3) INDEPENDENT ASSESSMENT.—

(A) IN GENERAL.—The assessment required under paragraph (1) shall be conducted by a federally-funded research and development center or another appropriate independent entity with expertise in economic analysis.

(B) USE OF DATA FROM PREVIOUS STUDIES.—The entity conducting the assessment required under paragraph (1) may use and incorporate information contained in previous studies on matters relevant to the elements of the assessment.

(e) CONSULTATIONS WITH THE EUROPEAN UNION AND EUROPEAN GOVERNMENTS REGARDING INCREASING POLITICAL AND ECONOMIC RELATIONS WITH TAIWAN.—

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

(A) the United States, Europe, and Taiwan are like-minded partners that—

(i) share common values, such as democracy, the rule of law and human rights; and

(ii) enjoy a close trade and economic partnership;

(B) bolstering political, economic, and people-to-people relations with Taiwan would benefit the European Union, individual European countries, and the United States;

(C) the European Union can play an important role in helping Taiwan resist the economic coercion of the PRC by negotiating with Taiwan regarding new economic, commercial, and investment agreements;

(D) the United States and European countries should coordinate and increase diplomatic efforts to facilitate Taiwan's meaningful participation in international organizations;

(E) the United States and European countries should—

(i) publicly and repeatedly emphasize the differences between their respective ''One China'' policies and the PRC's ''One China'' principle; and

(ii) counter the PRC's propaganda and false narratives about United Nations General Assembly Resolution 2758 (XXVI), which claim the resolution recognizes PRC territorial claims to Taiwan; and

(F) Taiwan's inclusion in the U.S.-EU Trade and Technology Council's Secure Supply Chain working group would bring valuable expertise and enhance transatlantic cooperation in the semiconductor sector.

(2) CONGRESSIONAL BRIEFING.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter for the following 5 years, the Secretary of State shall provide a briefing to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the Department of State's engagements with the European Union and the governments of European countries to increase political and economic relations with Taiwan, including—

(A) public statements of support for Taiwan's democracy and its meaningful participation in international organizations;

(B) unofficial diplomatic visits to and from Taiwan by high-ranking government officials and parliamentarians;

(C) the establishment of parliamentary caucuses or groups that promote strong relations with Taiwan;

(D) strengthening subnational diplomacy, including diplomatic and trade-related visits to and from Taiwan by local government officials;

(E) strengthening coordination between United States and European business chambers, universities, think tanks, and other civil society groups with similar groups in Taiwan;

(F) establishing new representative, economic, or cultural offices in a European country or in Taiwan;

(G) promoting direct flights to and from Taiwan;

(H) facilitating visits by religious leaders to Taiwan; and

(I) increasing economic engagement and trade relations.

(f) CONSULTATIONS WITH EUROPEAN GOVERNMENTS ON SUPPORTING TAIWAN'S SELF-DEFENSE.—

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

(A) preserving peace and security in the Taiwan Strait is a shared interest of the United States and Europe;

(B) European countries, particularly countries with experience combating Russian aggression and malign activities, can provide Taiwan with lessons learned from their ''total defense'' programs to mobilize the military and civilians in a time of crisis;

(C) the United States and Europe should increase coordination to strengthen Taiwan's cybersecurity, especially for critical infrastructure and network defense operations;

(D) the United States and Europe should work with Taiwan—

(i) to improve its energy resiliency;

(ii) to strengthen its food security;

(iii) to combat misinformation, disinformation, digital authoritarianism, and foreign interference; and

(iv) to provide expertise on how to improve defense infrastructure;

(E) European naval powers, in coordination with the United States, should increase freedom of navigation transits through the Taiwan Strait; and

(F) European naval powers, the United States, and Taiwan should establish exchanges and partnerships among their coast guards to counter coercion by the PRC.

(2) CONGRESSIONAL BRIEFINGS.—Not later than 180 days after the date of the enactment of this Act, and semiannually thereafter for the following 5 years the Secretary of State, in consultation with the Secretary of Defense, shall provide a briefing to the Committee on Foreign Relations of the Senate, the Committee on Armed Services of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Armed Services of the House of Representatives regarding discussions with governments of European NATO countries about contributions to Taiwan's self-defense through—

(A) public statements of support for Taiwan's security;

(B) arms transfers or arms sales, particularly of weapons consistent with an asymmetric defense strategy;

(C) transfers or sales of dual-use items and technology;

(D) transfers or sales of critical non-military supplies, such as food and medicine;

(E) increasing the military presence of such countries in the Indo-Pacific region;

(F) joint training and military exercises;

(G) enhancing Taiwan's critical infrastructure resiliency, including communication and digital infrastructure;

(H) coordination to counter disinformation;

(I) coordination to counter offensive cyber operations; and

(J) any other matter deemed important by the Secretary of State and the Secretary of Defense.

(g) EXPEDITED LICENSING FOR EUROPEAN COUNTRIES TRANSFERRING MILITARY EQUIPMENT TO TAIWAN.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall establish an expedited decision-making process for blanket third party transfers of defense articles and services from NATO countries to Taiwan, including transfers and re-transfers of United States origin grant, Foreign Military Sales,

and Direct Commercial Sales end-items not covered by an exemption under the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations.

(2) AVAILABILITY.—The expedited decision-making process described in paragraph (1)—

(A) shall be available for classified and unclassified items; and

(B) shall, to the extent practicable—

(i) require the approval, return, or denial of any licensing application to export defense articles and services that is related to a government-to-government agreement within 15 days after the submission of such application; and

(ii) require the completion of the review of all other licensing requests not later than 30 days after the submission of such application.

SA 2957. Mr. RICKETTS (for himself, Mr. RUBIO, Mr. BUDD, Mr. TILLIS, Mrs. FISCHER, and Mr. SCOTT of South Carolina) 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. ENHANCED CONGRESSIONAL NOTIFICATION REGARDING SCIENCE AND TECHNOLOGY AGREEMENTS WITH THE PEOPLE'S REPUBLIC OF CHINA.

(a) NOTIFICATION REQUIRED.—The Secretary of State may not enter into, renew, or extend any science and technology agreement with the People's Republic of China until—

(1) the Secretary submits to the appropriate congressional committees a notification containing each of the matters described in subsection (b); and

(2) a period of not less than 30 days has elapsed following such submission.

(b) MATTERS DESCRIBED.—The matters described in this subsection are, with respect to the science and technology agreement for which the notification is submitted, the following:

(1) The full text of such agreement.

(2) A defined scope of the areas of research or collaboration that such agreement would encompass or to which such agreement would apply.

(3) A communications plan to inform and engage key interagency stakeholders regarding the specific parameters and scope of such agreement.

(4) A detailed justification for such agreement, including an explanation of why entering into, renewing, or extending such agreement, as applicable, is in the national security interests of the United States.

(5) An assessment of the risks and potential effects of such agreement, including any potential for the transfer under such agreement of technology or intellectual property capable of harming the national security interests of the United States.

(6) A detailed explanation of how the Secretary of State intends to incorporate human rights and national security protections in any scientific and technology collaboration conducted under such agreement.

(7) An assessment of how the Secretary of State will prescribe terms for, and continuously monitor, the commitments made by the Government of the People's Republic of China or any entity of the People's Republic of China under such agreement.

(8) Such other information relating to such agreement as the Secretary of State may determine appropriate.

(c) APPLICABILITY.—

(1) IN GENERAL.—The requirements under this section shall apply with respect to science and technology agreements entered into, renewed, or extended on or after the date of the enactment of this Act.

(2) EXISTING AGREEMENTS.—Any science and technology agreement between the Secretary of State and the People's Republic of China in effect as of the date of the enactment of this Act shall be revoked on the date that is 60 days after the date of the enactment of this Act unless, not later than such date, the Secretary of State submits to the appropriate congressional committees a notification of such agreement containing each of the matters described in subsection (b).

(d) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 5 years, the Secretary of State, in consultation with the heads of other appropriate Federal departments and agencies, shall submit a report to the appropriate congressional committees that describes—

(A) the implementation of each science and technology agreement with the People's Republic of China, including implementing arrangements, entered into pursuant to the notification requirements under subsection (a); and

(B) all activities conducted under each such agreement.

(2) CONTENTS.—Each report required under paragraph (1) shall include—

(A) an accounting of all joint projects and initiatives conducted under the CST Agreement and its implementing arrangements since the previous report (or, in the case of the first report, since the date on which the CST Agreement was signed), including the name of each project, agreement, or implementing arrangement;

(B) an evaluation of the benefits of the CST Agreement to the United States economy, scientific leadership, innovation capacity, and industrial base of the United States;

(C) an estimate of the costs to the United States to administer the CST Agreement during the period covered by the report;

(D) an evaluation of the benefits of the CST Agreement to the economy, to the military, and to the industrial base of the People's Republic of China;

(E) an assessment of how the CST Agreement has influenced the foreign and domestic policies and scientific capabilities of the People's Republic of China;

(F) an assessment of the number of visas granted to academics and researchers from the People's Republic of China pursuant to any CST agreement;

(G) the number of nationals from the People's Republic of China who are permitted to work in Department of Energy National Laboratories or other sensitive United States government research facilities and a description of which facilities were visited under the auspices of the CST Agreement or any other science and technology agreement;

(H) any plans of the Secretary of State for improving the monitoring of the activities and the People's Republic of China's commitments established under the CST Agreement; and

(I) an assessment of any potential risks posed by ongoing science cooperation with the People's Republic of China.

(3) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form and may include a classified annex.

(e) DEFINITIONS.—In this section:

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

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

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

(2) CST AGREEMENT.—The term ''CST Agreement'' means Agreement between the Government of the United States of America and the Government of the People's Republic of China on Cooperation in Science and Technology, signed in Washington January 31, 1979, its protocols, and any subagreements entered into pursuant to such Agreement on or before the date of the enactment of this Act.

(3) IMPLEMENTING ARRANGEMENT.—The term ''implementing arrangement'', with respect to the CST Agreement or any other science and technology agreement, includes any subagreement or subarrangement entered into under the CST Agreement or other science and technology agreement between—

(A) any entity of the United States Government; and

(B) any governmental entity of the People's Republic of China, including state-owned research institutions.

(4) SCIENCE AND TECHNOLOGY AGREEMENT.—The term ''science and technology agreement'' means any treaty, memorandum of understanding, or other contract or agreement between the United States and 1 or more foreign countries for the purpose of collaborating on or otherwise engaging in joint activities relating to scientific research, technological development, or the sharing of scientific or technical knowledge or resources between such countries.

SA 2958. Mr. SCOTT of Florida 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___. SECURING THE BULK-POWER SYSTEM.

(a) DEFINITIONS.—In this section:

(1) BULK-POWER SYSTEM.—

(A) IN GENERAL.—The term ''bulk-power system'' has the meaning given the term in section 215(a) of the Federal Power Act (16 U.S.C. 824o(a)).

(B) INCLUSION.—The term ''bulk-power system'' includes transmission lines rated at 69,000 volts (69 kV) or higher.

(2) COVERED EQUIPMENT.—The term ''covered equipment'' means items used in bulk-power system substations, control rooms, or power generating stations, including—

(A)(i) power transformers with a low-side voltage rating of 69,000 volts (69 kV) or higher; and

(ii) associated control and protection systems, such as load tap changers, cooling systems, and sudden pressure relays;

(B)(i) generator step-up (GSU) transformers with a high-side voltage rating of 69,000 volts (69 kV) or higher; and

(ii) associated control and protection systems, such as load tap changers, cooling systems, and sudden pressure relays;

(C) circuit breakers operating at 69,000 volts (69 kV) or higher;

(D) reactive power equipment rated at 69,000 volts (69 kV) or higher; and

(E) microprocessing software and firmware that—

(i) is installed in any equipment described in subparagraphs (A) through (D); or

(ii) is used in the operation of any of the items described in those subparagraphs.

(3) CRITICAL DEFENSE FACILITY.—

(A) IN GENERAL.—The term ''critical defense facility'' means a facility that—

(i) is critical to the defense of the United States; and

(ii) is vulnerable to a disruption of the supply of electric energy provided to that facility by an external provider.

(B) INCLUSION.—The term ''critical defense facility'' includes a facility designated as a critical defense facility by the Secretary of Energy under section 215A(c) of the Federal Power Act (16 U.S.C. 824o–1(c)).

(4) CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''critical electric infrastructure'' has the meaning given the term in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a)).

(5) DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.—The term ''defense critical electric infrastructure'' has the meaning given the term in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a)).

(6) ENTITY.—The term ''entity'' means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization.

(7) FOREIGN ADVERSARY.—The term ''foreign adversary'' means any foreign government or foreign nongovernment person engaged in a long-term pattern or serious instances of conduct significantly adverse to—

(A) the national security of—

(i) the United States; or

(ii) allies of the United States; or

(B) the security and safety of United States persons.

(8) PERSON.—The term ''person'' means an individual or entity.

(9) PROCUREMENT.—The term ''procurement'' means the process of acquiring, through purchase, by contract and through the use of appropriated funds, supplies or services, including installation services, by and for the use of the Federal Government.

(10) TRANSACTION.—The term ''transaction'' means the acquisition, importation, transfer, or installation of any bulk-power system electric equipment by any person, or with respect to any property, subject to the jurisdiction of the United States.

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

(A) an individual who is—

(i) a citizen of the United States; or

(ii) an alien lawfully admitted for permanent residence in 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; and

(C) any person in the United States.

(b) PROHIBITION.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, no person that is the owner or operator of defense critical electric infrastructure may engage in any transaction relating to that defense critical electric infrastructure that involves any covered equipment in which a foreign adversary has an ownership or any other interest, including through an interest in a contract for the provision of the covered equipment, over which a foreign adversary has control, or with respect to which a foreign adversary exercises influence, including any transaction that—

(A) is initiated after the date of enactment of this Act; and

(B) the Secretary of Energy, in coordination with the Director of the Office of Management and Budget and in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, determines—

(i) involves covered equipment designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary; and

(ii) poses an undue risk of catastrophic effects on the security or resiliency of defense critical electric infrastructure in the United States.

(2) MITIGATION MEASURES.—

(A) IN GENERAL.—The Secretary of Energy, in consultation with the heads of other Federal agencies, as appropriate, may—

(i) in accordance with subparagraph (B), approve a transaction or class of transactions prohibited under paragraph (1); and

(ii) design or negotiate measures to mitigate any concerns identified in making determinations under paragraph (1)(B) with respect to that transaction or class of transactions.

(B) PRECONDITION TO APPROVAL OF OTHERWISE PROHIBITED TRANSACTION.—The Secretary of Energy shall implement the measures described in subparagraph (A)(ii) before approving a transaction or class of transactions that would otherwise be prohibited under paragraph (1).

(3) APPLICATION.—

(A) IN GENERAL.—The prohibition described in paragraph (1) shall apply to a transaction described in that paragraph regardless of whether—

(i) a contract has been entered into with respect to that transaction before the date of enactment of this Act; or

(ii) a license or permit has been issued or granted with respect to that transaction before the date of enactment of this Act.

(B) CONTRARY LAW.—The prohibition described in paragraph (1) shall apply to each transaction described in that paragraph only to the extent not otherwise provided by—

(i) another statute; or

(ii) a regulation, order, directive, or license issued pursuant to this section.

(4) PREQUALIFICATION.—

(A) IN GENERAL.—The Secretary of Energy, in consultation with the heads of other Federal agencies, as appropriate, may—

(i) establish and publish criteria for recognizing particular covered equipment and particular vendors in the market for covered equipment as prequalified for future transactions; and

(ii) apply those criteria to establish and publish, and update, as necessary, a list of prequalified equipment and vendors.

(B) SAVINGS PROVISION.—Nothing in this paragraph limits the authority of the Secretary of Energy under this subsection to prohibit or otherwise regulate any transaction involving prequalified equipment or vendors.

(c) IMPLEMENTATION.—

(1) IMPLEMENTATION BY THE SECRETARY OF ENERGY.—The Secretary of Energy shall take such actions as the Secretary determines to be necessary to implement this section, including—

(A) directing the timing and manner of the cessation of pending and future transactions prohibited under subsection (b)(1);

(B) adopting appropriate rules and regulations; and

(C) exercising any applicable power granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and delegated to the Secretary.

(2) REQUIRED RULEMAKING.—

(A) IN GENERAL.—Not later than 150 days after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Director of National Intelligence, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, shall issue rules or regulations to implement this section.

(B) AUTHORITY.—A rule or regulation issued under subparagraph (A) may—

(i) determine that particular countries or persons are foreign adversaries exclusively for the purposes of this section;

(ii) identify persons owned by, controlled by, or subject to the jurisdiction or direction of, foreign adversaries exclusively for the purposes of this section;

(iii) identify particular equipment or countries with respect to which transactions involving covered equipment warrant particular scrutiny under this section; and

(iv) identify a mechanism and relevant factors for the negotiation of agreements to mitigate concerns identified in making determinations under subsection (b)(1)(B).

(3) IDENTIFICATION OF CERTAIN EQUIPMENT.—As soon as practicable after the date of enactment of this Act, the Secretary of Energy, in consultation with the Secretary of Defense, the Secretary of the Interior, the Secretary of Homeland Security, the Director of National Intelligence, the Board of Directors of the Tennessee Valley Authority, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, shall—

(A) identify existing covered equipment that—

(i) is designed, developed, manufactured, or supplied by persons owned by, controlled by, or subject to the jurisdiction or direction of a foreign adversary; and

(ii) poses an undue risk of catastrophic effects on the security or resiliency of critical electric infrastructure in the United States; and

(B) develop recommendations on ways to identify, isolate, monitor, or replace any covered equipment identified under subparagraph (A) as soon as practicable.

(4) COORDINATION AND INFORMATION SHARING.—The Secretary of Energy shall work with the Secretary of Defense, the Secretary of the Interior, the Secretary of Homeland Security, the Director of National Intelligence, the Board of Directors of the Tennessee Valley Authority, and the heads of other appropriate Federal agencies, as determined by the Secretary of Energy, to protect critical defense facilities from national security threats through—

(A) the coordination of the procurement of energy infrastructure by the Federal Government; and

(B) the sharing of risk information and risk management practices to inform that procurement.

(5) REQUIREMENT.—This section shall be implemented—

(A) in a manner that is consistent with all other applicable laws; and

(B) subject to the availability of appropriations.

(d) REPORTS TO CONGRESS.—The Secretary of Energy shall submit to Congress periodic reports describing any progress made in implementing, or otherwise relating to the implementation of, this section.

SA 2959. Mr. SCOTT of Florida 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 E of title I, add the following:

SEC. 144. LIMITATIONS ON USE OF FUNDS FOR PHOTOVOLTAIC MODULES FROM OR INFLUENCED BY FOREIGN ENTITIES OF CONCERN.

(a) INSTALLATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be used to enter into a contract for the installation of photovoltaic modules at any facility or real property of the Department of Defense unless the contract contains a provision prohibiting the procurement of such photovoltaic modules from or influenced by a foreign entity of concern.

(b) POWER PURCHASE AGREEMENTS.—None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense may be used to enter into a power purchase agreement unless the agreement contains a provision prohibiting the use of photovoltaic modules from or influenced by a foreign entity of concern unless such modules were installed prior to the date of enactment of this Act.

(c) WAIVER.—The Secretary of Defense may waive the requirements of this section if—

(1) the Secretary determines that there is no alternative source of photovoltaic modules other than from a foreign entity of concern; and

(2) the Secretary submits a certification of such determination in writing to the appropriate congressional committees not later than 30 days before entering into—

(A) a contract for the procurement of the modules; or

(B) a power purchase agreement.

(d) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) FOREIGN ENTITY OF CONCERN.—The term ''foreign entity of concern'' has the meaning given that term in section 9901(8) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 4651(8)).

(3) PHOTOVOLTAIC MODULE.—The term ''photovoltaic module'' has the meaning given the term ''solar module'' in section 45X(c)(3)(B)(v) of the Internal Revenue Code of 1986.

SA 2960. Mr. SCOTT of Florida 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 X, add the following:

SEC. 1067. CLIMATE COST STUDY AND REPORT.

(a) COMPTROLLER GENERAL REPORT ON COSTS ASSOCIATED WITH EXECUTIVE ORDER 14008.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report and briefing on the costs to United States military installation associated with Executive Order 14008 (relating to tackling the climate crisis at home and abroad).

(2) ELEMENTS.—The report and briefing required under subsection (a) shall include the following elements:

(A) An examination of accrued additional costs from transitioning to ''climate friendly'' products, systems, materials and electric vehicles in comparison to previous products, systems, vehicles and materials purchased by the Department before the executive order was issued.

(B) An examination of all military construction projects, including military barracks and military housing projects, delayed due to supply chain issues and an assessment of whether there are accruing additional costs for the Department and an impact on service members.

(C) A cost-based analysis of the cost differences associated with—

(i) solar panels;

(Ii) alternate energy production;

(iii) electric charging stations;

(iv) battery storage facilities;

(v) heating and cooling systems;

(vi) building materials; and

(vii) and any other forms of alternate energy.

(b) DEPARTMENT OF DEFENSE COST ASSESSMENT OF PHASING OUT CHEMICAL SUBSTANCES THAT ARE CRITICAL TO THE NATIONAL SECURITY OF THE UNITED STATES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report outlining chemical substances undergoing risk evaluation by the Environmental Protection Agency under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) that are used in production of critical defense items, including in the areas of kinetic capabilities, energy storage and batteries, castings and forgings, and microelectronics and semiconductors as identified in the February 2022 Department of Defense report entitled, ''Securing Defense-Critical Supply Chains''.

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

(A) An assessment of risks to procurement of critical defense items resulting from phasing out production of substances identified described in paragraph (1).

(B) A description of costs to production of critical defense items resulting from phasing out production of such substances.

(C) A list of countries where the United States could procure such substances at a sufficient scale to not impede production of critical defense items.

(D) An assessment of national security risks associated with reshoring procurement of such substances to foreign countries.

(c) INTERAGENCY CONSULTATION REGARDING CHEMICAL SUBSTANCES WITH CRITICAL NATIONAL SECURITY USES.—The Department of Defense shall provide meaningful and robust input to the Environmental Protection Agency for any draft risk evaluation of a chemical substances with critical national security uses.

SA 2961. Mr. SCOTT of Florida (for himself and Mr. OSSOFF) 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 COMPREHENSIVE STANDARD FOR TIMING BETWEEN REFERRAL AND APPOINTMENT FOR CARE FROM DEPARTMENT OF VETERANS AFFAIRS.

(a) ESTABLISHMENT OF STANDARD.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall establish a comprehensive standard for timing between the date on which a referral for care for a veteran under the laws administered by the Secretary is entered into the care coordination system of the Department of Veterans Affairs and the date on which an appointment for care for the veteran occurs, whether at a facility of the Department or through care in the community.

(2) MODIFICATION.—The Secretary may modify the standard established under paragraph (1) as the appointment scheduling processes of the Department for care at a facility of the Department or through care in the community are updated.

(3) PUBLICATION.—Not later than 30 days before establishing under paragraph (1) or modifying under paragraph (2) the comprehensive standard required under this subsection, the Secretary shall publish such standard in the Federal Register and on a publicly available internet website of the Department.

(b) REPORT.—

(1) IN GENERAL.—Not less frequently than quarterly, the Secretary shall submit to Congress a report on the number and percentage of referrals from the Department to facilities of the Department or providers in the community that meet the standard under subsection (a).

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

(A) The number and percentage of total referrals from each facility of the Department that meet, for the quarter covered by the report—

(i) the standard under subsection (a);

(ii) with respect to referrals to a facility of the Department, the three-business-day standard for scheduling an appointment at a facility of the Department; and

(iii) with respect to referrals for care in the community, the seven-calendar-day standard for scheduling an appointment for care in the community.

(B) The number and percentage of referrals from each facility of the Department that meet each of the standards specified in subparagraph (A), disaggregated by each of the five, or more, most in-demand categories of care provided at such facility (such as mental health, cardiology, neurology, oncology, etc.).

(C) A list of all medical centers of the Department ranked from best to worst in meeting the standard under subsection (a), including a disaggregated list by State.

(3) ANNUALLY INCLUDED INFORMATION.—Not less frequently than annually, the Secretary shall include in the report required under paragraph (1)—

(A) aggregated data for the four-quarter period preceding the date of the report;

(B) a description of steps taken by the Department to improve the timeliness of the provision of care by the Department and an estimate of when the Department will be fully compliant with the standard under subsection (a).

(4) PUBLIC AVAILABILITY.—The Secretary shall make each report required under paragraph (1) publicly available on a website of the Veterans Health Administration.

SA 2962. Mr. ROUNDS 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 XVI, insert the following:

SEC. ____. IMPROVEMENTS RELATING TO CYBER WORKFORCE AND LEADERSHIP.

(a) MODIFICATION REPORTING REQUIREMENTS FOR SENIOR MILITARY ADVISOR FOR CYBER POLICY AND DEPUTY PRINCIPAL CYBER ADVISOR.—Section 392a(b) of title 10, United States Code, is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(i), by striking ''the Under Secretary of Defense for Policy'' and inserting ''the Assistant Secretary of Defense for Cyber Policy''; and

(B) in subparagraph (B), by striking '', the following:'' and all that follows through the period at the end and inserting ''the Assistant Secretary of Defense for Cyber Policy''; and

(2) in paragraph (3)(A)—

(A) in clause (i), by striking ''the Under Secretary of Defense for Policy'' and inserting ''the Assistant Secretary of Defense for Cyber Policy'';

(B) in clause (ii), by striking ''Under Secretary'' and inserting ''Assistant Secretary of Defense for Cyber Policy'';

(C) in clause (iii), by striking ''Under Secretary of Defense for Policy'' and inserting ''Assistant Secretary of Defense for Cyber Policy''; and

(D) by striking clause (iv).

(b) MILITARY DEPUTY PRINCIPAL CYBER ADVISORS.—Section 392a of such title is amended by adding at the end the following new subsection:

''(d) MILITARY DEPUTY PRINCIPAL CYBER ADVISORS.—

''(1) APPOINTMENT.—For each Principal Cyber Advisory appointed under subsection (c)(1)(A) for a service, the secretary concerned shall appoint a member of the armed forces from the respective service to act as a deputy to the Principal Cyber Advisor for that service.

''(2) REQUIREMENT.—Each deputy appointed pursuant to paragraph (1) shall be appointed from among flag officers of the respective service.''.

(c) CYBER WORKFORCE INTERCHANGE AGREEMENT.—The Secretary of Defense and the Director of the Office of Personnel Management shall enter into an interchange agreement for the cyber workforce in the Cyber Excepted Service of the Department of Defense that is similar to the Defense Civilian Intelligence Personnel System Interchange Agreement that was in effect on the day before the date of the enactment of this Act.

(d) ESTABLISHMENT OF SENIOR EXECUTIVE POSITION EQUIVALENTS WITHIN CYBER EXCEPTED SERVICE.—The Secretary may establish Senior Executive Service position (as defined in section 3132(a) of title 5, United States Code) equivalents, including senior level and scientific and professional positions as well as highly qualified experts, within the Cyber Excepted Service in a manner similar to the Defense Civilian Intelligence Personnel System (DCIPS) so that the Department of Defense can recruit and retain civilians with superior qualifications and experience with greater hiring flexibility.

SA 2963. Mr. PADILLA 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___. SAN FRANCISCO BAY RESTORATION PROGRAM.

Section 125 of the Federal Water Pollution Control Act (33 U.S.C. 1276a) is amended—

(1) in the section heading, by striking ''**GRANT**''; and

(2) by striking subsection (e) and inserting the following:

''(e) FUNDING PROGRAM.—

''(1) IN GENERAL.—The Director may provide funding through cooperative agreements, grants, interagency agreements, contracts, or other funding mechanisms to Federal, State, and local agencies, special districts, public or nonprofit agencies, and other public or private entities, institutions, and organizations, including the Estuary Partnership, for projects, activities, and studies identified on the annual priority list compiled under subsection (c).

''(2) MAXIMUM AMOUNT OF FUNDING.—

''(A) GRANTS.—

''(i) MAXIMUM AMOUNT.—Amounts provided in the form of a grant to any entity under this section for a fiscal year shall not exceed an amount equal to 75 percent of the total cost of any project, activity, or study that are to be carried out using those amounts.

''(ii) NON-FEDERAL SHARE.—Not less than 25 percent of the cost of any project, activity, or study carried out using amounts provided in the form of a grant under this section shall be provided from non-Federal sources.

''(B) INTERAGENCY AGREEMENTS AND CONTRACTS.—Amounts provided to entities under interagency agreements, contracts, or other funding mechanisms under this section not described in subparagraph (A) may cover up to 100 percent of the total cost of any project, activity, or study that is to be carried out using those amounts.''.

SA 2964. 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); and

(5) 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 maintained as readily available or on deposit.

(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 2965. Mr. HEINRICH 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____. DESIGNATION OF CERRO DE LA OLLA WILDERNESS.

(a) DESIGNATION.—

(1) IN GENERAL.—Section 1202 of the John D. Dingell, Jr. Conservation, Management, and Recreation Act (16 U.S.C. 1132 note; Public Law 116–9; 133 Stat. 651) is amended—

(A) in the section heading, by striking ''**CERRO DEL YUTA AND RÍO SAN ANTONIO**'' and inserting ''**RÍO GRANDE DEL NORTE NATIONAL MONUMENT**'';

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

''(1) MAP.—The term 'map' means—

''(A) for purposes of subparagraphs (A) and (B) of subsection (b)(1), the map entitled 'Río Grande del Norte National Monument Proposed Wilderness Areas' and dated July 28, 2015; and

''(B) for purposes of subsection (b)(1)(C), the map entitled 'Proposed Cerro de la Olla Wilderness and Río Grande del Norte National Monument Boundary' and dated June 30, 2022.''; and

(C) in subsection (b)—

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

''(C) CERRO DE LA OLLA WILDERNESS.—Certain Federal land administered by the Bureau of Land Management in Taos County, New Mexico, comprising approximately 12,898 acres as generally depicted on the map, which shall be known as the 'Cerro de la Olla Wilderness'.'';

(ii) in paragraph (4), in the matter preceding subparagraph (A), by striking ''this Act'' and inserting ''this Act (including a reserve common grazing allotment)'';

(iii) in paragraph (7)—

(I) by striking ''map and'' each place it appears and inserting ''maps and''; and

(II) in subparagraph (B), by striking ''the legal description and map'' and inserting ''the maps or legal descriptions''; and

(iv) by adding at the end the following:

''(12) WILDLIFE WATER DEVELOPMENT PROJECTS IN CERRO DE LA OLLA WILDERNESS.—

''(A) IN GENERAL.—Subject to subparagraph (B) and in accordance with section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), the Secretary may authorize the maintenance of any structure or facility in existence on the date of enactment of this paragraph for wildlife water development projects (including guzzlers) in the Cerro de la Olla Wilderness if, as determined by the Secretary—

''(i) the structure or facility would enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

''(ii) the visual impacts of the structure or facility on the Cerro de la Olla Wilderness can reasonably be minimized.

''(B) COOPERATIVE AGREEMENT.—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall enter into a cooperative agreement with the State of New Mexico that specifies, subject to section 4(c) of the Wilderness Act (16 U.S.C. 1133(c)), the terms and conditions under which wildlife management activities in the Cerro de la Olla Wilderness may be carried out.''.

(2) CLERICAL AMENDMENT.—The table of contents for the John D. Dingell, Jr. Conservation, Management, and Recreation Act (Public Law 116–9; 133 Stat. 581) is amended by striking the item relating to section 1202 and inserting the following:

''Sec. 1202. Río Grande del Norte National Monument Wilderness Areas.''.

(b) RÍO GRANDE DEL NORTE NATIONAL MONUMENT BOUNDARY MODIFICATION.—The boundary of the Río Grande del Norte National Monument in the State of New Mexico is modified, as depicted on the map entitled ''Proposed Cerro de la Olla Wilderness and Río Grande del Norte National Monument Boundary'' and dated June 30, 2022.

SA 2966. Mr. HEINRICH 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____. WITHDRAWAL OF CERTAIN BUREAU OF LAND MANAGEMENT LAND.

(a) IN GENERAL.—Subject to valid existing rights, the Federal land described in subsection (b) is withdrawn from all forms of—

(1) location, entry, and patent under the mining laws; and

(2) disposition under the mineral leasing, mineral materials, and geothermal leasing laws.

(b) DESCRIPTION.—The Federal land referred to in subsections (a) and (c) is the approximately 4,288 acres of land administered by the Director of the Bureau of Land Management and generally depicted as ''Tract A'', ''Tract B'', ''Tract C'', and ''Tract D'' on the map entitled ''Placitas, New Mexico Area Map'' and dated November 13, 2019.

(c) SURFACE ESTATE.—

(1) IN GENERAL.—Subject to the reservation of the mineral estate under paragraph (2), nothing in this section prohibits the Secretary of the Interior from conveying the surface estate of the Federal land described in subsection (b) in accordance with—

(A) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); or

(B) the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.).

(2) MINERAL ESTATE.—Any conveyance of the surface estate of the Federal land described in subsection (b) shall require a reservation of the mineral estate to the United States.

SA 2967. Mr. HEINRICH 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. DESIGNATION OF WILD AND SCENIC RIVERS.

(a) DEFINITIONS.—In this section:

(1) COVERED SEGMENT.—The term ''covered segment'' means a river segment designated by paragraph (233) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (b)).

(2) SECRETARY CONCERNED.—The term ''Secretary concerned'' means—

(A) the Secretary of the Interior, with respect to a covered segment under the jurisdiction of the Secretary of the Interior; and

(B) the Secretary of Agriculture, with respect to a covered segment under the jurisdiction of the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of New Mexico.

(b) DESIGNATION OF SEGMENTS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following:

''(233) GILA RIVER SYSTEM, NEW MEXICO.—The following segments of the Gila River system in Las Animas Creek, Holden Prong, and McKnight Canyon in the State of New Mexico, to be administered by the Secretary concerned (as defined in section 1095(a) of the National Defense Authorization Act for Fiscal Year 2025) in the following classifications:

''(A) APACHE CREEK.—The approximately 10.5-mile segment, as generally depicted on the map entitled 'Apache Creek' and dated April 30, 2020, as a wild river.

''(B) BLACK CANYON CREEK.—

''(i) The 11.8-mile segment, as generally depicted on the map entitled 'Black Canyon Creek' and dated April 30, 2020, as a wild river.

''(ii) The 0.6-mile segment, as generally depicted on the map entitled 'Black Canyon Creek' and dated April 30, 2020, as a recreational river.

''(iii) The 1.9-mile segment, as generally depicted on the map entitled 'Black Canyon Creek' and dated April 30, 2020, as a recreational river.

''(iv) The 11-mile segment, as generally depicted on the map entitled 'Black Canyon Creek' and dated April 30, 2020, as a wild river.

''(C) DIAMOND CREEK.—

''(i) The approximately 13.3-mile segment, as generally depicted on the map entitled 'Diamond Creek' and dated March 27, 2020, as a wild river.

''(ii) The approximately 4.7-mile segment, as generally depicted on the map entitled 'Diamond Creek' and dated March 27, 2020, as a wild river.

''(iii) The approximately 3.1-mile segment, as generally depicted on the map entitled 'Diamond Creek' and dated March 27, 2020, as a recreational river.

''(iv) The approximately 1.6-mile segment, as generally depicted on the map entitled 'Diamond Creek' and dated March 27, 2020, as a recreational river.

''(v) The approximately 4.1-mile segment, as generally depicted on the map entitled 'Diamond Creek' and dated March 27, 2020, as a wild river.

''(D) SOUTH DIAMOND CREEK.—The approximately 16.1-mile segment, as generally depicted on the map entitled 'South Diamond Creek' and dated March 27, 2020, as a wild river.

''(E) GILA RIVER.—

''(i) The approximately 34.9-mile segment, as generally depicted on the map entitled 'Gila River' and dated April 30, 2020, as a wild river.

''(ii) The approximately 2.5-mile segment, as generally depicted on the map entitled 'Gila River' and dated April 30, 2020, as a recreational river.

''(iii) The approximately 3-mile segment, as generally depicted on the map entitled 'Gila River' and dated April 30, 2020, as a wild river.

''(F) GILA RIVER, EAST FORK.—The approximately 10.3-mile segment, as generally depicted on the map entitled 'East Fork Gila River' and dated April 30, 2020, as a wild river.

''(G) GILA RIVER, LOWER BOX.—

''(i) The approximately 3.1-mile segment, as generally depicted on the map entitled 'Gila River, Lower Box' and dated April 21, 2020, as a recreational river.

''(ii) The approximately 6.1-mile segment, as generally depicted on the map entitled 'Gila River, Lower Box' and dated April 21, 2020, as a wild river.

''(H) GILA RIVER, MIDDLE BOX.—

''(i) The approximately 0.6-mile segment, as generally depicted on the map entitled 'Gila River, Middle Box' and dated April 30, 2020, as a recreational river.

''(ii) The approximately 0.4-mile segment, as generally depicted on the map entitled 'Gila River, Middle Box'' and dated April 30, 2020, as a recreational river.

''(iii) The approximately 0.3-mile segment, as generally depicted on the map entitled 'Gila River, Middle Box' and dated April 30, 2020, as a recreational river.

''(iv) The approximately 0.3-mile segment, as generally depicted on the map entitled 'Gila River, Middle Box' and dated April 30, 2020, as a recreational river.

''(v) The approximately 1.6-mile segment, as generally depicted on the map entitled 'Gila River, Middle Box' and dated April 30, 2020, as a recreational river.

''(vi) The approximately 9.8-mile segment, as generally depicted on the map entitled 'Gila River, Middle Box' and dated April 30, 2020, as a wild river.

''(I) GILA RIVER, MIDDLE FORK.—

''(i) The approximately 1.2-mile segment, as generally depicted on the map entitled 'Middle Fork Gila River' and dated May 1, 2020, as a recreational river.

''(ii) The approximately 35.5-mile segment, as generally depicted on the map entitled 'Middle Fork Gila River' and dated May 1, 2020, as a wild river.

''(J) GILA RIVER, WEST FORK.—

''(i) The approximately 30.6-mile segment, as generally depicted on the map entitled 'West Fork Gila River' and dated May 1, 2020, as a wild river.

''(ii) The approximately 4-mile segment, as generally depicted on the map entitled 'West Fork Gila River' and dated May 1, 2020, as a recreational river.

''(K) GILITA CREEK.—The approximately 6.4-mile segment, as generally depicted on the map entitled 'Gilita Creek' and dated March 4, 2020, as a wild river.

''(L) HOLDEN PRONG.—The approximately 7.3-mile segment, as generally depicted on the map entitled 'Holden Prong' and dated March 27, 2020, as a wild river.

''(M) INDIAN CREEK.—

''(i) The approximately 5-mile segment, as generally depicted on the map entitled 'Indian Creek' and dated March 27, 2020, as a recreational river.

''(ii) The approximately 9.5-mile segment, as generally depicted on the map entitled 'Indian Creek' and dated March 27, 2020, as a wild river.

''(N) IRON CREEK.—The approximately 13.2-mile segment, as generally depicted on the map entitled 'Iron Creek' and dated March 4, 2020, as a wild river.

''(O) LAS ANIMAS CREEK.—

''(i) The approximately 5.3-mile segment, as generally depicted on the map entitled 'Las Animas Creek' and dated March 27, 2020, as a wild river.

''(ii) The approximately 2.3-mile segment, as generally depicted on the map entitled 'Las Animas Creek' and dated March 27, 2020, as a scenic river.

''(P) LITTLE CREEK.—

''(i) The approximately 0.3-mile segment, as generally depicted on the map entitled 'Little Creek' and dated May 1, 2020, as a recreational river.

''(ii) The approximately 18.3-mile segment, as generally depicted on the map entitled 'Little Creek' and dated May 1, 2020, as a wild river.

''(Q) MCKNIGHT CANYON.—The approximately 10.3-mile segment, as generally depicted on the map entitled 'McKnight Canyon' and dated March 4, 2020, as a wild river.

''(R) MINERAL CREEK.—

''(i) The approximately 8.3-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a wild river.

''(ii) The approximately 0.5-mile segment, as generally depicted on the map entitled

'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(iii) The approximately 0.5-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(iv) The approximately 0.1-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(v) The approximately 0.03-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(vi) The approximately 0.02-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(vii) The approximately 0.6-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(viii) The approximately 0.1-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(ix) The approximately 0.03-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(x) The approximately 0.7-mile segment, as generally depicted on the map entitled 'Mineral Creek' and dated March 27, 2020, as a recreational river.

''(S) MOGOLLON CREEK.—The approximately 15.8-mile segment, as generally depicted on the map entitled 'Mogollon Creek' and dated April 2, 2020, as a wild river.

''(T) WEST FORK MOGOLLON CREEK.—The approximately 8.5-mile segment, as generally depicted on the map entitled 'West Fork Mogollon Creek' and dated March 4, 2020, as a wild river.

''(U) MULE CREEK.—The approximately 4.3-mile segment, as generally depicted on the map entitled 'Mule Creek' and dated March 4, 2020, as a wild river.

''(V) SAN FRANCISCO RIVER, DEVIL'S CREEK.—

''(i) The approximately 1.8-mile segment, as generally depicted on the map entitled 'San Francisco River, Devil's Creek' and dated October 29, 2021, as a scenic river.

''(ii) The approximately 6.4-mile segment, as generally depicted on the map entitled 'San Francisco River, Devil's Creek' and dated October 29, 2021, as a scenic river.

''(iii) The approximately 6.1-mile segment, as generally depicted on the map entitled 'San Francisco River, Devil's Creek' and dated October 29, 2021, as a scenic river.

''(iv) The approximately 1.2-mile segment, as generally depicted on the map entitled 'San Francisco River, Devil's Creek' and dated October 29, 2021, as a recreational river.

''(v) The approximately 5.9-mile segment, as generally depicted on the map entitled 'San Francisco River, Devil's Creek' and dated October 29, 2021, as a recreational river.

''(W) SAN FRANCISCO RIVER, LOWER SAN FRANCISCO RIVER CANYON.—

''(i) The approximately 1.8-mile segment, as generally depicted on the map entitled 'San Francisco River, Lower San Francisco River Canyon' and dated March 27, 2020, as a wild river.

''(ii) The approximately 0.6-mile segment, as generally depicted on the map entitled 'San Francisco River, Lower San Francisco River Canyon' and dated March 27, 2020, as a recreational river.

''(iii) The approximately 14.6-mile segment, as generally depicted on the map entitled 'San Francisco River, Lower San Francisco River Canyon' and dated March 27, 2020, as a wild river.

''(X) SAN FRANCISCO RIVER, UPPER FRISCO BOX.—The approximately 6-mile segment, as generally depicted on the map entitled 'San Francisco River, Upper Frisco Box' and dated March 4, 2020, as a wild river.

''(Y) SAPILLO CREEK.—The approximately 7.2-mile segment, as generally depicted on the map entitled 'Sapillo Creek' and dated March 27, 2020, as a wild river.

''(Z) SPRUCE CREEK.—The approximately 3.7-mile segment, as generally depicted on the map entitled 'Spruce Creek' and dated March 4, 2020, as a wild river.

''(AA) TAYLOR CREEK.—

''(i) The approximately 0.4-mile segment, as generally depicted on the map entitled 'Taylor Creek' and dated April 30, 2020, as a scenic river.

''(ii) The approximately 6.1-mile segment, as generally depicted on the map entitled 'Taylor Creek' and dated April 30, 2020, as a wild river.

''(iii) The approximately 6.7-mile segment, as generally depicted on the map entitled 'Taylor Creek' and dated April 30, 2020, as a wild river.

''(BB) TURKEY CREEK.—The approximately 17.1-mile segment, as generally depicted on the map entitled 'Turkey Creek' and dated April 30, 2020, as a wild river.

''(CC) WHITEWATER CREEK.—

''(i) The approximately 13.5-mile segment, as generally depicted on the map entitled 'Whitewater Creek' and dated March 27, 2020, as a wild river.

''(ii) The approximately 1.1-mile segment, as generally depicted on the map entitled 'Whitewater Creek' and dated March 27, 2020, as a recreational river.

''(DD) WILLOW CREEK.—

''(i) The approximately 3-mile segment, as generally depicted on the map entitled 'Willow Creek' and dated April 30, 2020, as a recreational river.

''(ii) The approximately 2.9-mile segment, as generally depicted on the map entitled 'Willow Creek' and dated April 30, 2020, as a recreational river.''.

(c) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the boundary of a covered segment is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

(d) MAPS; LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary concerned shall prepare maps and legal descriptions of the covered segments.

(2) FORCE OF LAW.—The maps and legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary concerned may correct minor errors in the maps and legal descriptions.

(3) AVAILABILITY.—The map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service, the Bureau of Land Management, and the National Park Service.

(e) COMPREHENSIVE RIVER MANAGEMENT PLAN.—The Secretary concerned shall prepare the comprehensive management plan for the covered segments pursuant to section 3(d) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(d)) after consulting with Tribal governments, applicable political subdivisions of the State, and interested members of the public.

(f) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—If the United States acquires any non-Federal land within or adjacent to a covered segment, the acquired land shall be incorporated in, and be administered as part of, the applicable covered segment.

(g) EFFECT OF SECTION.—

(1) EFFECT ON RIGHTS.—In accordance with section 12(b) of the Wild and Scenic Rivers Act (16 U.S.C. 1283(b)), nothing in this section or an amendment made by this section abrogates any existing rights of, privilege of, or contract held by any person, including any right, privilege, or contract that affects Federal land or private land, without the consent of the person, including—

(A) grazing permits or leases;

(B) existing water rights, including the jurisdiction of the State in administering water rights;

(C) existing points of diversion, including maintenance, repair, or replacement;

(D) existing water distribution infrastructure, including maintenance, repair, or replacement; and

(E) valid existing rights for mining and mineral leases.

(2) MINING ACTIVITIES.—The designation of a covered segment by subparagraph (G) or (H) of paragraph (233) of section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) (as added by subsection (b)) shall not—

(A) limit the licensing, development, operation, or maintenance of mining activities or mineral processing facilities outside the boundaries of the applicable covered segment; or

(B) affect any rights, obligations, privileges, or benefits granted under any permit or approval with respect to such mining activities or mineral processing facilities.

(3) CONDEMNATION.—No land or interest in land shall be acquired under this section or an amendment made by this section without the consent of the owner.

(4) RELATIONSHIP TO OTHER LAW.—Nothing in this section amends or otherwise affects the Arizona Water Settlements Act (Public Law 108–451; 118 Stat. 3478).

(5) NATIVE FISH HABITAT RESTORATION.—

(A) EXISTING PROJECTS.—Nothing in this section or an amendment made by this section affects the authority of the Secretary concerned or the State to operate, maintain, replace, or improve a native fish habitat restoration project (including fish barriers) in existence as of the date of enactment of this Act within a covered segment.

(B) NEW PROJECTS.—Notwithstanding section 7 of the Wild and Scenic Rivers Act (16 U.S.C. 1278), the Secretary concerned may authorize the construction of a native fish habitat restoration project (including any necessary fish barriers) within a covered segment if the project—

(i) would enhance the recovery of a species listed as threatened or endangered under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), a sensitive species, or a species of greatest conservation need, including the Gila Trout (Oncorhynchus gilae); and

(ii) would not unreasonably diminish the free-flowing nature or outstandingly remarkable values of the covered segment.

(C) PROJECTS WITHIN WILDERNESS AREAS.—A native fish habitat restoration project (including fish barriers) located within an area designated as a component of the National Wilderness Preservation System shall be constructed consistent with—

(i) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(ii) the applicable wilderness management plan.

(6) STATE LAND JURISDICTION.—Nothing in this section or an amendment made by this section affects the jurisdiction of land under the jurisdiction of the State, including land under the jurisdiction of the New Mexico State Land Office and the New Mexico Department of Game and Fish.

(7) FISH AND WILDLIFE.—Nothing in this section or an amendment made by this section affects the jurisdiction of the State with respect to fish and wildlife in the State.

(8) TREATY RIGHTS.—Nothing in this section or an amendment made by this section alters, modifies, diminishes, or extinguishes the reserved treaty rights of any Indian Tribe with respect to hunting, fishing, gathering, and cultural or religious rights in the vicinity of a covered segment as protected by a treaty.

SEC. 1096. MODIFICATION OF BOUNDARIES OF GILA CLIFF DWELLINGS NATIONAL MONUMENT AND GILA NATIONAL FOREST.

(a) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—Administrative jurisdiction over the land described in paragraph (2) is transferred from the Secretary of Agriculture to the Secretary of the Interior.

(2) DESCRIPTION OF LAND.—The land referred to in paragraph (1) is the approximately 440 acres of land identified as ''Transfer from USDA Forest Service to National Park Service'' on the map entitled ''Gila Cliff Dwellings National Monument Proposed Boundary Adjustment'' and dated March 2020.

(b) BOUNDARY MODIFICATIONS.—

(1) GILA CLIFF DWELLINGS NATIONAL MONUMENT.—

(A) IN GENERAL.—The boundary of the Gila Cliff Dwellings National Monument is revised to incorporate the land transferred to the Secretary of the Interior under subsection (a)(1).

(B) MAP.—

(i) IN GENERAL.—The Secretary of the Interior shall prepare and keep on file for public inspection in the appropriate office of the National Park Service a map and a legal description of the revised boundary of the Gila Cliff Dwellings National Monument.

(ii) EFFECT.—The map and legal description under clause (i) shall have the same force and effect as if included in this section, except that the Secretary of the Interior may correct minor errors in the map and legal description.

(2) GILA NATIONAL FOREST.—

(A) IN GENERAL.—The boundary of the Gila National Forest is modified to exclude the land transferred to the Secretary of the Interior under subsection (a)(1).

(B) MAP.—

(i) IN GENERAL.—The Secretary of Agriculture shall prepare and keep on file for public inspection in the appropriate office of the Forest Service a map and a legal description of the revised boundary of the Gila National Forest.

(ii) EFFECT.—The map and legal description under clause (i) shall have the same force and effect as if included in this section, except that the Secretary of Agriculture may correct minor errors in the map and legal description.

SA 2968. Mr. HEINRICH 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. WITHDRAWAL OF FEDERAL LAND IN PECOS WATERSHED AREA, NEW MEXICO.

(a) DEFINITION OF FEDERAL LAND.—In this section, the term ''Federal land'' means the Federal land depicted as ''Pecos Withdrawal'' on the map entitled ''Proposed Mineral Withdrawal Legislative Map'' and dated September 11, 2023.

(b) WITHDRAWAL.—Subject to valid rights in existence on the date of enactment of this Act, the Federal land is withdrawn from all forms of—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

SEC. 1096. DESIGNATION OF THOMPSON PEAK WILDERNESS AREA, NEW MEXICO.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(2) STATE.—The term ''State'' means the State of New Mexico.

(3) WILDERNESS AREA.—The term ''wilderness area'' means the Thompson Peak Wilderness Area designated by subsection (b).

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 11,599 acres of land managed by the Forest Service in the State, as generally depicted on the map entitled ''Proposed Mineral Withdrawal Legislative Map'' and dated September 11, 2023, is designated as a wilderness area and as a component of the National Wilderness Preservation System, to be known as the ''Thompson Peak Wilderness Area''.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and legal description of the wilderness area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) EFFECT.—The map and legal description filed under paragraph (1) shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) AVAILABILITY.—The map and legal description filed under paragraph (1) shall be on file and available for public inspection in the Office of the Chief of the Forest Service.

(d) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, the wilderness area shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(2) ADJACENT MANAGEMENT.—

(A) NO PROTECTIVE PERIMETERS OR BUFFER ZONES.—Congress does not intend for the designation of the wilderness area to create a protective perimeter or buffer zone around the wilderness area.

(B) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses outside of the wilderness area can be seen or heard from an area within the wilderness area shall not preclude the conduct of the nonwilderness activities or uses outside the boundaries of the wilderness area.

(3) FISH AND WILDLIFE MANAGEMENT.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section affects the jurisdiction or responsibilities of the State with respect to fish and wildlife management in the wilderness area (including the regulation of hunting, fishing, and trapping).

(4) GRAZING.—The Secretary shall allow the continuation of the grazing of livestock in the wilderness area, if established before the date of enactment of this Act, in accordance with—

(A) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(B) the guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101–405).

(5) WILDFIRE, INSECT, AND DISEASE CONTROL.—The Secretary may carry out measures in the wilderness area that the Secretary determines to be necessary to control fire, insects, or diseases, in accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)).

(e) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land within the boundaries of the wilderness area that is acquired by the United States after the date of enactment of this Act shall be added to and administered as part of the wilderness area.

(f) WITHDRAWAL.—Subject to valid existing rights, the wilderness area is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under all laws relating to mineral and geothermal leasing or mineral materials.

SA 2969. Mr. DURBIN (for himself and Mr. ROUNDS) 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 in title III, add the following:

SEC. 324. CENTERS OF EXCELLENCE FOR ASSESSING PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES IN WATER SOURCES AND PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCE REMEDIATION SOLUTIONS.

(a) PURPOSE.—The purpose of this section is to dedicate resources to advancing, and expanding access to, perfluoroalkyl or polyfluoroalkyl substance detection and remediation science, research, and technologies through the establishment of Centers of Excellence for Assessing Perfluoroalkyl and Polyfluoroalkyl Substances in Water Sources and Perfluoroalkyl and Polyfluoroalkyl Substance Remediation Solutions.

(b) ESTABLISHMENT OF CENTERS.—

(1) IN GENERAL.—The Administrator shall—

(A) select from among the applications submitted under paragraph (2)(A) an eligible research university, an eligible rural university, and a National Laboratory applying jointly for the establishment of centers, to be known as the ''Centers of Excellence for Assessing Perfluoroalkyl and Polyfluoroalkyl Substances in Water Sources and Perfluoroalkyl and Polyfluoroalkyl Substance Remediation Solutions'', which shall be a tri-institutional collaboration between the eligible research university, eligible rural university, and National Laboratory co-applicants (in this section referred to as the ''Centers''); and

(B) guide the eligible research university, eligible rural university, and National Laboratory in the establishment of the Centers.

(2) APPLICATIONS.—

(A) IN GENERAL.—An eligible research university, eligible rural university, and National Laboratory desiring to establish the Centers shall jointly submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

(B) CRITERIA.—In evaluating applications submitted under subparagraph (A), the Administrator shall only consider applications that—

(i) include evidence of an existing partnership between not fewer than two of the co-applicants that is dedicated to supporting and expanding shared scientific goals with a clear pathway to collaborating on furthering science and research relating to perfluoroalkyl or polyfluoroalkyl substances;

(ii) demonstrate a history of collaboration between not fewer than two of the co-applicants on the advancement of shared research capabilities, including instrumentation and research infrastructure relating to perfluoroalkyl or polyfluoroalkyl substances;

(iii) indicate that the co-applicants have the capacity to expand education and research opportunities for undergraduate and graduate students to prepare a generation of experts in sciences relating to perfluoroalkyl or polyfluoroalkyl substances;

(iv) demonstrate that the National Laboratory co-applicant is equipped to scale up newly discovered materials and methods for perfluoroalkyl or polyfluoroalkyl substance detection and perfluoroalkyl or polyfluoroalkyl substance removal processes for low-risk, cost-effective, and validated commercialization; and

(v) identify one or more staff members of each co-applicant who—

(I) have expertise in sciences relevant to perfluoroalkyl or polyfluoroalkyl substance detection and remediation; and

(II) have been jointly selected, and will be jointly appointed, by the co-applicants to lead and carry out the purposes of the Centers.

(3) TIMING.—

(A) IN GENERAL.—Subject to subparagraph (B), the Centers shall be established not later than one year after the date of the enactment of this Act.

(B) DELAY.—If the Administrator determines that a delay in the establishment of the Centers is necessary, the Administrator—

(i) not later than the date specified in subparagraph (A), shall submit a notification to the appropriate committees of Congress explaining the necessity of the delay; and

(ii) shall ensure that the Centers are established not later than three years after the date of the enactment of this Act.

(4) COORDINATION.—The Administrator shall carry out paragraph (1) in coordination with other relevant officials of the Federal Government as the Administrator determines appropriate.

(c) DUTIES AND CAPABILITIES OF THE CENTERS.—

(1) IN GENERAL.—The Centers shall develop and maintain—

(A) capabilities for measuring perfluoroalkyl or polyfluoroalkyl substance contamination in drinking water, ground water, and any other relevant environmental, municipal, industrial, or residential water samples using methods certified by the Environmental Protection Agency; and

(B) capabilities for—

(i) evaluating emerging perfluoroalkyl or polyfluoroalkyl substance removal and destruction technologies and methods; and

(ii) benchmarking those technologies and methods relative to existing technologies and methods.

(2) REQUIREMENTS.—

(A) IN GENERAL.—In carrying out paragraph (1), the Centers shall, at a minimum—

(i) develop instruments and personnel capable of analyzing perfluoroalkyl or polyfluoroalkyl substance contamination in water using—

(I) the method described by the Environmental Protection Agency in the document entitled ''Method 533: Determination of Per- and Polyfluoroalkyl Substances in Drinking Water by Isotope Dilution Anion Exchange Solid Phase Extraction and Liquid Chromatography/Tandem mass Spectrometry'' (commonly known as ''EPA Method 533'');

(II) the method described by the Environmental Protection Agency in the document entitled ''Method 537.1: Determination of Selected Per- and Polyfluorinated Alkyl Substances in Drinking Water by Solid Phase Extraction and Liquid Chromatography/Tandem Mass Spectrometry (LC/MS/MS)'' (commonly known as ''EPA Method 537.1'');

(III) any updated or future method developed by the Environmental Protection Agency; and

(IV) any other method the Administrator considers relevant;

(ii) develop and maintain capabilities for evaluating the removal of perfluoroalkyl or polyfluoroalkyl substances from water using newly developed adsorbents or membranes;

(iii) develop and maintain capabilities to evaluate the degradation of perfluoroalkyl or polyfluoroalkyl substances in water or other media;

(iv) make the capabilities and instruments developed under clauses (i) through (iii) available to researchers throughout the regions in which the Centers are located; and

(v) make reliable perfluoroalkyl or polyfluoroalkyl substance measurement capabilities and instruments available to municipalities and individuals in the regions in which the Centers are located at reasonable cost.

(B) OPEN-ACCESS RESEARCH.—The Centers shall provide open access to the research findings of the Centers.

(d) COORDINATION WITH OTHER FEDERAL AGENCIES.—The Administrator may, as the Administrator determines to be necessary, use staff and other resources from other Federal agencies in carrying out this section.

(e) REPORTS.—

(1) REPORT ON ESTABLISHMENT OF CENTERS.—Not later than one year after the date of the establishment of the Centers under subsection (b), the Administrator, in coordination with the Centers, shall submit to the appropriate committees of Congress a report describing—

(A) the establishment of the Centers; and

(B) the activities of the Centers since the date on which the Centers were established.

(2) ANNUAL REPORTS.—Not later than one year after the date on which the report under paragraph (1) is submitted, and annually thereafter until the date on which the Centers are terminated under subsection (f), the Administrator, in coordination with the Centers, shall submit to the appropriate committees of Congress a report describing—

(A) the activities of the Centers during the year covered by the report; and

(B) any policy, research, or funding recommendations relating to the purposes or activities of the Centers.

(f) TERMINATION.—

(1) IN GENERAL.—Subject to paragraph (2), the Centers shall terminate on October 1, 2034.

(2) EXTENSION.—If the Administrator, in consultation with the Centers, determines that the continued operation of the Centers beyond the date described in paragraph (1) is necessary to advance science and technologies to address perfluoroalkyl or polyfluoroalkyl substance contamination—

(A) the Administrator shall submit to the appropriate committees of Congress—

(i) a notification of that determination; and

(ii) a description of the funding necessary for the Centers to continue in operation and fulfill their purpose; and

(B) subject to the availability of funds, may extend the duration of the Centers for such time as the Administrator determines to be appropriate.

(g) FUNDING.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated to the Department of Defense for fiscal year 2025 for the Strategic Environmental Research and Development Program and the Environmental Security Technology Certification Program of the Department of Defense, $25,000,000 shall be made available to the Administrator to carry out this section.

(2) AVAILABILITY OF AMOUNTS.—Amounts made available under paragraph (1) shall remain available to the Administrator for the purposes specified in that paragraph until September 30, 2033.

(3) ADMINISTRATIVE COSTS.—Not more than four percent of the amounts made available to the Administrator under paragraph (1) shall be used for the administrative costs of carrying out this section.

(h) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Armed Services and the Committee on Energy and Commerce of the House of Representatives.

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

(3) ELIGIBLE RESEARCH UNIVERSITY.—The term ''eligible research university'' means an institution of higher education that—

(A) has annual research expenditures of not less than $750,000,000; and

(B) is located near a population center of not fewer than 5,000,000 individuals.

(4) ELIGIBLE RURAL UNIVERSITY.—The term ''eligible rural university'' means an institution of higher education that is—

(A) located in one of the five States with the lowest population density as determined by data from the most recent census;

(B) a member of the National Security Innovation Network in the Rocky Mountain Region; and

(C) in proximity to the geographic center of the United States, as determined by the Administrator.

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(7) PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCE.—The term ''perfluoroalkyl or polyfluoroalkyl substance'' means a substance that is a perfluoroalkyl substance or a polyfluoroalkyl substance (as those terms are defined in section 7331(2)(B) of the PFAS Act of 2019 (15 U.S.C. 8931(2)(B))), including a mixture of those substances.

SA 2970. Mr. DURBIN 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. _____. IMPACT AID ELIGIBILITY FOR CERTAIN LOCAL EDUCATIONAL AGENCIES.

(a) CERTAIN HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—Section 7003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)) is amended—

(1) in subparagraph (B)(i)(IV)(aa), by striking ''35'' and inserting ''20''; and

(2) in the matter preceding item (aa) of subparagraph (D)(i)(II), by striking ''35'' and inserting ''20''.

(b) AGENCIES AFFECTED BY PRIVATIZATION OR CLOSURE OF MILITARY HOUSING.—Section 7003(b)(2)(G) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)(G)) is amended—

(1) in clause (i), by striking ''clause (iii)'' and inserting ''clause (iv)'';

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following:

''(iii) SPECIAL RULE.—Notwithstanding any other provision of this section, a local educational agency that was eligible for, and received, a basic support payment under this paragraph for fiscal year 2024 through the application of clause (i) shall remain eligible for a basic support payment under this paragraph for fiscal year 2025 and any succeeding fiscal year. The amount of a payment under this clause shall be calculated in accordance with clause (ii).''.

(c) DETERMINATION OF WEIGHTED STUDENT UNITS FOR PURPOSES OF THE FEDERAL IMPACT AID PROGRAM.—Section 7003(a)(2)(C)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(2)(C)(ii)) is amended by striking ''100,000'' and inserting ''85,000''.

SA 2971. Mr. DURBIN (for himself, Mr. ROUNDS, 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 title X, add the following:

Subtitle I—Keep STEM Talent Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Keep STEM Talent Act of 2024''.

SEC. 1097. VISA REQUIREMENTS.

(a) GRADUATE DEGREE VISA REQUIREMENTS.—To be approved for or maintain nonimmigrant status under section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)), a student seeking to pursue an advanced degree in a STEM field (as defined in section 201(b)(1)(F)(ii) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)(F)(ii))) (as amended by section 1098(a) of this Act) for a degree at the master's level or higher at a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) must apply for a nonimmigrant visa and admission, or must apply to change or extend nonimmigrant status and have such application approved, prior to beginning such advanced degree program.

(b) STRENGTHENED VETTING PROCESS.—The Secretary of Homeland Security and the Secretary of State shall establish procedures to ensure that aliens described in subsection (a) are admissible pursuant to section 212(a)(3)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(A)). Such procedures shall ensure that such aliens seeking change or extension of nonimmigrant status from within the United States undergo verification of academic credentials, comprehensive background checks, and interviews in a manner equivalent to that of an alien seeking a nonimmigrant visa and admission from outside the United States. To the greatest extent practicable, the Secretary of Homeland Security and the Secretary of State shall also take steps to ensure that such applications for a nonimmigrant visa and admission, or change or extension of nonimmigrant status, are processed in a timely manner to allow the pursuit of graduate education. No court shall have jurisdiction to review the denial of an application for change or extension of nonimmigrant status filed by an alien described in subsection (a).

(c) REPORTING REQUIREMENT.—The Secretary of Homeland Security and the Secretary of State shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives detailing the implementation and effectiveness of the requirement for foreign graduate students pursuing advanced degrees in STEM fields to seek a nonimmigrant visa and admission, or change or extension of nonimmigrant status, prior to pursuing a graduate degree program. The report shall include data on visa application volumes, processing times, security outcomes, and economic impacts.

SEC. 1098. LAWFUL PERMANENT RESIDENT STATUS FOR CERTAIN ADVANCED STEM DEGREE HOLDERS.

(a) ALIENS NOT SUBJECT TO DIRECT NUMERICAL LIMITATIONS.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F)(i) Aliens who—

''(I) have earned a degree in a STEM field at the master's level or higher, while physically present in the United States from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) accredited by an accrediting entity recognized by the Department of Education;

''(II) have an offer of employment from, or are employed by, a United States employer to perform work that is directly related to such degree at a rate of pay that is higher than the median wage level for the occupational classification in the area of employment, as determined by the Secretary of Labor;

''(III) have an approved labor certification under section 212(a)(5)(A)(i); or

''(IV) are the spouses and children of aliens described in subclauses (I) through (III) who are accompanying or following to join such aliens.

''(ii) In this subparagraph, the term 'STEM field' means a field of science, technology, engineering, or mathematics described in the most recent version of the Classification of Instructional Programs of the Department of Education taxonomy under the summary group of—

''(I) computer and information sciences and support services;

''(II) engineering;

''(III) mathematics and statistics;

''(IV) biological and biomedical sciences;

''(V) physical sciences;

''(VI) agriculture sciences; or

''(VII) natural resources and conservation sciences.

''(iii) The Secretary of Homeland Security has the sole and unreviewable discretion to determine whether an alien's degree or degree program is in a STEM field.''.

(b) PROCEDURE FOR GRANTING IMMIGRATION STATUS.—Section 204(a)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(F)) is amended—

(1) by striking ''203(b)(2)'' and all that follows through ''Attorney General''; and

(2) by inserting ''203(b)(2), 203(b)(3), or 201(b)(1)(F) may file a petition with the Secretary of Homeland Security''.

(c) LABOR CERTIFICATION.—Section 212(a)(5)(D) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)(D)) is amended by inserting ''section 201(b)(1)(F) or under'' after ''adjustment of status under''.

(d) DUAL INTENT FOR NONIMMIGRANTS SEEKING ADVANCED STEM DEGREES AT UNITED STATES INSTITUTIONS OF HIGHER EDUCATION.—Notwithstanding sections 101(a)(15)(F)(i) and 214(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i) and 1184(b)), an alien who is a bona fide student admitted to a program in a STEM field (as defined in subparagraph (F)(ii) of section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1))) for a degree at the master's level or higher at a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) accredited by an accrediting entity recognized by the Department of Education may obtain a student visa, be admitted to the United States as a nonimmigrant student, or extend or change nonimmigrant status to pursue such degree even if such alien seeks lawful permanent resident status in the United States. Nothing in this subsection may be construed to modify or amend section 101(a)(15)(F)(i) or 214(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i) or 1184(b)), or any regulation interpreting these authorities for an alien who is not described in this subsection.

SEC. 1099. RULE OF CONSTRUCTION.

Nothing in this subtitle may be construed to expand the statutory law enforcement or regulatory authority of the Department of Homeland Security, the Department of Justice, or the Department of State.

SEC. 1100. NO ADDITIONAL FUNDS.

No additional funds are authorized to be appropriated for the purpose of carrying out this subtitle.

SA 2972. Mr. BENNET 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___. ESTABLISHMENT OF SKI AREA FEE RETENTION ACCOUNT.

(a) IN GENERAL.—Section 701 of division I of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 497c) is amended by adding at the end the following:

''(k) SKI AREA FEE RETENTION ACCOUNT.—

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

''(A) ACCOUNT.—The term 'Account' means the Ski Area Fee Retention Account established under paragraph (2).

''(B) COVERED UNIT.—The term 'covered unit' means the unit of the National Forest System that collects the ski area permit rental charge under this section.

''(C) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture.

''(2) ESTABLISHMENT.—The Secretary of the Treasury shall establish a special account in the Treasury, to be known as the 'Ski Area Fee Retention Account'.

''(3) DEPOSITS.—Subject to paragraphs (4) and (5), a ski area permit rental charge collected by the Secretary under this section shall—

''(A) be deposited in the Account;

''(B) be available to the Secretary for use, without further appropriation; and

''(C) remain available for the period of 4 fiscal years beginning with the first fiscal year after the fiscal year in which the ski area permit rental charge is deposited in the Account under subparagraph (A).

''(4) DISTRIBUTION OF AMOUNTS IN THE ACCOUNT.—

''(A) LOCAL DISTRIBUTION OF FUNDS.—

''(i) IN GENERAL.—Except as provided in subparagraph (C), the Secretary shall expend 80 percent of the ski area permit rental charges deposited in the Account from a covered unit at the covered unit in accordance with clause (ii).

''(ii) DISTRIBUTION.—Of the amounts made available for expenditure under clause (i)—

''(I) 75 percent shall be used at the covered unit for activities described in paragraph (5)(A); and

''(II) 25 percent shall be used for activities at the covered unit described in paragraph (5)(B).

''(B) AGENCY-WIDE DISTRIBUTION OF FUNDS.—The Secretary shall expend 20 percent of the ski area permit rental charges deposited in the Account from a covered unit at any unit of the National Forest System for an activity described in subparagraph (A) or (B) of paragraph (5).

''(C) REDUCTION OF PERCENTAGE.—

''(i) REDUCTION.—The Secretary shall reduce the percentage otherwise applicable under subparagraph (A)(i) to not less than 60 percent if the Secretary determines that the amount otherwise made available under that subparagraph exceeds the reasonable needs of the covered unit for which expenditures may be made in the applicable fiscal year.

''(ii) DISTRIBUTION OF FUNDS.—The balance of the ski area permit rental charges that are collected at a covered unit, deposited into the Account, and not distributed in accordance with subparagraph (A) or (B) shall be available to the Secretary for expenditure at any other unit of the National Forest System in accordance with the following:

''(I) 75 percent shall be used for activities described in paragraph (5)(A).

''(II) 25 percent shall be used for activities described in paragraph (5)(B).

''(5) EXPENDITURES.—Amounts available to the Secretary for expenditure from the Account shall be only used for—

''(A)(i) the administration of the Forest Service ski area program, including—

''(I) the processing of an application for a new ski area or a ski area improvement project, including staffing and contracting for the processing; and

''(II) administering a ski area permit described in subsection (a);

''(ii) staff training for—

''(I) the processing of an application for—

''(aa) a new ski area;

''(bb) a ski area improvement project; or

''(cc) a special use permit; or

''(II) administering—

''(aa) a ski area permit described in subsection (a); or

''(bb) a special use permit;

''(iii) an interpretation activity, National Forest System visitor information, a visitor service, or signage;

''(iv) direct costs associated with collecting a ski area permit rental charge or other fee collected by the Secretary related to recreation;

''(v) planning for, or coordinating to respond to, a wildfire in or adjacent to a recreation site, particularly a ski area; or

''(vi) reducing the likelihood of a wildfire starting, or the risks posed by a wildfire, in or adjacent to a recreation site, particularly a ski area, except through hazardous fuels reduction activities; or

''(B)(i) the repair, maintenance, or enhancement of a Forest Service-owned facility, road, or trail directly related to visitor enjoyment, visitor access, or visitor health or safety;

''(ii) habitat restoration directly related to recreation;

''(iii) law enforcement related to public use and recreation;

''(iv) the construction or expansion of parking areas;

''(v) the processing or administering of a recreation special use permit;

''(vi) avalanche information and education activities carried out by the Secretary or nonprofit partners;

''(vii) search and rescue activities carried out by the Secretary, a local government, or a nonprofit partner; or

''(viii) the administration of leases under—

''(I) the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note; Public Law 109–54); and

''(II) section 8623 of the Agriculture Improvement Act of 2018 (16 U.S.C. 580d note; Public Law 115–334).

''(6) LIMITATION.—Amounts in the Account may not be used for—

''(A) the conduct of wildfire suppression; or

''(B) the acquisition of land for inclusion in the National Forest System.

''(7) EFFECT.—

''(A) IN GENERAL.—Nothing in this subsection affects the applicability of section 7 of the Act of April 24, 1950 (commonly known as the 'Granger-Thye Act') (16 U.S.C. 580d), to ski areas on National Forest System land.

''(B) SUPPLEMENTAL FUNDING.—Rental charges retained and expended under this subsection shall supplement (and not supplant) appropriated funding for the operation and maintenance of each covered unit.

''(C) COST RECOVERY.—Nothing in this subsection affects any cost recovery under any provision of law (including regulations) for processing an application for or monitoring compliance with a ski area permit or other recreation special use permit.''.

(b) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect on the date that is 60 days after the date of enactment of this Act.

SA 2973. Mr. MULLIN 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. ___. NATIONAL DIGITAL RESERVE CORPS.

(a) IN GENERAL.—Subpart I of part III of title 5, United States Code, is amended by adding at the end the following:

''CHAPTER 104—NATIONAL DIGITAL RESERVE CORPS

''§ 10401. Definitions

''In this chapter:

''(1) ACTIVE RESERVIST.—The term 'active reservist' means a reservist holding a position to which the reservist has been appointed under section 10403(c)(2).

''(2) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(3) COVERED EXECUTIVE AGENCY.—The term 'covered Executive agency' means an Executive agency, except that such term includes the United States Postal Service, the Postal Regulatory Commission, and the Executive Office of the President.

''(4) PROGRAM.—The term 'Program' means the program established under section 10402(a).

''(5) RESERVIST.—The term 'reservist' means an individual who is a member of the National Digital Reserve Corps.

''§ 10402. Establishment

''(a) ESTABLISHMENT.—There is established in the General Services Administration a program to establish, recruit, manage, and assign a reserve of individuals with relevant skills and credentials, to be known as the 'National Digital Reserve Corps', to help address the digital and cybersecurity needs of covered Executive agencies.

''(b) IMPLEMENTATION.—

''(1) GUIDANCE.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with the Director of the Office of Personnel Management, shall issue guidance for the National Digital Reserve Corps, which shall include procedures for coordinating with covered Executive agencies to—

''(A) identify digital and cybersecurity needs that may be addressed by the National Digital Reserve Corps; and

''(B) assign active reservists to address the needs described in subparagraph (A).

''(2) RECRUITMENT AND INITIAL ASSIGNMENTS.—Not later than 1 year after the date of enactment of this section, the Administrator shall begin recruiting reservists and assigning active reservists under the Program.

''§ 10403. Organization

''(a) ADMINISTRATION.—

''(1) IN GENERAL.—The National Digital Reserve Corps shall be administered by the Administrator.

''(2) RESPONSIBILITIES.—In carrying out the Program, the Administrator shall—

''(A) establish standards for serving as a reservist, including educational attainment, professional qualifications, and background checks in accordance with existing Federal guidance;

''(B) ensure the standards established under subparagraph (A) are met;

''(C) recruit individuals to the National Digital Reserve Corps;

''(D) activate and deactivate reservists as necessary;

''(E) coordinate with covered Executive agencies to—

''(i) determine the digital and cybersecurity needs that reservists shall be assigned to address;

''(ii) ensure active reservists have the access, resources, and equipment required to address the digital and cybersecurity needs that the reservists are assigned to address; and

''(iii) analyze potential assignments for reservists to determine outcomes, develop anticipated assignment timelines, and identify covered Executive agency partners;

''(F) ensure that reservists acquire and maintain appropriate security clearances; and

''(G) determine what additional resources, if any, are required to successfully implement the Program.

''(b) NATIONAL DIGITAL RESERVE CORPS PARTICIPATION.—

''(1) SERVICE OBLIGATION AGREEMENT.—

''(A) IN GENERAL.—An individual may become a reservist only if that individual enters into a written agreement with the Administrator to become a reservist.

''(B) CONTESTS.—An agreement described in subparagraph (A) shall—

''(i) require the individual seeking to become a reservist to serve as a reservist for a 3-year period, during which that individual shall serve not less than 30 days per year as an active reservist; and

''(ii) set forth all other the rights and obligations of the individual and the General Services Administration.

''(2) COMPENSATION.—The Administrator shall determine the appropriate compensation for service as a reservist, except that the annual pay for that service shall not exceed $10,000.

''(3) EMPLOYMENT PROTECTIONS.—The Secretary of Labor shall prescribe such regulations as necessary to ensure the reemployment, continuation of benefits, and nondiscrimination in reemployment of active reservists, provided that those regulations shall include, at a minimum, the rights and obligations set forth under chapter 43 of title 38.

''(4) PENALTIES.—

''(A) IN GENERAL.—A reservist that fails to accept an appointment under subsection (c)(2), or fails to carry out the duties assigned to a reservist under such an appointment, shall, after notice and an opportunity to be heard—

''(i) cease to be a reservist; and

''(ii) be fined an amount equal to the sum of—

''(I) an amount equal to the amounts, if any, paid under section 10405 with respect to that reservist; and

''(II) the difference between the amount of compensation that reservist would have received if the reservist completed the entire term of service as a reservist agreed to in the agreement described in paragraph (1) and the amount of compensation that reservist has received under that agreement.

''(B) EXCEPTION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply with respect to a failure of a reservist to accept an appointment under subsection (c)(2), or to carry out the duties assigned to the reservist under such an appointment, if—

''(I) the failure was due to the death or disability of that reservist; or

''(II) the Administrator, in consultation with the head of the relevant covered Executive agency, determines that subparagraph (A) should not apply with respect to the failure.

''(ii) RELEVANT COVERED EXECUTIVE AGENCY DEFINED.—In this subparagraph, the term 'relevant covered Executive agency' means—

''(I) in the case of a reservist failing to accept an appointment under subsection (c)(2), the covered Executive agency to which that reservist would have been appointed; and

''(II) in the case of a reservist failing to carry out the duties assigned to that reservist under such an appointment, the covered Executive agency to which that reservist was appointed.

''(c) APPOINTMENT AUTHORITY.—

''(1) CORPS LEADERSHIP.—The Administrator may appoint qualified candidates to positions in the competitive service in the General Service Administration for which the primary duties are related to the management or administration of the National Digital Reserve Corps, as determined by the Administrator.

''(2) CORPS RESERVISTS.—

''(A) IN GENERAL.—The Administrator may appoint qualified reservists to temporary positions in the competitive service for the purpose of assigning those reservists under section 10404 and to otherwise carry out the National Digital Reserve Corps.

''(B) APPOINTMENT LIMITS.—

''(i) IN GENERAL.—The Administrator may not appoint an individual under this paragraph if, during the 365-day period ending on the date of that appointment, that individual has been an officer or employee of the executive or legislative branch of the United States Government, of any independent agency of the United States, or of the District of Columbia for not less than 130 days.

''(ii) AUTOMATIC APPOINTMENT TERMINATION.—The appointment of an individual under this paragraph shall terminate upon that individual being employed as an officer or employee of the executive or legislative branch of the United States Government, of any independent agency of the United States, or of the District of Columbia for 130 days during the previous 365 days.

''(C) EMPLOYEE STATUS.—An individual appointed under this paragraph shall be considered a special Government employee (as that term is defined in section 202(a) of title 18).

''(D) CONFLICT OF INTEREST.—An individual appointed under this section shall not, as an active reservist, have access to proprietary or confidential information that is of commercial value to any private entity or individual employing that appointee.

''(E) ADDITIONAL EMPLOYEES.—An individual appointed under this paragraph shall be in addition to any employees of the General Services Administration, the duties of whom relate to the digital or cybersecurity needs of the General Services Administration.

''§ 10404. Assignments

''(a) IN GENERAL.—The Administrator may assign active reservists to address the digital and cybersecurity needs of covered Executive agencies, including cybersecurity services, digital education and training, data triage, acquisition assistance, guidance on digital projects, development of technical solutions, and bridging public needs and private sector capabilities.

''(b) ASSIGNMENT-SPECIFIC ACCESS, RESOURCES, SUPPLIES, OR EQUIPMENT.—The head of a covered Executive agency shall, to the extent practicable, provide each active reservist assigned to address a digital or cybersecurity need of that covered Executive agency under subsection (a) with any specialized access, resources, supplies, or equipment required to address that digital or cybersecurity need.

''(c) DURATION.—The assignment of an individual under subsection (a) shall terminate on the earliest of the following:

''(1) A date determined by the Administrator.

''(2) The date on which the Administrator receives notification of the decision of the head of the covered Executive agency, the digital or cybersecurity needs of which that individual is assigned to address under subsection (a), that the assignment should terminate.

''(3) The date on which the assigned individual ceases to be an active reservist.

''§ 10405. Reservist continuing education

''(a) IN GENERAL.—Subject to the availability of appropriations, the Administrator may pay for reservists to acquire training and receive continuing education related to the duties assigned to those reservists pursuant to appointments under section 10403(c)(2), including attending conferences and seminars and obtaining certifications, that will enable reservists to more effectively meet the digital and cybersecurity needs of covered Executive agencies.

''(b) APPLICATION.—The Administrator shall establish a process for reservists to apply for the payment of reasonable expenses relating to the training or continuing education described in subsection (a).

''(c) REPORT.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Administrator shall submit to Congress a report on the expenditures under this section.

''§ 10406. Congressional reports

''Not later than 2 years after the date of enactment of this section, and annually thereafter, the Administrator shall submit to Congress a report on the Program, including—

''(1) the number of reservists;

''(2) a list of covered Executive agencies that have submitted requests for support from the National Digital Reserve Corps;

''(3) the nature and status of the requests described in paragraph (2); and

''(4) with respect to each request described in paragraph for which active reservists have been assigned, and for which work by the National Digital Reserve Corps has concluded, an evaluation of that work and the results of that work by—

''(A) the covered Executive agency that submitted the request; and

''(B) the reservists assigned to that request.

''§ 10407. Construction

''Nothing in this chapter may be construed to abrogate or otherwise affect the authorities or the responsibilities of the head of any other Executive agency.''.

(b) CLERICAL AMENDMENT.—The table of chapters for part III of title 5, United States Code, is amended by inserting after the item related to chapter 103 the following:

''104. National Digital Reserve Corps 10401
''.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $30,000,000, to remain available until fiscal year 2026, to carry out the program established under section 10402(a) of title 5, United States Code, as added by this section.

(d) TRANSITION ASSISTANCE PROGRAM.—Section 1142(b)(3) of title 10, United States Code, is amended by inserting ''and the National Digital Reserve Corps'' after ''Selected Reserve''.

(e) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amounts authorized to be appropriated in section 301 for operation and maintenance, Defense-wide, for administration and service-wide activities, Office of the Secretary of Defense, Line 470, as specified in the corresponding funding table in section 4301, is hereby reduced by $30,000,000.

SA 2974. Ms. ERNST (for herself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. COTTON) 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. ____. AUTHORITY OF ARMY COUNTERINTELLIGENCE AGENTS.

(a) AUTHORITY TO EXECUTE WARRANTS AND MAKE ARRESTS.—Section 7377 of title 10, United States Code, is amended—

(1) in the section heading, by inserting ''**and Army Counterintelligence Command**'' before the colon; and

(2) in subsection (b)—

(A) by striking ''who is a special agent'' and inserting the following: ''who is—

''(1) a special agent'';

(B) in paragraph (1) (as so designated) by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following new paragraph:

''(2) a special agent of the Army Counterintelligence Command (or a successor to that command) whose duties include conducting, supervising, or coordinating counterintelligence investigations in programs and operations of the Department of the Army.''.

(b) ANNUAL REPORT AND BRIEFING.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until the date that is four years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, the Committee on the Judiciary of the Senate, and the Committee on the Judiciary of the House of Representatives an annual report and provide to such committees an annual briefing on the administration of section 7377 of title 10, United States Code, as amended by subsection (a).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 747 of such title is amended by striking the item relating to section 7377 and inserting the following new item:

''7377. Civilian special agents of the Criminal Investigation Command and Army Counterintelligence Command: authority to execute warrants and make arrests.''.

(d) SUNSET AND SNAPBACK.—On the date that is four years after the date of the enactment of this Act—

(1) subsection (b) of section 7377 of title 10, United States Code, is amended to read as it read on the day before the date of the enactment of this Act;

(2) the section heading for such section is amended to read as it read on the day before the date of the enactment of this Act; and

(3) the item for such section in the table of sections at the beginning of chapter 747 of such title is amended to read as it read on the day before the date of the enactment of this Act.

SA 2975. Ms. ERNST (for herself and Ms. WARREN) 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 VII, add the following:

SEC. 750. ESTABLISHMENT OF REQUIREMENTS RELATING TO BLAST OVERPRESSURE EXPOSURE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall—

(1) establish a baseline neurocognitive assessment to be conducted during the accession process of members of the Armed Forces before the beginning of training;

(2) establish neurocognitive assessments to monitor the cognitive function of such members to be conducted—

(A) at least every three years as part of the periodic health assessment of such members; and

(B) as part of the post-deployment health assessment of such members;

(3) ensure all neurocognitive assessments of such members, including those required under paragraphs (1) and (2), are maintained in the electronic medical record of such member;

(4) establish a process for annual review of blast overpressure exposure logs and traumatic brain injury logs for each member of the Armed Forces during the periodic health assessment of such member for cumulative exposure in order to refer members with recurrent and prolonged exposure to specialty care; and

(5) establish standards for recurrent and prolonged exposure.

(b) DEFINITIONS.—In this section:

(1) NEUROCOGNITIVE ASSESSMENT.—The term ''neurocognitive assessment'' means a standardized cognitive and behavioral evaluation using validated and normed testing performed in a formal environment that uses specifically designated tasks to measure cognitive function known to be linked to a particular brain structure or pathway, which may include a measurement of intellectual functioning, attention, new learning or memory, intelligence, processing speed, and executive functioning.

(2) TRAUMATIC BRAIN INJURY.—The term ''traumatic brain injury'' means a traumatically induced structural injury or physiological disruption of brain function as a result of an external force that is indicated by new onset or worsening of at least one of the following clinical signs immediately following the event:

(A) Alteration in mental status, including confusion, disorientation, or slowed thinking.

(B) Loss of memory for events immediately before or after the injury.

(C) Any period of loss of or decreased level of consciousness, observed or self-reported.

SA 2976. 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 title XII, add the following:

Subtitle G—Iran Sanctions

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Preventing Underhanded and Nefarious Iranian Supported Homicides Act of 2024'' or the ''PUNISH Act of 2024''.

SEC. 1292. DEFINITIONS.

In this subtitle:

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

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED EXECUTIVE ORDER.—The term ''covered Executive order'' means any of the following:

(A) Executive Order 13871 (50 U.S.C. 1701 note; relating to imposing sanctions with respect to the iron, steel, aluminum, and copper sectors of Iran), as in effect on May 10, 2019.

(B) Executive Order 13876 (50 U.S.C. 1701 note; relating to imposing sanctions with respect to Iran), as in effect on June 24, 2019.

(C) Executive Order 13902 (50 U.S.C. 1701 note; relating to imposing sanctions with respect to additional sectors of Iran), as in effect on January 10, 2020.

(D) Executive Order 13949 (50 U.S.C. 1701 note; relating to blocking property of certain persons with respect to the conventional arms activities of Iran), as in effect on September 21, 2020.

(3) COVERED PROVISION OF LAW.—The term ''covered provision of law'' means any of the following:

(A) This subtitle.

(B) Each covered Executive order.

(C) The Iran Sanctions Act of 1996 (Public Law 104–172; 50 U.S.C. 1701 note).

(D) The Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8501 et seq.).

(E) Section 1245 of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a).

(F) The Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8701 et seq.).

(G) The Iran Freedom and Counter-Proliferation Act of 2012 (22 U.S.C. 8801 et seq.).

(H) Title I of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9401 et seq.).

(I) The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq).

(4) GOVERNMENT OF IRAN.—The term ''Government of Iran'' includes—

(A) any agency or instrumentality of the Government of Iran; and

(B) any person owned or controlled by that Government.

SEC. 1293. CONTINUATION IN EFFECT OF CERTAIN EXECUTIVE ORDERS IMPOSING SANCTIONS WITH RESPECT TO IRAN.

(a) IN GENERAL.—Each covered Executive order shall remain in effect and continue to apply, and may not be modified, until the termination date described in section 1299A.

(b) CONTINUATION IN EFFECT OF SANCTIONS DESIGNATIONS.—With respect to each person designated for the imposition of sanctions pursuant to a covered Executive order before the date of the enactment of this Act, the designation of the person, and sanctions applicable to the person pursuant to the designation, shall remain in effect and continue to apply, and may not be modified, until the termination date described in section 1299A.

(c) PUBLICATION.—In publishing this subtitle in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include at the end an appendix setting forth the text of each covered Executive order.

SEC. 1294. CONTINUATION IN EFFECT OF NATIONAL EMERGENCIES DECLARED WITH RESPECT TO IRAN.

(a) IN GENERAL.—Notwithstanding subsection (a)(2) or (d) of section 202 of the National Emergencies Act (50 U.S.C. 1622), the national emergencies specified in subsection (b) shall remain in effect and continue to apply, and may not be modified, until the termination date described in section 1299A.

(b) NATIONAL EMERGENCIES SPECIFIED.—The national emergencies specified in this subsection are the following national emergencies declared with respect to Iran:

(1) The national emergency declared by Executive Order 12170 (50 U.S.C. 1701 note; relating to blocking Iranian Government property) and most recently continued by the Notice of the President issued November 8, 2022 (87 Fed. Reg. 68,013).

(2) The national emergency declared by Executive Order 12957 (50 U.S.C. 1701 note; relating to prohibiting certain transactions with respect to the development of Iranian petroleum resources) and most recently continued by the Notice of the President issued March 10, 2023 (88 Fed. Reg. 15,595).

SEC. 1295. CONTINUATION IN EFFECT OF SANCTIONS WITH RESPECT TO THE CENTRAL BANK OF IRAN, THE NATIONAL DEVELOPMENT FUND OF IRAN, THE ETEMAD TEJARTE PARS COMPANY, THE NATIONAL IRANIAN OIL COMPANY, AND THE NATIONAL IRANIAN TANKER COMPANY UNDER EXECUTIVE ORDER 13224.

With respect to each Iranian person designated on January 1, 2021, for the imposition of sanctions under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism), as in effect on September 9, 2019, the designation of the person, and sanctions applicable to the person pursuant to the designation, shall remain in effect and continue to apply, and may not be modified, until the termination date described in section 1299A.

SEC. 1296. CONTINUATION IN EFFECT OF FOREIGN TERRORIST ORGANIZATION DESIGNATION OF THE ISLAMIC REVOLUTIONARY GUARD CORPS.

The designation of the Islamic Revolutionary Guard Corps as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), and sanctions applicable to the Islamic Revolutionary Guard Corps pursuant to that designation, shall remain in effect and continue to apply, and may not be modified, until the termination date described in section 1299A.

SEC. 1297. PROHIBITION ON SANCTIONS RELIEF FOR IRANIAN FINANCIAL INSTITUTIONS, INCLUDING WITH RESPECT TO PETROLEUM PURCHASES FROM IRAN.

Section 1245(d) of the National Defense Authorization Act for Fiscal Year 2012 (22 U.S.C. 8513a(d)) is amended by striking paragraph (4) and inserting the following:

''(4) LIMITATION ON AUTHORITY.—The President may not exercise the authority under paragraph (5) to waive the imposition of sanctions under paragraph (1), or issue any license to authorize the purchase of petroleum or petroleum products from Iran, unless the determination set forth in the most recent report submitted under subsection (a) of section 1299 of the Preventing Underhanded and Nefarious Iranian Supported Homicides Act of 2024 was a determination that the Government of Iran has not engaged in any of activities described in subsection (b) of that section during the 5-year period preceding submission of the report.''.

SEC. 1298. LIMITATION ON WAIVER, SUSPENSION, OR REDUCTION OF SANCTIONS WITH RESPECT TO IRAN.

The President may not waive, suspend, reduce, provide relief from, or otherwise limit the application of sanctions imposed pursuant to any covered provision of law unless, in addition to the requirements for a waiver under that provision of law, the determination set forth in the most recent report submitted under subsection (a) of section 1299 was a determination that the Government of Iran has not engaged in any of activities described in subsection (b) of that section during the 5-year period preceding submission of the report.

SEC. 1299. DETERMINATION ON THE CESSATION OF IRANIAN-SPONSORED ASSASSINATIONS OR ATTEMPTED ASSASSINATIONS OF UNITED STATES CITIZENS AND IRANIAN RESIDENTS OF THE UNITED STATES.

(a) DETERMINATION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, the Director of National Intelligence, and the Secretary of the Treasury, shall submit to the appropriate congressional committees a report setting forth a determination of whether the Government of Iran or any foreign person (including any foreign financial institution) has directly or indirectly ordered, controlled, directed, or otherwise supported (including through the use of Iranian agents or affiliates of the Government of Iran, including Hezbollah, Hamas, Kata'ib Hezbollah, Palestinian Islamic Jihad, or any other entity determined to be such an agent or affiliate) any of the activities described in subsection (b) during the 5-year period preceding submission of the report.

(b) ACTIVITIES DESCRIBED.—The activities described in this subsection are—

(1) the murder, attempted murder, assault, or other use or threat to use violence against—

(A) any current or former official of the Government of the United States, wherever located;

(B) any United States citizen or alien lawfully admitted for permanent residence in the United States, wherever located; or

(C) any Iranian national residing in the United States; or

(2) the politically motivated intimidation, abuse, extortion, or detention or trial—

(A) in Iran, of a United States citizen or alien lawfully admitted for permanent residence in the United States; or

(B) outside of Iran, of an Iranian national or resident or individual of Iranian origin.

SEC. 1299A. TERMINATION DATE.

The termination date described in this section is the date that is 30 days after the date on which the President submits to Congress the certification described in section 401(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8551(a)).

SA 2977. 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 title XII, add the following:

Subtitle G—Iran Sanctions Enforcement

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Iranian Sanctions Enforcement Act of 2024''.

SEC. 1292. IRAN SANCTIONS ENFORCEMENT FUND.

(a) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, there shall be established in the Treasury of the United States a fund, to be known as the ''Iran Sanctions Enforcement Fund'' (in this section referred to as the ''Fund''), to pay expenses relating to seizures and forfeitures of property made with respect to violations by Iran or a covered Iranian proxy of sanctions imposed by the United States.

(b) DESIGNATION OF ADMINISTRATOR.—Not later than 15 days after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of the Treasury, shall appoint an administrator for the Fund (in this section referred to as the ''Administrator'').

(c) EXPENDITURES FROM THE FUND.—

(1) IN GENERAL.—The Administrator may authorize amounts from the Fund to be used, without further appropriation or fiscal year limitation, for payment of all proper expenses relating to a covered seizure or forfeiture, including the following:

(A) Investigative costs incurred by a law enforcement agency of the Department of Homeland Security or the Department of Justice.

(B) Expenses of detention, inventory, security, maintenance, advertisement, or disposal of the property seized or forfeited, and if condemned by a court and a bond for such costs was not given, the costs as taxed by the court.

(C) Costs of—

(i) contract services relating to a covered seizure or forfeiture;

(ii) the employment of outside contractors to operate and manage properties seized or forfeited or to provide other specialized services necessary to dispose of such properties in an effort to maximize the return from such properties; and

(iii) reimbursing any Federal, State, or local agency for any expenditures made to perform the functions described in this subparagraph.

(D) Payments to reimburse any covered Federal agency for investigative costs incurred leading to a covered seizure or forfeiture.

(E) Payments for contracting for the services of experts and consultants needed by the Department of Homeland Security or the Department of Justice to assist in carrying out duties related to a covered seizure or forfeiture.

(F) Awards of compensation to informers for assistance provided with respect to a violation by Iran or a covered Iranian proxy of sanctions imposed by the United States that leads to a covered seizure or forfeiture.

(G) Equitable sharing payments made to other Federal agencies, State and local law enforcement agencies, and foreign governments for expenses incurred with respect to a covered seizure or forfeiture.

(H) Payment of overtime pay, salaries, travel, fuel, training, equipment, and other similar expenses of State or local law enforcement officers that are incurred in joint law enforcement operations with a covered Federal agency relating to covered seizure or forfeiture.

(2) AUTHORIZATION OF USE OF FUND FOR ADDITIONAL PURPOSES.—The Secretary of Homeland Security may direct the Administrator to authorize the use of amounts in the Fund for the following:

(A) Payment of awards for information or assistance leading to a civil or criminal forfeiture made with respect to a violation by Iran or a covered Iranian proxy of sanctions imposed by the United States and involving any covered Federal agency.

(B) Purchases of evidence or information by a covered Federal agency with respect to a violation by Iran or a covered Iranian proxy of sanctions imposed by the United

States that leads to a covered seizure or forfeiture.

(C) Payment for equipment for any vessel, vehicle, or aircraft available for official use by a covered Federal agency to enable the vessel, vehicle, or aircraft to assist in law enforcement functions relating to a covered seizure or forfeiture, and for other equipment directly related to a covered seizure or forfeiture, including laboratory equipment, protective equipment, communications equipment, and the operation and maintenance costs of such equipment.

(D) Payment for equipment for any vessel, vehicle, or aircraft for official use by a State or local law enforcement agency to enable the vessel, vehicle, or aircraft to assist in law enforcement functions relating to a covered seizure or forfeiture if the vessel, vehicle, or aircraft will be used in joint law enforcement operations with a covered Federal agency.

(E) Reimbursement of individuals or organizations for expenses incurred by such individuals or organizations in cooperating with a covered Federal agency in investigations and undercover law enforcement operations relating to a covered seizure or forfeiture.

(3) PRIORITIZATION OF ACTIVITIES WITHIN THE FUND.—In allocating amounts from the Fund for the purposes described in paragraphs (1) and (2), the Administrator shall prioritize activities that result in the seizure and forfeiture of oil or petroleum products or other commodities or methods of exchange that fund the efforts of Iran or covered Iranian proxies to carry out acts of international terrorism or otherwise kill United States citizens.

(d) MANAGEMENT OF FUND.—The Fund shall be managed and invested in the same manner as a trust fund is managed and invested under section 9602 of the Internal Revenue Code of 1986.

(e) FUNDING.—

(1) INITIAL FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund $150,000,000 for fiscal year 2024, to remain available until expended.

(B) REPAYMENT OF INITIAL FUNDING.—

(i) IN GENERAL.—Not later than September 30, 2034, the Administrator shall transfer from the Fund into the general fund of the Treasury an amount equal to $150,000,000, as adjusted pursuant to paragraph (4).

(ii) RULE OF CONSTRUCTION.—The repayment of amounts under clause (i) shall not be construed as a termination of the authority for operation of the Fund.

(2) CONTINUED OPERATION AND FUNDING.—

(A) IN GENERAL.—Subject to subparagraph (B), the net proceeds from the sale of property, forfeited or paid to the United States, arising from a violation by Iran or a covered Iranian proxy of sanctions imposed by the United States, shall be deposited or transferred into the Fund.

(B) TRANSFER OF PROCEEDS AFTER DEPOSITS INTO THE JUSTICE FOR UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM ACT.—The deposit or transfer of any net proceeds to the Fund under subparagraph (A) shall occur after the deposit or transfer of net proceeds into the United States Victims of State Sponsored Terrorism Fund as required by subsection (e)(2)(A)(ii) of the Justice for United States Victims of State Sponsored Terrorism Act (34 U.S.C. 20144).

(3) MAXIMUM END-OF-YEAR BALANCE.—

(A) IN GENERAL.—If, at the end of a fiscal year, the amount in the Fund exceeds the amount specified in subparagraph (B), the Administrator shall transfer the amount in excess of the amount specified in subparagraph (B) to the general fund of the Treasury for the payment of the public debt of the United States.

(B) AMOUNT SPECIFIED.—The amount specified in this subparagraph is—

(i) in fiscal year 2024, $500,000,000; and

(ii) in any fiscal year thereafter, $500,000,000, as adjusted pursuant to paragraph (4).

(4) ADJUSTMENTS FOR INFLATION.—

(A) IN GENERAL.—The amounts described in paragraphs (1)(B)(i) and (3)(B)(ii) shall be adjusted, at the beginning of each of fiscal years 2025 through 2034, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2023.

(B) CONSUMER PRICE INDEX DEFINED.—In this paragraph, the term ''Consumer Price Index'' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(f) PROHIBITION ON TRANSFER OF FUNDS.—

(1) IN GENERAL.—Any expenditure of amounts in the Fund, or transfer of amounts from the Fund, not authorized by this section is prohibited.

(2) ACTS BY CONGRESS.—Any Act of Congress to remove money from the Fund shall be reported in the Federal Register not later than 10 days after the enactment of the Act.

(g) REPORT.—Not later than September 1, 2024, and annually thereafter through September 1, 2034, the Secretary of Homeland Security, with the concurrence of the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on—

(1) all activities supported by the Fund during the fiscal year during which the report is submitted and the preceding fiscal year;

(2) a list of each covered seizure or forfeiture supported by the Fund during those fiscal years and, with respect to each such seizure or forfeiture—

(A) the goods seized;

(B) the current status of the forfeiture of the goods;

(C) an assessment of the impact on the national security of the United States of the seizure or forfeiture, including the estimated loss of revenue to the person from which the goods were seized; and

(D) any anticipated response or outcome of the seizure or forfeiture;

(3) the financial health and financial data of the Fund as of the date of the report;

(4) the amount transferred to the general fund of the Treasury under subsection (e) or (h);

(5)(A) the amount paid to informants for information or evidence under subsection (c);

(B) whether the information or evidence led to a seizure; and

(C) if so, the cost of the goods seized;

(6) the amount remaining to be transferred under subsection (e)(3) and an estimated timeline for transferring the full amount required by that subsection; and

(7)(A) any instances during the fiscal years covered by the report of a covered seizure or forfeiture if, after amounts were expended from the Fund to support the seizure or forfeiture, the seizure or forfeiture did not occur as a result of a policy decision made by the Secretary of Homeland Security, the President, or any other official of the United States; and

(B) a description of the costs incurred and reasons the seizure or forfeiture did not occur.

(h) FAILURE TO REPORT OR UTILIZE THE FUND.—

(1) EFFECT OF FAILURE TO SUBMIT REPORT.—If a report required by subsection (g) is not submitted to the appropriate congressional committees by the date that is 180 days after the report is due under subsection (g), the Administrator shall transfer an amount equal to 5 percent of the amounts in the Fund to the general fund of the Treasury for the payment of the public debt of the United States. For each 90-day period thereafter during which the report is not submitted, the Administrator shall transfer an additional amount, equal to 5 percent of the amounts in the Fund, to the general fund of the Treasury for that purpose.

(2) EFFECT OF FAILURE TO USE FUND.—If a report submitted under subsection (g) indicates that amounts in the Fund have not been used for any seizure or forfeiture activity during the fiscal years covered by the report, the Fund shall be terminated and any amounts in the Fund shall transferred to the general fund of the Treasury for the payment of the public debt of the United States.

(3) WAIVER OF TERMINATION OF FUND FOR NATIONAL SECURITY PURPOSES.—

(A) IN GENERAL.—If the President determines that it is in the national security interests of the United States not to terminate the Fund as required by paragraph (2), the President may waive the requirement to terminate the Fund.

(B) REPORT REQUIRED.—If the President exercises the waiver authority under subparagraph (A), the President shall submit to the appropriate congressional committees a report describing the factors considered in determining that it is in the national security interests of the United States not to terminate the Fund.

(C) FORM.—The report required by subparagraph (B) shall be submitted in unclassified form, but may include a classified annex.

(i) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the requirements of subsection (e) of the Justice for United States Victims of State Sponsored Terrorism Act (34 U.S.C. 20144(e)) or the operation of the United States Victims of State Sponsored Terrorism Fund under that subsection.

(j) DEFINITIONS.—In this section:

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

(A) the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Financial Services and the Committee on Homeland Security of the House of Representatives.

(2) COVERED FEDERAL AGENCY.—The term ''covered Federal agency'' means any Federal agency specified in section 1293(b).

(3) COVERED IRANIAN PROXY.—The term ''covered Iranian proxy'' means a violent extremist organization or other organization that works on behalf of or receives financial or material support from Iran, including—

(A) the Iranian Revolutionary Guard Corps-Quds Force;

(B) Hamas;

(C) Palestinian Islamic Jihad;

(D) Hezbollah;

(E) Ansar Allah (the Houthis); and

(F) Iranian-sponsored militias in Iraq and Syria.

(4) COVERED SEIZURE OR FORFEITURE.—The term ''covered seizure or forfeiture'' means a seizure or forfeiture of property made with respect to a violation by Iran or a covered Iranian proxy of sanctions imposed by the United States.

SEC. 1293. ESTABLISHMENT OF EXPORT ENFORCEMENT COORDINATION CENTER.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall operate and maintain, within Homeland Security Investigations, the Export Enforcement Coordination Center, as established by Executive Order

13558 (50 U.S.C. 4601 note) (in this section referred to as the ''Center'').

(b) PURPOSES.—The Center shall serve as the primary center for Federal Government export enforcement efforts among the following agencies:

(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 agencies as the President may designate.

(c) COORDINATION AUTHORITY.—The Center shall—

(1) 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;

(2) serve as a primary point of contact between enforcement authorities and agencies engaged in export licensing;

(3) coordinate law enforcement public outreach activities related to United States export controls;

(4) serve as the primary deconfliction and support center to assist law enforcement agencies to coordinate and enhance investigations with respect to export control violations;

(5) establish integrated, governmentwide statistical tracking and targeting capabilities to support export enforcement; and

(6) carry out additional duties as assigned by the Secretary of Homeland Security regarding the enforcement of United States export control laws.

(d) ADMINISTRATION.—The Executive Associate Director of Homeland Security Investigations shall—

(1) serve as the administrator of the Center; and

(2) maintain documentation that describes the participants in, funding of, core functions of, and personnel assigned to, the Center.

(e) DIRECTOR; DEPUTY DIRECTORS.—

(1) DIRECTOR.—The Center shall have a Director, who shall be—

(A) a member of the Senior Executive Service (as defined in section 2101a of title 5, United States Code) and a special agent within Homeland Security Investigations; and

(B) designated by the Secretary of Homeland Security.

(2) DEPUTY DIRECTORS.—The Center shall have 2 Deputy Directors, as follows:

(A) One Deputy Director, who shall be—

(i) a full-time employee of the Department of Commerce; and

(ii) appointed by the Secretary of Commerce.

(B) One Deputy Director, who shall be—

(i) a full-time employee of the Department of Justice; and

(ii) appointed by the Attorney General.

(f) LIAISONS FROM OTHER AGENCIES.—

(1) INTELLIGENCE COMMUNITY LIAISON.—An intelligence community liaison shall be detailed to the Center. The liaison shall be—

(A) a full-time employee of an element of the intelligence community; and

(B) designated by the Director of National Intelligence.

(2) LIAISONS FROM OTHER AGENCIES.—

(A) IN GENERAL.—A liaison shall be detailed to the Center by each agency specified in subparagraph (B). Such liaisons shall be special agents, officers, intelligence analysts, or intelligence officers, as appropriate.

(B) AGENCIES SPECIFIED.—The agencies specified in this subparagraph are the following:

(i) Homeland Security Investigations.

(ii) U.S. Customs and Border Protection.

(iii) The Office of Export Enforcement of the Bureau of Industry and Security of the Department of Commerce.

(iv) The Federal Bureau of Investigation.

(v) The Defense Criminal Investigative Service.

(vi) The Bureau of Alcohol, Tobacco, Firearms and Explosives.

(vii) The National Counterintelligence and Security Center of the Office of the Director of National Intelligence.

(viii) The Department of Energy.

(ix) The Office of Foreign Assets Control of the Department of the Treasury.

(x) The Directorate of Defense Trade Controls of the Department of State.

(xi) The Office of Export Administration of the Bureau of Industry and Security.

(xii) The Office of Enforcement Analysis of the Bureau of Industry and Security.

(xiii) The Office of Special Investigations of the Air Force.

(xiv) The Criminal Investigation Division of the Army.

(xv) The Naval Criminal Investigative Service.

(xvi) The Defense Intelligence Agency.

(xvii) The Defense Counterintelligence and Security Agency.

(xviii) Any other agency, at the request of the Secretary of Homeland Security.

SA 2978. Mr. ROUNDS (for himself and Mr. HEINRICH) 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. GOVERNING ETHICAL AI USE AND INNOVATION FOR HEALTH CARE DEVELOPMENT.

(a) NATIONAL INSTITUTES OF HEALTH.—Part A of title IV of the Public Health Service Act is amended by inserting after section 403D (42 U.S.C. 283a–3) the following:

''SEC. 403E. ARTIFICIAL INTELLIGENCE.

''(a) IN GENERAL.—The Director of NIH shall—

''(1) develop computational resources and datasets necessary to use artificial intelligence approaches for health and health care research;

''(2) provide expertise in biomedical research and the use of artificial intelligence;

''(3) develop and maintain federated resources that provide unified access to data from fundamental biomedical research and the clinical care environment;

''(4) provide education and ongoing support to a nationwide user community to foster scientifically sound, ethical, and inclusive research using artificial intelligence that addresses the health needs of all individuals; and

''(5) extend the clinical research capabilities of the National Institutes of Health to address significant gaps in evidence to guide clinical care and to serve the needs of every community.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Director of NIH to carry out this section $400,000,000 for fiscal year 2025.''.

(b) OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY.—Subtitle C of title XXX of the Public Health Service Act (42 U.S.C. 300jj–51 et seq.) is amended by adding at the end the following:

''SEC. 3023. ARTIFICIAL INTELLIGENCE.

''(a) IN GENERAL.—The National Coordinator shall—

''(1) carry out activities to engage in health research by—

''(A) utilizing the electronic health record as a data collection tool; and

''(B) requiring that individuals are offered an opportunity to direct the use of their health data for health care research; and

''(2) establish data and interoperability standards for access, exchange, and use of clinical and administrative data from the clinical care environment through a National Artificial Intelligence Research Resource, in alignment with—

''(A) the United States Core Data for Interoperability;

''(B) the Fast Health Interoperability Resources; and

''(C) the Trusted Exchange Framework and Common Agreement.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the National Coordinator for fiscal year 2025—

''(1) $10,000,000 to carry out subsection (a)(1); and

''(2) $50,000,000 to carry out subsection (a)(2).''.

(c) MEDICARE REQUIREMENT FOR HOSPITALS RELATING TO USE OF ELECTRONIC HEALTH RECORDS DATA FOR BIOMEDICAL RESEARCH PURPOSES.—Section 1866(a)(1) of the Social Security Act (42 U.S.C. 1395cc(a)(1)) is amended—

(1) by moving the indentation of subparagraph (W) 2 ems to the left;

(2) in subparagraph (X)—

(A) by moving the indentation 2 ems to the left; and

(B) by striking ''and'' at the end;

(3) in subparagraph (Y), by striking the period at the end and inserting ''; and''; and

(4) by inserting after subparagraph (Y) the following new subparagraph:

''(Z) in the case of a hospital, with respect to each individual who is admitted to the hospital on or after the date that is 1 year after the date of enactment of this subparagraph, to—

''(i) request permission of the individual to share the health data of the individual for health-related research purposes in accordance with section 3023(a)(1) of the Public Health Service Act; and

''(ii) in the case where the individual grants permission to the sharing of such data, share the electronic health record of the individual for such purposes in accordance with such section.''.

(d) SENSE OF THE SENATE.—It is the sense of the Senate that any steering subcommittee (or similar entity) for a National Artificial Intelligence Research Resource established in the Interagency Committee established under section 5103 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (15 U.S.C. 9413) shall include an officer or employee of the National Institutes of Health.

(e) NATIONAL LIBRARY OF MEDICINE.—

(1) IN GENERAL.—Section 465(b) of the Public Health Service Act (42 U.S.C. 286(b)) is amended—

(A) in paragraph (7), by striking ''and'' after the semicolon;

(B) by redesignating paragraph (8) as paragraph (10); and

(C) by inserting after paragraph (7) the following:

''(8) establish facilities so that the Library serves as the central exchange center of federated data sharing;

''(9) establish a core data science program to guide and enable a diverse and comprehensive community of health-related research data users; and''.

(2) AUTHORIZATION OF APPROPRIATIONS.—Subpart 1 of part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by adding at the end the following:

''SEC. 468. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to the Secretary for fiscal year 2025—

''(1) $100,000,000 to carry out section 465(b)(8); and

''(2) $100,000,000 to carry out section 465(b)(9).''.

SA 2979. Mr. WICKER 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:

DIVISION _____—VIEQUES RECOVERY AND REDEVELOPMENT

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Vieques Recovery and Redevelopment Act''.

SEC. _____02. FINDINGS.

The Congress finds the following:

(1) Vieques is an island municipality of Puerto Rico, measuring approximately 21 miles long by 4 miles wide, and located approximately 8 miles east of the main island of Puerto Rico.

(2) Prior to Hurricane Maria, residents of Vieques were served by an urgent medical care facility, the Susana Centeno Family Health Center, and residents had to travel off-island to obtain medical services, including most types of emergency care because the facility did not have the basic use of x-ray machines, CT machines, EKG machines, ultrasounds, or PET scans.

(3) The predominant means of transporting passengers and goods between Vieques and the main island of Puerto Rico is by ferry boat service, and over the years, the efficiency of this service has frequently been disrupted, unreliable, and difficult for cancer patients to endure to receive treatment. Each trip to Ceiba, Puerto Rico, for the cancer patient is an additional out-of-pocket expense ranging from $120 to $200.

(4) The United States Military maintained a presence on the eastern and western portions of Vieques for close to 60 years, and used parts of the island as a training range during those years, dropping over 80 million tons of ordnance and other weaponry available to the United States military since World War II.

(5) The unintended, unknown, and unavoidable consequences of these exercises were to expose Americans living on the islands to the residue of that weaponry which includes heavy metals and many other chemicals now known to harm human health.

(6) According to Government and independent documentation, the island of Vieques has high levels of heavy metals and has been exposed to chemical weapons and toxic chemicals. Since the military activity in Vieques, island residents have suffered from the health impacts from long-term exposure to environmental contamination as a result of 62 years of military operations, and have experienced higher rates of certain diseases among residents, including cancer, cirrhosis, hypertension, diabetes, heavy metal diseases, along with many unnamed and uncategorized illnesses. These toxic residues have caused the American residents of Vieques to develop illnesses due to ongoing exposure.

(7) In 2017, Vieques was hit by Hurricane Maria, an unusually destructive storm that devastated Puerto Rico and intensified the existing humanitarian crisis on the island by destroying existing medical facilities.

(8) The medical systems in place prior to Hurricane Maria were unable to properly handle the health crisis that existed due to the toxic residue left on the island by the military's activities.

(9) After Maria, the medical facility was closed due to damage and continues to be unable to perform even the few basic services that it did provide. Vieques needs a medical facility that can treat and address the critical and urgent need to get life-saving medical services to its residents. Due to legal restrictions, the Federal Emergency Management Agency (in this division referred to as ''FEMA'') is unable to provide a hospital where its capabilities exceed the abilities of the facility that existed prior to Maria; therefore Vieques needs assistance to build a facility to manage the vast health needs of its residents.

(10) Every American has benefitted from the sacrifices of those Americans who have lived and are living on Vieques and it is our intent to acknowledge that sacrifice and to treat those Americans with the same respect and appreciation that other Americans enjoy.

(11) In 2012, the residents of Vieques were denied the ability to address their needs in Court due to sovereign immunity, Sanchez v. United States, No. 3:09–cv–01260–DRD (D.P.R.). However, the United States Court of Appeals for the First Circuit referred the issue to Congress and urged it to address the humanitarian crisis. This bill attempts to satisfy that request such that Americans living on Vieques have a remedy for the suffering they have endured.

SEC. _____03. SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES FOR CERTAIN RESIDENTS OF THE ISLAND OF VIEQUES, PUERTO RICO.

(a) IN GENERAL.—An individual claimant who has resided on the island of Vieques, Puerto Rico, for not less than 5 years before the date of enactment of this Act and files a claim for compensation under this section with the Special Master, appointed pursuant to subsection (c), shall be awarded monetary compensation as described in subsection (b) if—

(1) the Special Master determines that the claimant is or was a resident or an immediate heir (as determined by the laws of Puerto Rico) of a deceased claimant on the island of Vieques, Puerto Rico, during or after the United States Government used the island of Vieques, Puerto Rico, for military readiness;

(2) the claimant previously filed a lawsuit or an administrative claim, or files a claim not later than 180 days after the date of the enactment of this Act against the United States Government for personal injury, including illness or death arising from use by the United States Government of the island of Vieques for military readiness; and

(3) the claimant produces evidence to the Special Master sufficient to show that a causal relationship exists between the claimant's chronic, life-threatening, or physical disease or illness limited to cancer, hypertension, cirrhosis, kidney disease, diabetes, or a heavy metal poisoning and the United States Government's use of the island of Vieques, Puerto Rico, for military readiness, or that a causal relationship is at least as likely as not, which may be in the form of a sworn claimant affidavit stating the years the claimant lived on Vieques and the disease or illness with which the claimant has been diagnosed and which may be supplemented with additional information, including a medical professional certification, at the request of the Special Master.

(b) AMOUNTS OF AWARD.—

(1) IN GENERAL.—A claimant who meets the requirements of subsection (a) shall be awarded compensation as follows:

(A) $50,000 for 1 disease described in subsection (a)(3).

(B) $80,000 for 2 diseases described in subsection (a)(3).

(C) $110,000 for 3 or more diseases described in subsection (a)(3).

(2) INCREASE IN AWARD.—In the case that an individual receiving an award under paragraph (1) of this subsection contracts another disease under subsection (a)(3) and files a new claim with the Special Master for an additional award not later than 10 years after the date of the enactment of this Act, the Special Master may award the individual an amount that is equal to the difference between—

(A) the amount that the individual would have been eligible to receive had the disease been contracted before the individual filed an initial claim under subsection (a); and

(B) the amount received by the individual pursuant to paragraph (1).

(3) DECEASED CLAIMANTS.—In the case of an individual who dies before making a claim under this section or a claimant who dies before receiving an award under this section, any immediate heir to the individual or claimant, as determined by the laws of Puerto Rico, shall be eligible for one of the following awards:

(A) Compensation in accordance with paragraph (1), divided among any such heir.

(B) Compensation based on the age of the deceased if the claimant produces evidence sufficient to conclude that a causal relationship exists between the United States Military activity and the death of the individual or that a causal relationship is as likely as not as follows:

(i) In the case of an individual or claimant who dies before attaining 20 years of age, $110,000, divided among any such heir.

(ii) In the case of an individual or claimant who dies before attaining 40 years of age, $80,000, divided among any such heir.

(iii) In the case of an individual or claimant who dies before attaining 60 years of age, $50,000, divided among any such heir.

(c) APPOINTMENT OF SPECIAL MASTER.—

(1) IN GENERAL.—The Attorney General shall appoint a Special Master not later than 90 days after the date of the enactment of this Act to consider claims by individuals and the municipality.

(2) QUALIFICATIONS.—The Attorney General shall consider the following in choosing the Special Master:

(A) The individual's experience in the processing of victims' claims in relation to foreign or domestic governments.

(B) The individual's balance of experience in representing the interests of the United States and individual claimants.

(C) The individual's experience in matters of national security.

(D) The individual's demonstrated abilities in investigation and fact findings in complex factual matters.

(E) Any experience the individual has had advising the United States Government.

(d) AWARD AMOUNTS RELATED TO CLAIMS BY THE MUNICIPALITY OF VIEQUES.—

(1) AWARD.—The Special Master, in exchange for its administrative claims, shall provide the following as compensation to the Municipality of Vieques:

(A) STAFF.—The Special Master shall provide medical staff, and other resources necessary to build and operate a level three trauma center (in this section, referred to as ''medical facility'') with a cancer center and renal dialysis unit and its equipment. The medical facility shall be able to treat life-threatening, chronic, heavy metal, and physical and mental diseases. The medical facility shall be able to provide basic x-ray, EKG, internal medicine expertise, medical coordination personnel and case managers, ultrasound, and resources necessary to screen claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection for cancer and the other prevailing health problems.

(B) OPERATIONS.—The Special Master shall fund the operations of the medical facility to provide medical care for pediatric and adult patients who reside on the island of Vieques, allowing the patients to be referred for tertiary and quaternary health care facilities when necessary, and providing the transportation and medical costs when traveling off the island of Vieques.

(C) INTERIM SERVICES.—Before the medical facility on the island of Vieques is operational, the Special Master shall provide to claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection—

(i) urgent health care air transport to hospitals on the mainland of Puerto Rico from the island of Vieques;

(ii) medical coordination personnel and case managers;

(iii) telemedicine communication abilities; and

(iv) any other services that are necessary to alleviate the health crisis on the island of Vieques.

(D) SCREENING.—The Special Master shall make available, at no cost to the patient, medical screening for cancer, cirrhosis, diabetes, and heavy metal contamination on the island of Vieques.

(E) ACADEMIC PARTNER.—The Special Master shall appoint an academic partner, with appropriate experience and an established relationship with the Municipality of Vieques, that shall—

(i) lead a research and outreach endeavor on behalf of the Municipality of Vieques;

(ii) select the appropriate scientific expertise and administer defined studies, conducting testing and evaluation of the soils, seas, plant and animal food sources, and the health of residents; and

(iii) determine and implement the most efficient and effective way to reduce the environmental toxins to a level sufficient to return the soils, seas, food sources, and health circumstances to a level that reduces the diseases on the island of Vieques to the average in the United States.

(F) DUTIES.—The Special Master shall provide amounts necessary for the academic partner and medical coordinator to carry out the duties described in subparagraphs (A) through (D).

(G) PROCUREMENT.—The Special Master shall provide amounts necessary to compensate the Municipality of Vieques for—

(i) contractual procurement obligations and additional expenses incurred by the municipality as a result of the enactment of this section and settlement of its claim; and

(ii) any other damages and costs to be incurred by the municipality, if the Special Master determines that it is necessary to carry out the purpose of this section.

(H) POWER SOURCE.—The Special Master shall determine the best source of producing independent power on the island of Vieques that is hurricane resilient and can effectively sustain the needs of the island and shall authorize such construction as an award to the Municipality of Vieques.

(2) SOURCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), amounts awarded under this division shall be made from amounts appropriated under section 1304 of title 31, United States Code, commonly known as the ''Judgment Fund'', as if claims were adjudicated by a United States District Court under section 1346(b) of title 28, United States Code.

(B) LIMITATION.—Total amounts awarded under this division shall not exceed $1,000,000,000.

(3) DETERMINATION AND PAYMENT OF CLAIMS.—

(A) ESTABLISHMENT OF FILING PROCEDURES.—The Attorney General shall establish procedures whereby individuals and the municipality may submit claims for payments under this section to the Special Master.

(B) DETERMINATION OF CLAIMS.—The Special Master shall, in accordance with this subsection, determine whether each claim meets the requirements of this section. Claims filed by residents of the island of Vieques that have been disposed of by a court under chapter 171 of title 28, United States Code, shall be treated as if such claims are currently filed.

(e) ACTION ON CLAIMS.—The Special Master shall make a determination on any claim filed under the procedures established under this section not later than 150 days after the date on which the claim is filed.

(f) PAYMENT IN FULL SETTLEMENT OF CLAIMS BY INDIVIDUALS AND THE MUNICIPALITY OF VIEQUES AGAINST THE UNITED STATES.—The acceptance by an individual or the Municipality of Vieques of a payment of an award under this section shall—

(1) be final and conclusive;

(2) be deemed to be in full satisfaction of all claims under chapter 171 of title 28, United States Code; and

(3) constitute a complete release by the individual or municipality of such claim against the United States and against any employee of the United States acting in the scope of employment who is involved in the matter giving rise to the claim.

(g) CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.—Amounts paid to an individual under this section—

(1) shall be treated for purposes of the laws of the United States as damages for human suffering; and

(2) may not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

(h) LIMITATION ON CLAIMS.—A claim to which this section applies shall be barred unless the claim is filed within 15 years after the date of the enactment of this Act.

(i) ATTORNEY'S FEES.—Notwithstanding any contract, a representative of an individual may not receive, for services rendered in connection with a claim of the individual under this division, more than 20 percent of a payment made under this division.

SA 2980. Mr. WICKER 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:

DIVISION _____—VIEQUES RECOVERY AND REDEVELOPMENT

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Vieques Recovery and Redevelopment Act''.

SEC. _____02. FINDINGS.

The Congress finds the following:

(1) Vieques is an island municipality of Puerto Rico, measuring approximately 21 miles long by 4 miles wide, and located approximately 8 miles east of the main island of Puerto Rico.

(2) Prior to Hurricane Maria, residents of Vieques were served by an urgent medical care facility, the Susana Centeno Family Health Center, and residents had to travel off-island to obtain medical services, including most types of emergency care because the facility did not have the basic use of x-ray machines, CT machines, EKG machines, ultrasounds, or PET scans.

(3) The predominant means of transporting passengers and goods between Vieques and the main island of Puerto Rico is by ferry boat service, and over the years, the efficiency of this service has frequently been disrupted, unreliable, and difficult for cancer patients to endure to receive treatment. Each trip to Ceiba, Puerto Rico, for the cancer patient is an additional out-of-pocket expense ranging from $120 to $200.

(4) The United States Military maintained a presence on the eastern and western portions of Vieques for close to 60 years, and used parts of the island as a training range during those years, dropping over 80 million tons of ordnance and other weaponry available to the United States military since World War II.

(5) The unintended, unknown, and unavoidable consequences of these exercises were to expose Americans living on the islands to the residue of that weaponry which includes heavy metals and many other chemicals now known to harm human health.

(6) According to Government and independent documentation, the island of Vieques has high levels of heavy metals and has been exposed to chemical weapons and toxic chemicals. Since the military activity in Vieques, island residents have suffered from the health impacts from long-term exposure to environmental contamination as a result of 62 years of military operations, and have experienced higher rates of certain diseases among residents, including cancer, cirrhosis, hypertension, diabetes, heavy metal diseases, along with many unnamed and uncategorized illnesses. These toxic residues have caused the American residents of Vieques to develop illnesses due to ongoing exposure.

(7) In 2017, Vieques was hit by Hurricane Maria, an unusually destructive storm that devastated Puerto Rico and intensified the existing humanitarian crisis on the island by destroying existing medical facilities.

(8) The medical systems in place prior to Hurricane Maria were unable to properly handle the health crisis that existed due to the toxic residue left on the island by the military's activities.

(9) After Maria, the medical facility was closed due to damage and continues to be unable to perform even the few basic services that it did provide. Vieques needs a medical facility that can treat and address the critical and urgent need to get life-saving medical services to its residents. Due to legal restrictions, the Federal Emergency Management Agency (in this division referred to as

''FEMA'') is unable to provide a hospital where its capabilities exceed the abilities of the facility that existed prior to Maria; therefore Vieques needs assistance to build a facility to manage the vast health needs of its residents.

(10) Every American has benefitted from the sacrifices of those Americans who have lived and are living on Vieques and it is our intent to acknowledge that sacrifice and to treat those Americans with the same respect and appreciation that other Americans enjoy.

(11) In 2012, the residents of Vieques were denied the ability to address their needs in Court due to sovereign immunity, Sanchez v. United States, No. 3:09–cv–01260–DRD (D.P.R.). However, the United States Court of Appeals for the First Circuit referred the issue to Congress and urged it to address the humanitarian crisis. This bill attempts to satisfy that request such that Americans living on Vieques have a remedy for the suffering they have endured.

SEC. ____03. SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES FOR CERTAIN RESIDENTS OF THE ISLAND OF VIEQUES, PUERTO RICO.

(a) IN GENERAL.—An individual claimant who has resided on the island of Vieques, Puerto Rico, for not less than 5 years before the date of enactment of this Act and files a claim for compensation under this section with the Special Master, appointed pursuant to subsection (c), shall be awarded monetary compensation as described in subsection (b) if—

(1) the Special Master determines that the claimant is or was a resident or an immediate heir (as determined by the laws of Puerto Rico) of a deceased claimant on the island of Vieques, Puerto Rico, during or after the United States Government used the island of Vieques, Puerto Rico, for military readiness;

(2) the claimant previously filed a lawsuit or an administrative claim, or files a claim not later than 180 days after the date of the enactment of this Act against the United States Government for personal injury, including illness or death arising from use by the United States Government of the island of Vieques for military readiness; and

(3) the claimant produces evidence to the Special Master sufficient to show that a causal relationship exists between the claimant's chronic, life-threatening, or physical disease or illness limited to cancer, hypertension, cirrhosis, kidney disease, diabetes, or a heavy metal poisoning and the United States Government's use of the island of Vieques, Puerto Rico, for military readiness, or that a causal relationship is at least as likely as not, which may be in the form of a sworn claimant affidavit stating the years the claimant lived on Vieques and the disease or illness with which the claimant has been diagnosed and which may be supplemented with additional information, including a medical professional certification, at the request of the Special Master.

(b) AMOUNTS OF AWARD.—

(1) IN GENERAL.—A claimant who meets the requirements of subsection (a) shall be awarded compensation as follows:

(A) $50,000 for 1 disease described in subsection (a)(3).

(B) $80,000 for 2 diseases described in subsection (a)(3).

(C) $110,000 for 3 or more diseases described in subsection (a)(3).

(2) INCREASE IN AWARD.—In the case that an individual receiving an award under paragraph (1) of this subsection contracts another disease under subsection (a)(3) and files a new claim with the Special Master for an additional award not later than 10 years after the date of the enactment of this Act, the Special Master may award the individual an amount that is equal to the difference between—

(A) the amount that the individual would have been eligible to receive had the disease been contracted before the individual filed an initial claim under subsection (a); and

(B) the amount received by the individual pursuant to paragraph (1).

(3) DECEASED CLAIMANTS.—In the case of an individual who dies before making a claim under this section or a claimant who dies before receiving an award under this section, any immediate heir to the individual or claimant, as determined by the laws of Puerto Rico, shall be eligible for one of the following awards:

(A) Compensation in accordance with paragraph (1), divided among any such heir.

(B) Compensation based on the age of the deceased if the claimant produces evidence sufficient to conclude that a causal relationship exists between the United States Military activity and the death of the individual or that a causal relationship is as likely as not as follows:

(i) In the case of an individual or claimant who dies before attaining 20 years of age, $110,000, divided among any such heir.

(ii) In the case of an individual or claimant who dies before attaining 40 years of age, $80,000, divided among any such heir.

(iii) In the case of an individual or claimant who dies before attaining 60 years of age, $50,000, divided among any such heir.

(c) APPOINTMENT OF SPECIAL MASTER.—

(1) IN GENERAL.—The Attorney General shall appoint a Special Master not later than 90 days after the date of the enactment of this Act to consider claims by individuals and the municipality.

(2) QUALIFICATIONS.—The Attorney General shall consider the following in choosing the Special Master:

(A) The individual's experience in the processing of victims' claims in relation to foreign or domestic governments.

(B) The individual's balance of experience in representing the interests of the United States and individual claimants.

(C) The individual's experience in matters of national security.

(D) The individual's demonstrated abilities in investigation and fact findings in complex factual matters.

(E) Any experience the individual has had advising the United States Government.

(d) AWARD AMOUNTS RELATED TO CLAIMS BY THE MUNICIPALITY OF VIEQUES.—

(1) AWARD.—The Special Master, in exchange for its administrative claims, shall provide the following as compensation to the Municipality of Vieques:

(A) STAFF.—The Special Master shall provide medical staff, and other resources necessary to build and operate a level three trauma center (in this section, referred to as ''medical facility'') with a cancer center and renal dialysis unit and its equipment. The medical facility shall be able to treat life-threatening, chronic, heavy metal, and physical and mental diseases. The medical facility shall be able to provide basic x-ray, EKG, internal medicine expertise, medical coordination personnel and case managers, ultrasound, and resources necessary to screen claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection for cancer and the other prevailing health problems.

(B) OPERATIONS.—The Special Master shall fund the operations of the medical facility to provide medical care for pediatric and adult patients who reside on the island of Vieques, allowing the patients to be referred for tertiary and quaternary health care facilities when necessary, and providing the transportation and medical costs when traveling off the island of Vieques.

(C) INTERIM SERVICES.—Before the medical facility on the island of Vieques is operational, the Special Master shall provide to claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection—

(i) urgent health care air transport to hospitals on the mainland of Puerto Rico from the island of Vieques;

(ii) medical coordination personnel and case managers;

(iii) telemedicine communication abilities; and

(iv) any other services that are necessary to alleviate the health crisis on the island of Vieques.

(D) SCREENING.—The Special Master shall make available, at no cost to the patient, medical screening for cancer, cirrhosis, diabetes, and heavy metal contamination on the island of Vieques.

(E) ACADEMIC PARTNER.—The Special Master shall appoint an academic partner, with appropriate experience and an established relationship with the Municipality of Vieques, that shall—

(i) lead a research and outreach endeavor on behalf of the Municipality of Vieques;

(ii) select the appropriate scientific expertise and administer defined studies, conducting testing and evaluation of the soils, seas, plant and animal food sources, and the health of residents; and

(iii) determine and implement the most efficient and effective way to reduce the environmental toxins to a level sufficient to return the soils, seas, food sources, and health circumstances to a level that reduces the diseases on the island of Vieques to the average in the United States.

(F) DUTIES.—The Special Master shall provide amounts necessary for the academic partner and medical coordinator to carry out the duties described in subparagraphs (A) through (D).

(G) PROCUREMENT.—The Special Master shall provide amounts necessary to compensate the Municipality of Vieques for—

(i) contractual procurement obligations and additional expenses incurred by the municipality as a result of the enactment of this section and settlement of its claim; and

(ii) any other damages and costs to be incurred by the municipality, if the Special Master determines that it is necessary to carry out the purpose of this section.

(H) POWER SOURCE.—The Special Master shall determine the best source of producing independent power on the island of Vieques that is hurricane resilient and can effectively sustain the needs of the island and shall authorize such construction as an award to the Municipality of Vieques.

(2) SOURCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), amounts awarded under this division shall be made from amounts appropriated under section 1304 of title 31, United States Code, commonly known as the ''Judgment Fund'', as if claims were adjudicated by a United States District Court under section 1346(b) of title 28, United States Code.

(B) LIMITATION.—Total amounts awarded under this division shall not exceed $1,000,000,000.

(3) DETERMINATION AND PAYMENT OF CLAIMS.—

(A) ESTABLISHMENT OF FILING PROCEDURES.—The Attorney General shall establish procedures whereby individuals and the municipality may submit claims for payments under this section to the Special Master.

(B) DETERMINATION OF CLAIMS.—The Special Master shall, in accordance with this subsection, determine whether each claim meets the requirements of this section. Claims filed by residents of the island of Vieques that have been disposed of by a court under chapter 171 of title 28, United States Code, shall be treated as if such claims are currently filed.

(e) ACTION ON CLAIMS.—The Special Master shall make a determination on any claim filed under the procedures established under this section not later than 150 days after the date on which the claim is filed.

(f) PAYMENT IN FULL SETTLEMENT OF CLAIMS BY INDIVIDUALS AND THE MUNICIPALITY OF VIEQUES AGAINST THE UNITED STATES.—The acceptance by an individual or the Municipality of Vieques of a payment of an award under this section shall—

(1) be final and conclusive;

(2) be deemed to be in full satisfaction of all claims under chapter 171 of title 28, United States Code; and

(3) constitute a complete release by the individual or municipality of such claim against the United States and against any employee of the United States acting in the scope of employment who is involved in the matter giving rise to the claim.

(g) CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.—Amounts paid to an individual under this section—

(1) shall be treated for purposes of the laws of the United States as damages for human suffering; and

(2) may not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

(h) LIMITATION ON CLAIMS.—A claim to which this section applies shall be barred unless the claim is filed within 15 years after the date of the enactment of this Act.

(i) ATTORNEY'S FEES.—Notwithstanding any contract, a representative of an individual may not receive, for services rendered in connection with a claim of the individual under this division, more than 17 percent of a payment made under this division.

SA 2981. Mr. DAINES 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. NATIONAL CEMETERIES OPEN ON LEGAL PUBLIC HOLIDAYS.

Each national cemetery administered by the Department of Defense, the Department of Veterans Affairs, or the National Park Service shall be open to visitors on the legal public holidays described in section 6103(a) of title 5, United States Code.

SA 2982. 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, insert the following:

SEC. _____. UNAUTHORIZED ACCESS TO DEPARTMENT OF DEFENSE FACILITIES.

(a) IN GENERAL.—Chapter 67 of title 18, United States Code, is amended by adding at the end the following:

"§ 1390. Unauthorized access to Department of Defense facilities

''(a) IN GENERAL.—It shall be unlawful, within the jurisdiction of the United States, without authorization to knowingly go upon any property that—

''(1) is under the jurisdiction of the Department of Defense; and

''(2) is closed or restricted.

''(b) PENALTIES.—Any person who violates subsection (a) shall—

''(1) in the case of the first offense, be fined under this title, imprisoned not more than 180 days, or both;

''(2) in the case of the second offense, be fined under this title, imprisoned not more than 3 years, or both; and

''(3) in the case of the third or subsequent offense, be fined under this title, imprisoned not more than 6 years, or both.

''(c) DETERMINATION OF STATUS.—For purposes of this section, a person shall be considered convicted of a second or subsequent offense if, prior to the commission of the offense, 1 or more prior convictions of the person under subsection (a) became final.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 67 of title 18, United States Code, is amended by adding at the end the following:

''1390. Unauthorized access to Department of Defense facilities.''.

SA 2983. Ms. KLOBUCHAR (for herself and Mr. MORAN) 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. PROHIBITION ON UNFAIR AND DECEPTIVE ADVERTISING OF HOTEL ROOMS AND OTHER SHORT-TERM RENTAL PRICES.

(a) PROHIBITION.—

(1) IN GENERAL.—It shall be unlawful for a covered entity to display, advertise, market, or offer in interstate commerce, including through direct offerings, third-party distribution, or metasearch referrals, a price for covered services that does not clearly, conspicuously, and prominently—

(A) display the total services price, if a price is displayed, in any advertisement, marketing, or price list wherever the covered services are displayed, advertised, marketed, or offered for sale;

(B) disclose to any individual who seeks to purchase covered services the total services price at the time the covered services are first displayed to the individual and anytime thereafter throughout the covered services purchasing process; and

(C) disclose, prior to the final purchase, any tax, fee, or assessment imposed by any government entity, quasi-government entity, or government-created special district or program on the sale of covered services.

(2) INDIVIDUAL COMPONENTS.—Provided that such displays are less prominent than the total service price required in paragraph (1), nothing in this section shall be construed to prohibit the display of—

(A) individual components of the total price; or

(B) details of other items not required by paragraph (1).

(3) INDEMNIFICATION PROVISIONS.—Nothing in this section shall be construed to prohibit any covered entity from entering into a contract with any other covered entity that contains an indemnification provision with respect to price or fee information disclosed, exchanged, or shared between the covered entities that are parties to the contract.

(b) ENFORCEMENT.—

(1) ENFORCEMENT BY THE COMMISSION.—

(A) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(B) POWERS OF THE COMMISSION.—

(i) IN GENERAL.—The Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(ii) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(iii) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(2) ENFORCEMENT BY STATES.—

(A) IN GENERAL.—If the attorney general of a State has reason to believe that an interest of the residents of the State has been or is being threatened or adversely affected by a practice that violates subsection (a), the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States to obtain appropriate relief.

(B) RIGHTS OF THE COMMISSION.—

(i) NOTICE TO THE COMMISSION.—

(I) IN GENERAL.—Except as provided in subclause (III), the attorney general of a State, before initiating a civil action under subparagraph (A) shall notify the Commission in writing that the attorney general intends to bring such civil action.

(II) CONTENTS.—The notification required by subclause (I) shall include a copy of the complaint to be filed to initiate the civil action.

(III) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by subclause (I) before initiating a civil action under subparagraph (A), the attorney general shall notify the Commission immediately upon instituting the civil action.

(ii) INTERVENTION BY THE COMMISSION.—The Commission may—

(I) intervene in any civil action brought by the attorney general of a State under subparagraph (A); and

(II) upon intervening—

(aa) be heard on all matters arising in the civil action; and

(bb) file petitions for appeal.

(C) INVESTIGATORY POWERS.—Nothing in this paragraph may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(D) ACTION BY THE COMMISSION.—Whenever a civil action has been instituted by or on behalf of the Commission for violation of subsection (a), no attorney general of a State may, during the pendency of that action, institute an action under subparagraph (A) against any defendant named in the complaint in that action for a violation of subsection (a) alleged in such complaint.

(E) VENUE; SERVICE OF PROCESS.—

(i) VENUE.—Any action brought under subparagraph (A) may be brought in—

(I) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(II) another court of competent jurisdiction.

(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A), process may be served in any district in which—

(I) the defendant is an inhabitant, may be found, or transacts business; or

(II) venue is proper under section 1391 of title 28, United States Code.

(F) ACTIONS BY OTHER STATE OFFICIALS.—

(i) IN GENERAL.—In addition to civil actions brought by an attorney general under subparagraph (A), any other officer of a State who is authorized by the State to do so may bring a civil action under subparagraph (A), subject to the same requirements and limitations that apply under this paragraph to civil actions brought by attorneys general.

(ii) SAVINGS PROVISION.—Nothing in this paragraph may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(3) REBUTTABLE PRESUMPTION OF COMPLIANCE.—In any action pursuant to paragraph (1) or (2), an intermediary or third-party online seller shall be entitled to a rebuttable presumption of compliance with the price display requirements of subsection (a)(1), if such intermediary or third-party online seller—

(A) relied in good faith on information provided to the intermediary or third-party online seller by a hotel or short-term rental, or agent acting on behalf of such hotel or short-term rental, and such information was inaccurate at the time it was provided to the intermediary or third-party online seller; and

(B) took prompt action to remove or correct any false or inaccurate information about the total services price after receiving notice that such information was false or inaccurate.

(c) PREEMPTION.—

(1) IN GENERAL.—A State, or political subdivision of a State, may not maintain, enforce, prescribe, or continue in effect any law, rule, regulation, requirement, standard, or other provision having the force and effect of law of the State, or political subdivision of the State, that prohibits a covered entity from advertising, displaying, marketing, or otherwise offering, or otherwise affects the manner in which a covered entity may advertise, display, market, or otherwise offer, for sale in interstate commerce, including through a direct offering, third-party distribution, or metasearch referral, a price of a reservation for a covered service that does not include each mandatory fee.

(2) RULE OF CONSTRUCTION.—This section may not be construed to—

(A) preempt any law of a State or political subdivision of a State relating to contracts or torts; or

(B) preempt any law of a State or political subdivision of a State to the extent that such law relates to an act of fraud, unauthorized access to personal information, or notification of unauthorized access to personal information.

(d) DEFINITIONS.—In this section:

(1) BASE SERVICES PRICE.—The term ''base services price'' —

(A) means, with respect to the covered services provided by a hotel or short-term rental, the price in order to obtain the covered services of the hotel or short-term rental; and

(B) does not include—

(i) any service fee;

(ii) any taxes or fees imposed by a government or quasi-government entity;

(iii) assessment fees of a government-created special district or program; or

(iv) any charges or fees for an optional product or service associated with the covered services that may be selected by a purchaser of covered services.

(2) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(3) COVERED ENTITY.—The term ''covered entity'' means a person, partnership, or corporation with respect to whom the Commission has jurisdiction under section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)), including—

(A) a hotel or short-term rental;

(B) a third-party online seller; or

(C) an intermediary.

(4) COVERED SERVICES.—The term ''covered services'' means the temporary provision of a room, building, or other lodging facility.

(5) HOTEL.—The term ''hotel'' means an establishment that is—

(A) primarily engaged in providing a covered service to the general public; and

(B) promoted, advertised, or marketed in interstate commerce or for which such establishment's services are sold in interstate commerce.

(6) INTERMEDIARY.—The term ''intermediary'' means an entity that operates either as a business-to-business platform, consumer-facing platform, or both, that displays, including through direct offerings, third-party distribution, or metasearch referral, a price for covered services or price comparison tools for consumers seeking covered services.

(7) OPTIONAL PRODUCT OR SERVICE.—The term ''optional product or service'' means a product or service that an individual does not need to purchase to use or obtain covered services

(8) SERVICE FEE.—The term ''service fee''—

(A) means a charge imposed by a covered entity that must be paid in order to obtain covered services; and

(B) does not include—

(i) any taxes or fees imposed by a government or quasi-government entity;

(ii) any assessment fees of a government-created special district or program; or

(iii) any charges or fees for an optional product or service associated with the covered services that may be selected by a purchaser of covered services.

(9) SHORT-TERM RENTAL.—The term ''short-term rental'' means a property, including a single-family dwelling or a unit in a condominium, cooperative, or time-share, that provides covered services (either with respect to the entire property or a part of the property) to the general public—

(A) in exchange for a fee;

(B) for periods shorter than 30 consecutive days; and

(C) is promoted, advertised, or marketed in interstate commerce or for which such property's services are sold in interstate commerce.

(10) STATE.—The term ''State'' means each of the 50 States, the District of Columbia, and any territory or possession of the United States.

(11) THIRD-PARTY ONLINE SELLER.—The term ''third-party online seller'' means any person other than a hotel or short-term rental that sells covered services or offers for sale covered services with respect to a hotel or short-term rental in a transaction facilitated on the internet.

(12) TOTAL SERVICES PRICE.—The term ''total services''—

(A) means, with respect to covered services, the total cost of the covered services, including the base services price and any service fees; and

(B) does not include—

(i) any taxes or fees imposed by a government or quasi-government entity;

(ii) any assessment fees of a government-created special district or program; or

(iii) any charges or fees for an optional product or service associated with the covered services that may be selected by a purchaser of covered services.

(e) EFFECTIVE DATE.—The prohibition under subsection (a) shall take effect 450 days after the date of the enactment of this Act and shall apply to advertisements, displays, marketing, and offers of covered services of a covered entity made on or after such date.

SA 2984. Ms. BUTLER 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. NON-COMPETITIVE HIRING ELIGIBILITY UNDER THE NATIONAL SERVICE LAWS.

(a) NATIONAL AND COMMUNITY SERVICE ACT OF 1990.—Title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.) is amended by inserting after section 189D (42 U.S.C. 12645g) the following:

''SEC. 189E. NON-COMPETITIVE HIRING ELIGIBILITY.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' means an agency, office, or other establishment in the executive branch of the Federal Government.

''(2) COMPETITIVE SERVICE.—The term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.

''(b) IN GENERAL.—Notwithstanding any provision of chapter 33 of title 5, United States Code, governing appointments in the competitive service, and under such regulations as the Director of the Office of Personnel Management shall prescribe, the head of any agency may, in accordance with subsections (c) and (e), noncompetitively appoint any individual who is certified under subsection (d) to a position in the competitive service for which the individual is otherwise qualified.

''(c) APPOINTMENT IN PERMANENT POSITION.—Any person appointed to a permanent position under subsection (a) shall—

''(1) become a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

''(2) acquire competitive status upon completion of any prescribed probationary period.

''(d) CERTIFICATION OF INDIVIDUAL.—

''(1) IN GENERAL.—The Chief Executive Officer may certify an individual under this subsection if the individual successfully completed—

''(A) a term of national service as a Team Leader or Member, as described in paragraph (1) or (4) of section 155(b), in the AmeriCorps National Civilian Community Corps program component described in section 153;

''(B) a period of service of not less than one year as a volunteer or designated volunteer leader under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.); or

''(C) not less than 1,700 hours of service under section 139(b)(1) as a participant under section 137.

''(2) RELIANCE ON OTHER CERTIFICATIONS.—In making any certification under paragraph (1), the Chief Executive Officer may rely on a certification made by the entity that selected the individual for, and supervised the individual in, the activity described in subparagraph (A), (B), or (C) of such paragraph.

''(3) ERRONEOUS OR INCORRECT CERTIFICATION.—If the Chief Executive Officer determines that a certification under paragraph (1) is erroneous or incorrect, the Corporation shall, after considering the full facts and circumstances surrounding the erroneous or incorrect certification, take action as permitted under law.

''(e) PERIOD OF APPOINTMENT.—The head of any agency may make an appointment of an individual under subsection (b)—

''(1) not later than 1 year after the date of completion by the individual of an activity described in subparagraph (A), (B), or (C) of subsection (d)(1); or

''(2) not later than 3 years after such date in the case of an individual who, following such service, was engaged—

''(A) in military service,

''(B) in the pursuit of studies at a recognized institution of higher learning, or

''(C) in other activities that, as determined by the head of such agency, warrant an extended time period.''.

(b) DOMESTIC VOLUNTEER SERVICE ACT OF 1973.— Section 415 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5055) is amended by striking subsection (d).

SA 2985. Ms. BUTLER (for herself and Mrs. BRITT) 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. 10___. IMPROVE INITIATIVE.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.) is amended by adding at the end the following:

''SEC. 409K. IMPROVE INITIATIVE.

''(a) IN GENERAL.—The Director of the National Institutes of Health, in consultation with the Director the Eunice Kennedy Shriver National Institute of Child Health and Human Development, shall establish a program to be known as the Implementing a Maternal health and PRegnancy Outcomes Vision for Everyone Initiative (referred to in this section as the 'Initiative').

''(b) DUTIES.—The Initiative shall—

''(1) advance research to—

''(A) reduce preventable causes of maternal mortality and severe maternal morbidity;

''(B) reduce health disparities related to maternal health outcomes, including such disparities associated with medically underserved populations; and

''(C) improve health for pregnant and postpartum women before, during, and after pregnancy;

''(2) use an integrated approach to understand the factors, including biological, behavioral, and other factors, that affect maternal mortality and severe maternal morbidity by building an evidence base for improved outcomes in specific regions of the United States; and

''(3) target health disparities associated with maternal mortality and severe maternal morbidity by—

''(A) implementing and evaluating community-based interventions for disproportionately affected women; and

''(B) identifying risk factors and the underlying biological mechanisms associated with leading causes of maternal mortality and severe maternal morbidity in the United States.

''(c) IMPLEMENTATION.—The Director of the Institute may award grants or enter into contracts, cooperative agreements, or other transactions to carry out subsection (a).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $53,400,000 for each of fiscal years 2025 through 2031.''.

SA 2986. 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 subtitle C of title X, add the following:

SEC. 1027. SENSE OF CONGRESS REGARDING NAMING OF NAVAL VESSEL IN HONOR OF LIEUTENANT GENERAL RICHARD E. CAREY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Navy should name the Spearhead-class expeditionary fast transport vessel of the United States Navy that has been ordered (Hull Number T-EPF-16) in honor of Lieutenant General Richard E. Carey for the acts of valor described in subsection (b).

(b) ACTS OF VALOR.—The acts of valor described in this subsection are as follows:

(1) In September 1950 in Korea, Lieutenant General Richard E. Carey participated in the Inchon Landing, captured communist forces, and led his rifle platoon to Seoul. Three months later, on East Hill at the Chosin Reservoir, Carey hurled grenades at Chinese forces. Carey and his fellow Marines were outnumbered eight to one. They held their ground and broke through the Chinese trap to the sea.

(2) Carey remained in the fight until March 1951. While commanding a platoon of machine gunners, Carey was badly wounded. He continued leading his troops and initially refused to get aid for his injuries. Carey's wounds required hospitalization. During 189 days in Korea, Carey had seven near-death experiences. As a result of his actions in Korea, Carey received the Silver Star, the Bronze Star, and the Purple Heart.

(3) Returning to the United States, Carey earned a flight training slot and became a fighter pilot. In the early 1960s, Carey scouted Marine Corps airfield sites in Vietnam. He returned to Vietnam in the summer of 1967 and served during the Tet Offensive. Carey flew 204 combat sorties, earning the Distinguished Flying Cross and 16 Air Medals.

SA 2987. Mr. CORNYN (for himself, Mr. WELCH, 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 of subtitle H of title X, add the following:

SEC. 1095. POST-EMPLOYMENT RESTRICTIONS ON OFFICIALS IN POSITIONS SUBJECT TO SENATE CONFIRMATION.

(a) SHORT TITLE.—This section may be cited as the ''Conflict-free Leaving Employment and Activity Restrictions Path Act'' or the ''CLEAR Path Act''.

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

(1) Congress and the executive branch have recognized the importance of preventing and mitigating the potential for conflicts of interest following government service, including with respect to senior United States officials working on behalf of foreign governments; and

(2) Congress and the executive branch should jointly evaluate the status and scope of post-employment restrictions.

(c) POST-EMPLOYMENT RESTRICTIONS.—

(1) IN GENERAL.—Section 207 of title 18, United States Code, is amended by adding at the end the following:

''(m) EXTENDED POST-EMPLOYMENT RESTRICTIONS FOR OFFICIALS IN POSITIONS SUBJECT TO SENATE CONFIRMATION.—

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

''(A) COUNTRY OF CONCERN.—The term 'country of concern' has the meaning given the term in section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)).

''(B) FOREIGN GOVERNMENTAL ENTITY.—The term 'foreign governmental entity' has the meaning given the term in section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)).

''(C) REPRESENT.—The term 'represent' does not include representation by an attorney, who is duly licensed and authorized to provide legal advice in a United States jurisdiction, of a person or entity in a legal capacity or for the purposes of rendering legal advice.

''(D) SENATE-CONFIRMED POSITION.—The term 'Senate-confirmed position' means a position in a department or agency of the executive branch of the United States for which appointment is required to be made by the President, by and with the advice and consent of the Senate.

''(2) AGENCY HEADS, DEPUTY HEADS, AND OTHER POSITIONS SUBJECT TO SENATE CONFIRMATION.—With respect to a person serving as the head or deputy head of, or serving in any Senate-confirmed position in, a department or agency of the executive branch of the United States, the restrictions described in subsection (f)(1) shall apply to any such person who knowingly represents, aids, or advises—

''(A) a foreign governmental entity before an officer or employee of the executive or legislative branch of the United States with the intent to influence a decision of the officer or employee in carrying out his or her official duties for 2 years after the termination of the person's service in that position; or

''(B) a foreign governmental entity of a country of concern before an officer or employee of the executive or legislative branch of the United States with the intent to influence a decision of the officer or employee in

carrying out his or her official duties at any time after the termination of the person's service in that position.

''(3) NOTICE OF RESTRICTIONS.—Any person subject to the restrictions under this subsection shall be provided notice of these restrictions by the relevant department or agency—

''(A) upon appointment by the President; and

''(B) upon termination of service with the relevant department or agency.

''(4) EFFECTIVE DATE.—The restrictions under this subsection shall apply only to persons who are appointed by the President to the positions referenced in this section on or after the date of enactment of the Conflict-free Leaving Employment and Activity Restrictions Path Act.

''(5) SUNSET.—The restrictions under this subsection shall expire on the date that is 5 years after the date of enactment of the Conflict-free Leaving Employment and Activity Restrictions Path Act.''.

(2) CONFORMING AMENDMENT.—Section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)) is amended—

(A) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (5) the following:

''(6) RELATION TO GOVERNMENT-WIDE RESTRICTIONS.—This subsection shall not apply to a person by reason of the person's service in a position referenced in this subsection if the person is subject to the restrictions under section 207(m) of title 18, United States Code, by reason of the same service.''.

(d) MECHANISM TO AMEND DEFINITION OF ''COUNTRY OF CONCERN''.—Section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)), as amended by subsection (c)(2), is amended by adding at the end the following:

''(9) MODIFICATION TO DEFINITION OF 'COUNTRY OF CONCERN'.—

''(A) IN GENERAL.—The Secretary of State may, in consultation with the Attorney General, propose the addition or deletion of countries described in paragraph (1)(A).

''(B) SUBMISSION.—Any proposal described in subparagraph (A) shall—

''(i) be submitted to the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate and the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives; and

''(ii) become effective upon enactment of a joint resolution of approval as described in subparagraph (C).

''(C) JOINT RESOLUTION OF APPROVAL.—

''(i) IN GENERAL.—For purposes of subparagraph (B)(ii), the term 'joint resolution of approval' means only a joint resolution—

''(I) that does not have a preamble;

''(II) that includes in the matter after the resolving clause the following: 'That Congress approves the modification of the definition of ''country of concern'' under section 1(m) of the State Department Basic Authorities Act of 1956, as submitted by the Secretary of State on _____; and section 1(m)(1)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)(1)(A)) is amended by _____.', the blank spaces being appropriately filled in with the appropriate date and the amendatory language required to modify the list of countries in paragraph (1)(A) of this subsection by adding or deleting 1 or more countries; and

''(III) the title of which is as follows: 'Joint resolution approving modifications to definition of ''country of concern'' under section 1(m) of the State Department Basic Authorities Act of 1956.'.

''(ii) REFERRAL.—

''(I) SENATE.—A resolution described in clause (i) that is introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate.

''(II) HOUSE OF REPRESENTATIVES.—A resolution described in clause (i) that is introduced in the House of Representatives shall be referred to the Committee on the Judiciary of the House of Representatives.''.

SA 2988. 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 subtitle A of title XII, add the following:

SEC. 1216. LIMITED EXCEPTION TO FUNDING PROHIBITION FOR FOREIGN SECURITY FORCES THAT HAVE COMMITTED A GROSS VIOLATION OF HUMAN RIGHTS.

Section 362(b) of title 10, United States Code, is amended by striking ''has taken all necessary corrective steps,'' and inserting ''is taking effective steps to bring the responsible members of the security forces unit to justice,''.

SA 2989. Mr. CORNYN (for himself and Ms. CORTEZ MASTO) 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 B of title VI, insert the following:

SEC. 615. TERMINATION OF OBLIGATION TO REPAY BONUSES OF MEMBERS SEPARATED FOR REFUSING COVID–19 VACCINE.

(a) IN GENERAL.—A former member of the Armed Forces who was separated from the Armed Forces solely because the former member refused to obtain a COVID–19 vaccine shall be released from any obligation to repay the prorated portion of any bonus received by the former member for any period of obligated service on or after January 10, 2023.

(b) REIMBURSMENT OF REPAYMENTS.—A former member of the Armed Forces described in subsection (a) who, before the date of the enactment of this Act, repaid any of the prorated portion of a bonus described in that subsection shall be reimbursed for such repayment.

SA 2990. 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 subtitle E of title VII, add the following:

SEC. 750. REGENERATIVE MEDICINE TECHNOLOGIES STRATEGY.

(a) IN GENERAL.—Not later than May 1, 2025, the Assistant Secretary of Defense for Health Affairs, in coordination with the Surgeons General of the Armed Forces and the Joint Staff Surgeon, shall develop a strategy for regenerative medicine technologies to support health of and return to duty by members of the Armed Forces following traumatic injuries sustained in training and combat operations.

(b) ELEMENTS.—The strategy required under subsection (a) shall, at a minimum—

(1) focus on addressing medical challenges experienced by members of the Armed Forces in training and combat operations in which regenerative medicine technologies, including anatomically-precise therapeutics, can be used to treat vertebral, orthopedic, craniofacial, and musculoskeletal injuries;

(2) identify partnerships with academic medical centers, industry, nonprofit organizations, and small businesses in regenerative medicine to support existing and future medical requirements of members of the Armed Forces;

(3) identify laboratory and medical product development requirements of the Department of Defense, including research and development, to support transition and fielding of regenerative medicine technologies;

(4) identify gaps in regenerative medicine capabilities and actions needed to close or mitigate those gaps; and

(5) provide recommendations to transition regenerative medicine technologies into clinical practice to treat vertebral, orthopedic, craniofacial, and musculoskeletal injuries sustained in training and combat operations.

(c) BRIEFING.—Not later than 30 days after completion of the strategy required under subsection (a), the Assistant Secretary of Defense for Health Affairs shall provide to the congressional defense committees a briefing on the strategy.

SA 2991. 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 subtitle F of title III, add the following:

SEC. 358. PROCUREMENT OF SOFTWARE AS A SERVICE AND DATA AS A SERVICE FOR PURPOSES OF ARTIFICIAL INTELLIGENCE SYSTEMS.

(a) USE OF FUNDS.—The Secretary of Defense may use amounts made available to the Secretary for operation and maintenance to procure software as a service and data as a service and modify software to include artificial intelligence systems to meet the operational needs of the Department of Defense.

(b) REVISION OF REGULATIONS.—The Secretary of Defense shall revise or develop regulations as necessary to implement this section, which shall include regulations governing the procurement and modification of software, data, and artificial intelligence systems, and the oversight of such procurement and modification.

(c) DEFINITIONS.—In this section:

(1) SOFTWARE.—The term ''software'' has the meaning given that term under the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code, and includes non-commercial,

commercial, and commercial-off-the shelf software.

(2) SOFTWARE AS A SERVICE.—The term ''software as a service'' means a software delivery model in which software is provided on a subscription basis and is accessed remotely over the internet.

(3) DATA AS A SERVICE.—The term ''data as a service'' means a data delivery model in which data is provided on a subscription basis and is accessed remotely over the internet.

(4) ARTIFICIAL INTELLIGENCE SYSTEM.—The term ''artificial intelligence system'' means a system that is capable of performing tasks that normally require human-like cognition, including learning, decision-making, and problem-solving.

(d) SUNSET.—This section shall terminate on September 30, 2026.

SA 2992. 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 subtitle C of title XXVIII, add the following:

SEC. 2836. LAND CONVEYANCE, BOYLE MEMORIAL ARMY RESERVE CENTER, PARIS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to Paris Junior College, located in Paris, Texas (in this section referred to as the ''College''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 4 acres, known as the former Boyle Memorial Army Reserve Center, located in Paris, Texas.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—As consideration for the conveyance under subsection (a), the College shall pay to the Secretary of the Army an amount equal to not less than the fair market value of the property to be conveyed, as determined by the Secretary, which may consist of cash payment, in-kind consideration as described in paragraph (2), or a combination thereof.

(2) IN-KIND CONSIDERATION.—In-kind consideration provided by the College under paragraph (1) may include—

(A) the acquisition, construction, provision, improvement, maintenance, repair, or restoration (including environmental restoration), or a combination thereof, of any property, facilities, or infrastructure; or

(B) the delivery of services relating to the needs of the Department of the Army that the Secretary considers acceptable.

(3) CONVEYANCE.—Cash payments received under paragraph (1) as consideration for the conveyance under subsection (a) shall be deposited in the special account in the Treasury established under section 572(b)(5) of title 40, United States Code.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—

(A) IN GENERAL.—The Secretary of the Army shall require the College to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance.

(B) COLLECTION IN ADVANCE.—If amounts are collected from the College in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance under subsection (a), the Secretary shall refund the excess amount to the College.

(2) TREATMENT OF AMOUNTS RECEIVED.—

(A) IN GENERAL.—Amounts received as reimbursement under paragraph (1)(A) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance under subsection (a) or, if the period of availability of obligations for that appropriation has expired, to the appropriations of a fund that is currently available to the Secretary for the same purpose.

(B) MERGER OF AMOUNTS.—Amounts credited to a fund or account under subparagraph (A) shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the parcel of real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary of the Army.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SA 2993. Mr. OSSOFF (for himself, Mr. ROUNDS, 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 end of part I of subtitle F of title V, add the following:

SEC. 578. ELIGIBILITY OF DEPENDENTS OF CERTAIN DECEASED MEMBERS OF THE ARMED FORCES FOR ENROLLMENT IN DEPARTMENT OF DEFENSE DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

Section 2164(j) of title 10, United States Code, is amended—

(1) in paragraph (1), in the first sentence, by striking ''an individual described in paragraph (2)'' and inserting ''a member of a foreign armed force residing on a military installation in the United States (including territories, commonwealths, and possessions of the United States)''; and

(2) by amending paragraph (2) to read as follows:

''(2)(A) The Secretary may authorize the enrollment in a Department of Defense education program provided by the Secretary pursuant to subsection (a) of a dependent not otherwise eligible for such enrollment who is the dependent of a member of the armed forces who died in—

''(i) an international terrorist attack against the United States or a foreign country friendly to the United States, as determined by the Secretary;

''(ii) military operations while serving outside the United States (including the commonwealths, territories, and possessions of the United States) as part of a peacekeeping force; or

''(iii) the line of duty in a combat-related operation, as designated by the Secretary.

''(B)(i) Except as provided by clause (ii), enrollment of a dependent described in subparagraph (A) in a Department of Defense education program provided pursuant to subsection (a) shall be on a tuition-free, space available basis.

''(ii) In the case of a dependent described in subparagraph (A) residing on a military installation in the United States (including territories, commonwealths, and possessions of the United States), the Secretary may authorize enrollment of the dependent in a Department of Defense education program provided pursuant to subsection (a) on a tuition-free, space required basis.''.

SA 2994. Mr. OSSOFF 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. RURAL EMERGENCY HOSPITAL FIX.

(a) IN GENERAL.—Section 1861(kkk)(3) of the Social Security Act (42 U.S.C. 1395x(kkk)(3)) is amended, in the matter preceding subparagraph (A), by inserting ''March 11, 2020, or'' after ''as of''.

(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendment made by subsection (a) by program instruction or otherwise.

SA 2995. Mr. KENNEDY 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. IMPROVING COORDINATION BETWEEN FEDERAL AND STATE AGENCIES AND THE DO NOT PAY WORKING SYSTEM.

(a) IN GENERAL.—Section 801(a) of title VIII of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking paragraph (7) and inserting the following:

''(7) by adding at the end the following paragraph:

'' ''(11) The Commissioner of Social Security shall, to the extent feasible, provide information furnished to the Commissioner under paragraph (1) to the agency operating the Do Not Pay working system described in section 3354(c) of title 31, United States Code, for the authorized uses of the Do Not Pay working system through a cooperative arrangement with such agency, provided that the requirements of subparagraphs (A) and (B) of paragraph (3) are met with respect to such arrangement with such agency.'.''.

(b) CONFORMING AMENDMENT.—Section 801(b)(2) of title VIII of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking ''on the date that is 3 years after the date of enactment of this Act'' and inserting ''on December 28, 2026''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 28, 2026.

SA 2996. Mr. PADILLA 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. RESEARCH INTO SAN PEDRO BASIN CONTAMINATION AND BIOREMEDIATION OPTIONS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATORS.—The term ''Administrators'' means the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Environmental Protection Agency, in consultation with the Secretary of Defense and heads of other relevant agencies.

(2) COVERED WASTE.—The term ''covered waste'' means—

(A) dichlorodiphenyltrichloroethane, dichlorodiphenyltrichloroethane degradation products, and byproducts of dichlorodiphenyltrichloroethane manufacturing; and

(B) other industrial wastes including military explosives, munitions, radioactive waste, refinery byproducts, and associated chemicals.

(b) RESEARCH, MONITORING, AND REMEDIATION.—The Administrators shall—

(1) conduct status and trend monitoring of the dumping of covered waste in the San Pedro Basin;

(2) conduct research to characterize the scope, impact, and potential for penetration into the marine food web of the dumping of covered waste in the San Pedro Basin; and

(3) assess, analyze, and explore the potential of remediation with respect to the dumping of covered waste at dump sites in the San Pedro Basin, including bioremediation.

(c) STUDY OF SEAFLOOR CONTAMINATION.—The Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Defense, may provide funding under the Competitive Research Program of the National Centers for Coastal Ocean Science to support the study of deep seafloor contamination from the dumping of covered waste off the coast of California, including the study of—

(1) spatial and co-contaminant inventories;

(2) transport and fate processes; and

(3) ecosystem biomagnification.

(d) REPORT.—Not later than 2 years after the date of enactment of this Act, the Administrators shall submit a report describing a strategy for further research and remediation in the San Pedro Basin to the following committees:

(1) The Committee on Commerce, Science, and Transportation of the Senate.

(2) The Committee on Environment and Public Works of the Senate.

(3) The Committee on Natural Resources of the House of Representatives.

(4) The Committee on Transportation and Infrastructure of the House of Representatives.

(5) The Committee on Energy and Commerce of the House of Representatives.

(6) The Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

(7) The Committee on Science, Space, and Technology of the House of Representatives.

(e) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for the program described in subsection (c), there is authorized to be appropriated to carry out such subsection $6,000,000 for each of fiscal years 2025 through 2031.

SA 2997. Ms. HIRONO (for herself and Mr. BLUMENTHAL) 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 D of title VII, add the following:

SEC. 735. TRICARE COVERAGE FOR INCREASED SUPPLY OF CONTRACEPTION.

(a) IN GENERAL.—Beginning not later than 180 days after the date of the enactment of the Act, contraceptive supplies of up to 365 days shall be covered under the TRICARE program for any eligible covered beneficiary to obtain, including in a single fill or refill, at the option of such beneficiary, the total days of supply (not to exceed a 365-day supply) for a contraceptive on the uniform formulary provided through a pharmacy at a military medical treatment facility, a retail pharmacy described in section 1074g(a)(2)(E)(ii) of title 10, United States Code, or through the national mail-order pharmacy program of the TRICARE program.

(b) OUTREACH.—Beginning not later than 90 days after the implementation of coverage under subsection (a), the Secretary shall conduct such outreach activities as are necessary to inform health care providers and individuals who are enrolled in the TRICARE program of such coverage and the requirements to receive such coverage.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE COVERED BENEFICIARY.—The term ''eligible covered beneficiary'' means an eligible covered beneficiary (as defined in section 1074g(i) of title 10, United States Code) who is—

(A) a member of the uniformed services serving on active duty; or

(B) a dependent of a member described in subparagraph (A).

(2) TRICARE PROGRAM; TRICARE PRIME.—The terms ''TRICARE program'' and ''TRICARE Prime'' have the meanings given those terms in section 1072 of title 10, United States Code.

(3) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given that term in section 101 of title 10, United States Code.

SA 2998. Mr. WARNOCK 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. BASIC ALLOWANCE FOR HOUSING: AUTHORIZATION OF APPROPRIATIONS.

Not later than January 1, 2026, there is authorized to be appropriated $1,200,000,000 for the purpose of fully funding the basic allowance for housing for members of the uniformed services under section 403 of title 37, United States Code.

SA 2999. 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 subtitle B of title VI, add the following:

SEC. 615. TERMINATION OF OBLIGATION TO REPAY BONUSES OF MEMBERS SEPARATED SOLELY FOR REFUSING COVID–19 VACCINE.

(a) RELEASE FROM REPAYMENT OBLIGATION.—A former member of the Armed Forces who was separated from the Armed Forces based solely on the failure of the member to obey an order to receive a vaccine for COVID–19 shall be released from any obligation to repay any bonus received by the former member from the Department of Defense.

(b) REIMBURSEMENT OF REPAYMENTS.—A former member of the Armed Forces described in subsection (a) who, before the date of the enactment of this Act, repaid any portion of a bonus described in that subsection shall be reimbursed by the Secretary of Defense for such repayment.

SA 3000. Mr. WICKER 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:

DIVISION _____—VIEQUES RECOVERY AND REDEVELOPMENT

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Vieques Recovery and Redevelopment Act''.

SEC. _____02. FINDINGS.

The Congress finds the following:

(1) Vieques is an island municipality of Puerto Rico, measuring approximately 21 miles long by 4 miles wide, and located approximately 8 miles east of the main island of Puerto Rico.

(2) Prior to Hurricane Maria, residents of Vieques were served by an urgent medical care facility, the Susana Centeno Family Health Center, and residents had to travel off-island to obtain medical services, including most types of emergency care because the facility did not have the basic use of x-ray machines, CT machines, EKG machines, ultrasounds, or PET scans.

(3) The predominant means of transporting passengers and goods between Vieques and the main island of Puerto Rico is by ferry boat service, and over the years, the efficiency of this service has frequently been disrupted, unreliable, and difficult for cancer patients to endure to receive treatment. Each trip to Ceiba, Puerto Rico, for the cancer patient is an additional out-of-pocket expense ranging from $120 to $200.

(4) The United States Military maintained a presence on the eastern and western portions of Vieques for close to 60 years, and

used parts of the island as a training range during those years, dropping over 80 million tons of ordnance and other weaponry available to the United States military since World War II.

(5) The unintended, unknown, and unavoidable consequences of these exercises were to expose Americans living on the islands to the residue of that weaponry which includes heavy metals and many other chemicals now known to harm human health.

(6) According to Government and independent documentation, the island of Vieques has high levels of heavy metals and has been exposed to chemical weapons and toxic chemicals. Since the military activity in Vieques, island residents have suffered from the health impacts from long-term exposure to environmental contamination as a result of 62 years of military operations, and have experienced higher rates of certain diseases among residents, including cancer, cirrhosis, hypertension, diabetes, heavy metal diseases, along with many unnamed and uncategorized illnesses. These toxic residues have caused the American residents of Vieques to develop illnesses due to ongoing exposure.

(7) In 2017, Vieques was hit by Hurricane Maria, an unusually destructive storm that devastated Puerto Rico and intensified the existing humanitarian crisis on the island by destroying existing medical facilities.

(8) The medical systems in place prior to Hurricane Maria were unable to properly handle the health crisis that existed due to the toxic residue left on the island by the military's activities.

(9) After Maria, the medical facility was closed due to damage and continues to be unable to perform even the few basic services that it did provide. Vieques needs a medical facility that can treat and address the critical and urgent need to get life-saving medical services to its residents. Due to legal restrictions, the Federal Emergency Management Agency (in this division referred to as ''FEMA'') is unable to provide a hospital where its capabilities exceed the abilities of the facility that existed prior to Maria; therefore Vieques needs assistance to build a facility to manage the vast health needs of its residents.

(10) Every American has benefitted from the sacrifices of those Americans who have lived and are living on Vieques and it is our intent to acknowledge that sacrifice and to treat those Americans with the same respect and appreciation that other Americans enjoy.

(11) In 2012, the residents of Vieques were denied the ability to address their needs in Court due to sovereign immunity, Sanchez v. United States, No. 3:09–cv–01260–DRD (D.P.R.). However, the United States Court of Appeals for the First Circuit referred the issue to Congress and urged it to address the humanitarian crisis. This bill attempts to satisfy that request such that Americans living on Vieques have a remedy for the suffering they have endured.

SEC. _____03. SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES FOR CERTAIN RESIDENTS OF THE ISLAND OF VIEQUES, PUERTO RICO.

(a) IN GENERAL.—An individual claimant who has resided on the island of Vieques, Puerto Rico, for not less than 5 years before the date of enactment of this Act and files a claim for compensation under this section with the Special Master, appointed pursuant to subsection (c), shall be awarded monetary compensation as described in subsection (b) if—

(1) the Special Master determines that the claimant is or was a resident or an immediate heir (as determined by the laws of Puerto Rico) of a deceased claimant on the island of Vieques, Puerto Rico, during or after the United States Government used the island of Vieques, Puerto Rico, for military readiness;

(2) the claimant previously filed a lawsuit or an administrative claim, or files a claim not later than 180 days after the date of the enactment of this Act against the United States Government for personal injury, including illness or death arising from use by the United States Government of the island of Vieques for military readiness; and

(3) the claimant produces evidence to the Special Master sufficient to show that a causal relationship exists between the claimant's chronic, life-threatening, or physical disease or illness limited to cancer, hypertension, cirrhosis, kidney disease, diabetes, or a heavy metal poisoning and the United States Government's use of the island of Vieques, Puerto Rico, for military readiness, or that a causal relationship is at least as likely as not, which may be in the form of a sworn claimant affidavit stating the years the claimant lived on Vieques and the disease or illness with which the claimant has been diagnosed and which may be supplemented with additional information, including a medical professional certification, at the request of the Special Master.

(b) AMOUNTS OF AWARD.—

(1) IN GENERAL.—A claimant who meets the requirements of subsection (a) shall be awarded compensation as follows:

(A) $50,000 for 1 disease described in subsection (a)(3).

(B) $80,000 for 2 diseases described in subsection (a)(3).

(C) $110,000 for 3 or more diseases described in subsection (a)(3).

(2) INCREASE IN AWARD.—In the case that an individual receiving an award under paragraph (1) of this subsection contracts another disease under subsection (a)(3) and files a new claim with the Special Master for an additional award not later than 10 years after the date of the enactment of this Act, the Special Master may award the individual an amount that is equal to the difference between—

(A) the amount that the individual would have been eligible to receive had the disease been contracted before the individual filed an initial claim under subsection (a); and

(B) the amount received by the individual pursuant to paragraph (1).

(3) DECEASED CLAIMANTS.—In the case of an individual who dies before making a claim under this section or a claimant who dies before receiving an award under this section, any immediate heir to the individual or claimant, as determined by the laws of Puerto Rico, shall be eligible for one of the following awards:

(A) Compensation in accordance with paragraph (1), divided among any such heir.

(B) Compensation based on the age of the deceased if the claimant produces evidence sufficient to conclude that a causal relationship exists between the United States Military activity and the death of the individual or that a causal relationship is as likely as not as follows:

(i) In the case of an individual or claimant who dies before attaining 20 years of age, $110,000, divided among any such heir.

(ii) In the case of an individual or claimant who dies before attaining 40 years of age, $80,000, divided among any such heir.

(iii) In the case of an individual or claimant who dies before attaining 60 years of age, $50,000, divided among any such heir.

(c) APPOINTMENT OF SPECIAL MASTER.—

(1) IN GENERAL.—The Attorney General shall appoint a Special Master not later than 90 days after the date of the enactment of this Act to consider claims by individuals and the municipality.

(2) QUALIFICATIONS.—The Attorney General shall consider the following in choosing the Special Master:

(A) The individual's experience in the processing of victims' claims in relation to foreign or domestic governments.

(B) The individual's balance of experience in representing the interests of the United States and individual claimants.

(C) The individual's experience in matters of national security.

(D) The individual's demonstrated abilities in investigation and fact findings in complex factual matters.

(E) Any experience the individual has had advising the United States Government.

(d) AWARD AMOUNTS RELATED TO CLAIMS BY THE MUNICIPALITY OF VIEQUES.—

(1) AWARD.—The Special Master, in exchange for its administrative claims, shall provide the following as compensation to the Municipality of Vieques:

(A) STAFF.—The Special Master shall provide medical staff, and other resources necessary to build and operate a level three trauma center (in this section, referred to as ''medical facility'') with a cancer center and renal dialysis unit and its equipment. The medical facility shall be able to treat life-threatening, chronic, heavy metal, and physical and mental diseases. The medical facility shall be able to provide basic x-ray, EKG, internal medicine expertise, medical coordination personnel and case managers, ultrasound, and resources necessary to screen claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection for cancer and the other prevailing health problems.

(B) OPERATIONS.—The Special Master shall fund the operations of the medical facility to provide medical care for pediatric and adult patients who reside on the island of Vieques, allowing the patients to be referred for tertiary and quaternary health care facilities when necessary, and providing the transportation and medical costs when traveling off the island of Vieques.

(C) INTERIM SERVICES.—Before the medical facility on the island of Vieques is operational, the Special Master shall provide to claimants described in subsection (a) who are receiving treatment for the diseases or illnesses described in paragraph (3) of that subsection—

(i) urgent health care air transport to hospitals on the mainland of Puerto Rico from the island of Vieques;

(ii) medical coordination personnel and case managers;

(iii) telemedicine communication abilities; and

(iv) any other services that are necessary to alleviate the health crisis on the island of Vieques.

(D) SCREENING.—The Special Master shall make available, at no cost to the patient, medical screening for cancer, cirrhosis, diabetes, and heavy metal contamination on the island of Vieques.

(E) ACADEMIC PARTNER.—The Special Master shall appoint an academic partner, with appropriate experience and an established relationship with the Municipality of Vieques, that shall—

(i) lead a research and outreach endeavor on behalf of the Municipality of Vieques;

(ii) select the appropriate scientific expertise and administer defined studies, conducting testing and evaluation of the soils, seas, plant and animal food sources, and the health of residents; and

(iii) determine and implement the most efficient and effective way to reduce the environmental toxins to a level sufficient to return the soils, seas, food sources, and health circumstances to a level that reduces the

diseases on the island of Vieques to the average in the United States.

(F) DUTIES.—The Special Master shall provide amounts necessary for the academic partner and medical coordinator to carry out the duties described in subparagraphs (A) through (D).

(G) PROCUREMENT.—The Special Master shall provide amounts necessary to compensate the Municipality of Vieques for—

(i) contractual procurement obligations and additional expenses incurred by the municipality as a result of the enactment of this section and settlement of its claim; and

(ii) any other damages and costs to be incurred by the municipality, if the Special Master determines that it is necessary to carry out the purpose of this section.

(H) POWER SOURCE.—The Special Master shall determine the best source of producing independent power on the island of Vieques that is hurricane resilient and can effectively sustain the needs of the island and shall authorize such construction as an award to the Municipality of Vieques.

(2) SOURCE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), amounts awarded under this division shall be made from amounts appropriated under section 1304 of title 31, United States Code, commonly known as the ''Judgment Fund'', as if claims were adjudicated by a United States District Court under section 1346(b) of title 28, United States Code.

(B) LIMITATION.—Total amounts awarded under this division shall not exceed $1,000,000,000.

(3) DETERMINATION AND PAYMENT OF CLAIMS.—

(A) ESTABLISHMENT OF FILING PROCEDURES.—The Attorney General shall establish procedures whereby individuals and the municipality may submit claims for payments under this section to the Special Master.

(B) DETERMINATION OF CLAIMS.—The Special Master shall, in accordance with this subsection, determine whether each claim meets the requirements of this section. Claims filed by residents of the island of Vieques that have been disposed of by a court under chapter 171 of title 28, United States Code, shall be treated as if such claims are currently filed.

(e) ACTION ON CLAIMS.—The Special Master shall make a determination on any claim filed under the procedures established under this section not later than 150 days after the date on which the claim is filed.

(f) PAYMENT IN FULL SETTLEMENT OF CLAIMS BY INDIVIDUALS AND THE MUNICIPALITY OF VIEQUES AGAINST THE UNITED STATES.—The acceptance by an individual or the Municipality of Vieques of a payment of an award under this section shall—

(1) be final and conclusive;

(2) be deemed to be in full satisfaction of all claims under chapter 171 of title 28, United States Code; and

(3) constitute a complete release by the individual or municipality of such claim against the United States and against any employee of the United States acting in the scope of employment who is involved in the matter giving rise to the claim.

(g) CERTIFICATION OF TREATMENT OF PAYMENTS UNDER OTHER LAWS.—Amounts paid to an individual under this section—

(1) shall be treated for purposes of the laws of the United States as damages for human suffering; and

(2) may not be included as income or resources for purposes of determining eligibility to receive benefits described in section 3803(c)(2)(C) of title 31, United States Code, or the amount of such benefits.

(h) LIMITATION ON CLAIMS.—A claim to which this section applies shall be barred unless the claim is filed within 15 years after the date of the enactment of this Act.

(i) ATTORNEY'S FEES.—Notwithstanding any contract, a representative of an individual may not receive, for services rendered in connection with a claim of the individual under this division, more than 10 percent of a payment made under this division.

SA 3001. Mr. PETERS (for himself, Mr. LANKFORD, and Mr. BRAUN) 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. 10_____. FEDERAL U.S. PHARMACEUTICAL SUPPLY CHAIN MAPPING.

(a) SHORT TITLE.—This section may be cited as the ''Mapping America's Pharmaceutical Supply Act'' or the ''MAPS Act''

(b) PHARMACEUTICAL SUPPLY CHAIN MAPPING.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), in coordination with the heads of other relevant agencies, shall support efforts, including through public-private partnerships, to map the entire United States pharmaceutical supply chain, from inception to distribution, and use data analytics to identify supply chain vulnerabilities and related national security threats. Such activities shall include, at minimum—

(1) defining agency roles in monitoring the pharmaceutical supply chain and communicating supply chain vulnerabilities;

(2) establishing a database of drugs, as determined by the Secretary with consideration given to the essential medicines list developed by the Food and Drug Administration in response to Executive Order 13944 (85 Fed. Reg. 49929) and any other relevant assessments or lists, as appropriate, to identify, in coordination with the private sector, a list of essential medicines, to be updated regularly and published on a timeframe that the Secretary, in coordination with the heads of other relevant agencies, determines appropriate, which shall include the drugs and the active pharmaceutical ingredients of such drugs that—

(A) are reasonably likely to be required to respond to a public health emergency or to a chemical, biological, radiological, or nuclear threat; or

(B) the shortage of which would pose a significant threat to the United States health care system or at-risk populations; and

(3) with respect to drugs selected for inclusion in the database pursuant to paragraph (2), identifying—

(A) the location of establishments registered under subsection (b), (c), or (i) of section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360) involved in the production of active pharmaceutical ingredients and finished dosage forms, and the amount of such ingredients and finished dosage forms produced at each such establishment;

(B) to the extent available, and as appropriate, the location of establishments so registered involved in the production of the key starting materials and excipients needed to produce the active pharmaceutical ingredients and finished dosage forms, and the amount of such materials and excipients produced at each such establishment; and

(C) any regulatory actions with respect to the establishments manufacturing such drugs, including with respect to labeling requirements, registration and listing information required to be submitted under section 510 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360), inspections and related regulatory activities conducted under section 704 of such Act (21 U.S.C. 374), the seizure of such a drug pursuant to section 304 of such Act (21 U.S.C. 334), any recalls of such a drug; inclusion of such a drug on the drug shortage list under section 506E of such Act (21 U.S.C. 356e), or prior drug shortages reports of a discontinuance or interruption in the production of such a drug under 506C of such Act (21 U.S.C. 355d).

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Secretary, in consultation with the heads of agencies with which the Secretary coordinates under subsection (b), shall submit a report to the relevant congressional committees on—

(1) progress on implementing subsection (b), including any timelines for full implementation, if any;

(2) gaps in data needed for full implementation of such subsection;

(3) how the database established under subsection (b)(2) increases Federal visibility into the pharmaceutical supply chain;

(4) how Federal agencies are able to use data analytics to conduct predictive modeling of anticipated drug shortages or national security threats; and

(5) the extent to which industry has cooperated in mapping the pharmaceutical supply chain and building the database described in subsection (b)(2).

(d) CONFIDENTIAL COMMERCIAL INFORMATION.—The exchange of information among the Secretary and the heads of other relevant agencies, for purposes of carrying out this section shall not be a violation of section 1905 of title 18, United States Code.

(e) CLARIFICATION.—The database established under this section shall not be publicly disclosed. Nothing in this subsection shall be construed to relieve the Secretary from its reporting obligation under subsection (c).

SA 3002. Mr. PETERS (for himself, Mrs. BLACKBURN, and Mr. BROWN) 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. 10___. ROLLING ACTIVE PHARMACEUTICAL INGREDIENT AND DRUG RESERVE.

(a) SHORT TITLE.—This section may be cited as the ''Rolling Active Pharmaceutical Ingredient and Drug Reserve Act'' or the ''RAPID Reserve Act''.

(b) ROLLING ACTIVE PHARMACEUTICAL INGREDIENT AND DRUG RESERVE.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary'') shall award contracts or cooperative agreements to eligible entities with respect to drugs and active pharmaceutical ingredients of such drugs that the Secretary determines to be critical and to have vulnerable supply chains. The Secretary shall publish the list of such drugs and active pharmaceutical ingredients of such drugs.

(c) REQUIREMENTS.—

(1) IN GENERAL.—An eligible entity, pursuant to a contract or cooperative agreement under subsection (b), shall agree to—

(A) maintain, in a satisfactory domestic establishment registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) or in a satisfactory foreign establishment registered under section 510(i) of such Act that is located in a country that is a member of the Organisation for Economic Cooperation and Development, which may be an establishment owned and operated by the entity, or by a wholesaler, distributor, or other third-party under contract with the entity, a 6-month reserve, or other reasonable quantity, as determined by the Secretary, of—

(i) the active pharmaceutical ingredient of the eligible drug specified in the contract or cooperative agreement, which reserve shall be regularly replenished with a recently manufactured supply of such ingredient; and

(ii) the finished eligible drug product specified in the contract or cooperative agreement, which reserve shall be regularly replenished with a recently manufactured supply of such product;

(B) implement production of the eligible drug or an active pharmaceutical ingredient of the eligible drug, at the direction of the Secretary, under the terms of, and in such quantities as specified in, the contract or cooperative agreement; and

(C) enter into an arrangement with the Secretary under which the eligible entity—

(i) agrees to transfer a portion, as determined necessary, of the reserve of active pharmaceutical ingredient maintained pursuant to subparagraph (A)(i) to another drug manufacturer in the event that the Secretary determines there to be a need for additional finished eligible drug product and such eligible entity is unable to use the reserve of active pharmaceutical ingredient to manufacture a sufficient supply of such drug product; and

(ii) permits the Secretary to direct allocation of the reserve of active pharmaceutical ingredient so maintained in the event of a public health emergency or chemical, biological, radiological, or nuclear threat.

(2) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Commissioner of Food and Drugs, shall issue guidance on—

(A) the factors the Secretary will use to determine which eligible drugs, or active pharmaceutical ingredient of such drugs, have vulnerable supply chains and how a contract or cooperative agreement would help minimize the vulnerability or vulnerabilities identified;

(B) the factors the Secretary will consider in determining eligibility of an entity to participate in the program under this section, which shall include an entity's commitment to quality systems, including strong manufacturing infrastructure, reliable processes, and trained staff, as well as the entity's commitment to domestic manufacturing capacity and surge capacity, as appropriate; and

(C) requirements for entities receiving an award under this section, including the extent of excess manufacturing capacity the manufacturers will be required to generate, the amount of redundancy required, and requirements relating to advanced quality systems.

(3) PREFERENCE.—In awarding contracts and cooperative agreements under subsection (a), the Secretary shall give preference to eligible entities that will carry out the requirements of paragraph (1) through one or more domestic establishments registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) capable of manufacturing the eligible drug. To the greatest extent practicable, the Secretary shall award contracts and cooperative agreements with manufacturers in a manner that strengthens domestic manufacturing, resiliency, and capacity of eligible drugs and their active pharmaceutical ingredients.

(d) ADDITIONAL CONTRACT AND COOPERATIVE AGREEMENT TERMS.—

(1) IN GENERAL.—Each contract or cooperative agreement under subsection (b) shall be subject to such terms and conditions as the Secretary may specify, including terms and conditions with respect to procurement, maintenance, storage, testing, and delivery of drugs, in alignment with inventory management and other applicable best practices, under such contract or cooperative agreement, which may consider, as appropriate, costs of transporting and handling such drugs.

(2) TERMS CONCERNING THE ACQUISITION, CONSTRUCTION, ALTERATION, OR RENOVATION OF ESTABLISHMENTS.—The Secretary may award a contract or cooperative agreement under this section to support the acquisition, construction, alteration, or renovation of non-Federally owned establishments—

(A) as determined necessary to carry out or improve preparedness and response capability at the State and local level; or

(B) for the production of drugs, devices, and supplies where the Secretary determines that such a contract or cooperative agreement is necessary to ensure sufficient amounts of such drugs, devices, and supplies.

(e) REQUIREMENTS IN AWARDING CONTRACTS.—To the greatest extent practicable, the Secretary shall award contracts and cooperative agreements under this section in a manner that—

(1) maximizes quality, minimizes cost, minimizes vulnerability of the United States to severe shortages or disruptions for eligible drugs and their active pharmaceutical ingredients, gives preference to domestic manufacturers, and encourages competition in the marketplace; and

(2) increases domestic production surge capacity and reserves of domestic-based manufacturing establishments for critical drugs and active pharmaceutical ingredients of such drugs.

(f) DEFINITIONS.—In this section:

(1) ACTIVE PHARMACEUTICAL INGREDIENT.—The term ''active pharmaceutical ingredient'' has the meaning given such term in section 744A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41).

(2) DRUG.—The term ''drug'' has the meaning given such term in section 201(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)).

(3) DRUG SHORTAGE; SHORTAGE.—The term ''drug shortage'' or ''shortage'' has the meaning given such term in section 506C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c).

(4) ELIGIBLE DRUG.—The term ''eligible drug'' means a drug, as determined by the Secretary, in coordination with the with Assistant Secretary for Preparedness and Response, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs—

(A) that is approved under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) or licensed under section 351(k) of the Public Health Service Act (42 U.S.C. 262(k));

(B)(i) that is reasonably likely to be required to respond to a public health emergency or to a chemical, biological, radiological, or nuclear threat; or

(ii) the shortage of which would pose a significant threat to the United States health care system or at-risk populations; and

(C) that has a vulnerable supply chain, such as a geographic concentration of manufacturing, poor quality or safety issues, complex manufacturing or chemistry, or few manufacturers.

(5) ELIGIBLE ENTITY.—The term ''eligible entity'' means a person that—

(A)(i) is the holder of an approved application under subsection (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) or subsection (k) of section 351 of the Public Health Service Act (42 U.S.C. 262) for an eligible drug;

(ii) maintains at least one domestic establishment registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) or one foreign establishment registered under section 510(i) of such Act that is located in a country that is a member of the Organisation for Economic Cooperation and Development that is capable of manufacturing the eligible drug; and

(iii) has a strong record of good manufacturing practices of drugs;

(B)(i) is a manufacturer of an active pharmaceutical ingredient for an eligible drug, in partnership with an entity that meets the requirements of subparagraph (A);

(ii) maintains at least one domestic establishment registered under section 510(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(b)) or one foreign establishment registered under section 510(i) of such Act that is located in a country that is a member of the Organisation for Economic Cooperation and Development that is capable of manufacturing the active pharmaceutical ingredient; and

(iii) has a strong record of good manufacturing practices of active pharmaceutical ingredients; or

(C) is a distributor or wholesaler of an eligible drug, in partnership with an entity that meets the requirements of subparagraph (A).

(g) REPORTS TO CONGRESS.—Not later than 2 years after the date on which the first award is made under this section, and every 2 years thereafter, the Secretary shall submit a report to Congress detailing—

(1) the list of drugs determined to be eligible drugs, as described in subsection (f)(2), and the rationale behind selecting each such drug; and

(2) an update on the effectiveness of the program under this section, in a manner that does not compromise national security.

(h) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $500,000,000 for fiscal year 2024.

SEC. 10___. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) examine, such as through a survey or other means, excess or underutilized domestic manufacturing capacity for critical drugs and active pharmaceutical ingredients of such drugs, including capacity to manufacture different dosage forms, such as oral tablets and sterile injectable drugs, and the capacity to manufacture drugs with various characteristics, such as cytotoxic drugs and drugs requiring lyophilization; and

(2) prepare and submit a report to the Committee on Homeland Security and Governmental Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Homeland Security and the Committee on Energy and Commerce of the House of Representatives that—

(A) includes—

(i) the results of the survey under paragraph (1);

(ii) an assessment of projected costs of utilizing and expanding existing domestic manufacturing capabilities and policies, as of the date of the report, that may help establish or strengthen domestic manufacturing capacity for key starting materials, excipients, active pharmaceutical ingredients, and finished dosage manufacturing establishments; and

(iii) an evaluation of policies designed to invest in advanced domestic manufacturing capabilities and capacity for critical active pharmaceutical ingredients and drug products; and

(B) shall be publicly available in an unclassified form, but may include a classified annex containing any information that the Comptroller General determines to be sensitive.

SA 3003. Mr. WARNER (for himself, Mr. ROUNDS, Mr. REED, and 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. _____. TERRORIST FINANCING PREVENTION.

(a) DEFINITIONS.—In this section:

(1) DIGITAL ASSET.—Except as provided by the Secretary by rule, the term ''digital asset'' means any digital representation of value that is recorded on a cryptographically secured distributed ledger or any similar technology.

(2) FOREIGN DIGITAL ASSET PLATFORM.—The term ''foreign digital asset platform'' means any foreign person or group of foreign persons that, as determined by the Secretary, engages in facilitating the exchange, purchase, sale, custody, transfer, issuance, or lending of digital assets.

(3) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term under section 561.308 of title 31, Code of Federal Regulations.

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

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(6) SPECIALLY DESIGNATED GLOBAL TERRORIST; SPECIALLY DESIGNATED GLOBAL TERRORIST ORGANIZATION.—The terms ''specially designated global terrorist'' and ''specially designated global terrorist organization'' mean an individual or organization, respectively, that has been designated as a specially designated global terrorist by the Secretary of State, pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).

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

(A) an individual who is 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.

(8) HAMAS.—The term ''Hamas'' means—

(A) the entity known as Hamas and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) any foreign person identified as an agent or instrumentality of Hamas on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury, the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(9) PALESTINE ISLAMIC JIHAD.—The term ''Palestine Islamic Jihad'' means—

(A) the entity known as Palestine Islamic Jihad and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) any foreign person identified as an agent or instrumentality of Palestine Islamic Jihad on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury, the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(10) YEMENI HOUTHI.—The term ''Yemeni Houthi'' means—

(A) the entity known as Houthi or Ansarallah and designated by the Secretary of State as a specially designated global terrorist organization; or

(B) any foreign person identified as an agent or instrumentality of Houthi or Ansarallah on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury, the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(b) SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS AND FOREIGN DIGITAL ASSET PLATFORMS THAT ENGAGE IN CERTAIN TRANSACTIONS.—

(1) MANDATORY IDENTIFICATION.—Not later than 60 days after the date of enactment of this Act, and periodically thereafter, the Secretary, in consultation with the Secretary of State, shall, to the fullest extent possible, identify and submit to the President a report identifying any foreign financial institution or foreign digital asset platform that has knowingly—

(A) facilitated a significant transaction with—

(i) the Islamic Revolutionary Guards Corps;

(ii) Hamas;

(iii) Palestinian Islamic Jihad;

(iv) Yemeni Houthis;

(v) any person identified as a specially designated global terrorist on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury and the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.);

(vi) a specially designated global terrorist organization; or

(vii) a person identified on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) for acting on behalf of or at the direction of, or being owned or controlled by, a foreign terrorist organization or a specially designated global terrorist organization; or

(B) engaged in money laundering to carry out an activity described in subparagraph (A).

(2) IMPOSITION OF SANCTIONS WITH RESPECT TO A FOREIGN FINANCIAL INSTITUTION OR FOREIGN DIGITAL ASSET PLATFORM.—The President may impose 1 or more of the sanctions described in paragraph (3) with respect to a foreign financial institution or foreign digital asset platform identified under paragraph (1).

(3) SANCTIONS DESCRIBED.—

(A) BLOCKING OF PROPERTY, DIGITAL ASSETS, AND RELATED TECHNOLOGIES.—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the foreign financial institution or foreign digital asset platform 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.

(B) RESTRICTIONS ON PROVIDING ACCOUNTS.—The President may prohibit, or impose conditions on, the opening or maintaining in the United States of an operational or business account at a financial institution by the foreign financial institution or foreign digital asset platform.

(C) INCLUSION ON ENTITY LIST.—The President may include the foreign financial institution or foreign digital asset platform on the Entity List maintained by the Bureau of Industry and Security of the Department of Commerce and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations, for activities contrary to the national security or foreign policy interests of the United States.

(D) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The President may prohibit any United States financial institution from making loans or providing credits to the foreign financial institution or foreign digital asset platform in an amount totaling more than $10,000,000 in any 12-month period unless the foreign financial institution or foreign digital asset platform is engaged in activities to relieve human suffering and the loans or credits are provided for such activities.

(E) PROCUREMENT SANCTION.—The United States Government may not procure, or enter into any contract for the procurement of, any goods or services from the foreign financial institution or foreign digital asset platform.

(F) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the foreign financial institution or foreign digital asset platform has any interest.

(G) FINANCIAL INSTITUTION TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the foreign financial institution or foreign digital asset platform.

(H) BAN ON INVESTMENT IN PLATFORM.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution or foreign digital asset platform, or from investing in or purchasing significant amounts of any digital assets

issued by the foreign financial institution or foreign digital asset platform.

(I) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign financial institution or foreign digital asset platform, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions under this paragraph.

(4) IMPLEMENTATION AND PENALTIES.—

(A) 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, 1704) to the extent necessary to carry out this subsection.

(B) PENALTIES.—The penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this section to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section 206.

(5) WAIVER FOR NATIONAL SECURITY.—The President may waive the imposition of sanctions under this subsection with respect to a person if the President—

(A) determines that such a waiver is in the national interests of the United States; and

(B) submits to Congress a notification of the waiver and the reasons for the waiver.

(6) EXCEPTIONS.—

(A) INTELLIGENCE ACTIVITIES.—This subsection shall not apply with respect 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.

(B) LAW ENFORCEMENT ACTIVITIES.—Sanctions under this section shall not apply with respect to any authorized law enforcement activities of the United States.

(C) UNITED STATES GOVERNMENT ACTIVITIES.—Nothing this subsection shall prohibit transactions for the conduct of the official business of the Federal Government by employees, grantees, or contractors thereof.

(7) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the imposition of any sanction pursuant to paragraph (2) on a United States person.

(c) SPECIAL MEASURES FOR MODERN THREATS.—Section 5318A of title 31, United States Code, is amended—

(1) in subsection (a)(2)(C), by striking ''subsection (b)(5)'' and inserting ''paragraphs (5) and (6) of subsection (b)''; and

(2) in subsection (b)—

(A) in paragraph (5), by striking ''for or on behalf of a foreign banking institution''; and

(B) by adding at the end the following:

''(6) PROHIBITIONS OR CONDITIONS ON CERTAIN TRANSMITTALS OF FUNDS.—If the Secretary finds a jurisdiction outside of the United States, 1 or more financial institutions operating outside of the United States, 1 or more types of accounts within, or involving, a jurisdiction outside of the United States, or 1 or more classes of transactions within, or involving, a jurisdiction outside of the United States to be of primary money laundering concern with respect to terrorist financing, the Secretary, in consultation with the Secretary of State, the Attorney General, and the Chairman of the Board of Governors of the Federal Reserve System, may prohibit, or impose conditions upon, certain transmittals of funds (as such term may be defined by the Secretary in a special measure issuance, by regulation, or as otherwise permitted by law), to or from any domestic financial institution or domestic financial agency if such transmittal of funds involves any such jurisdiction, institution, type of account, class of transaction, or type of account.''.

(d) FUNDING.—There is authorized to be appropriated to the Secretary such funds as are necessary to carry out the purposes of this section.

SA 3004. Mr. CASEY (for himself, Ms. COLLINS, Mr. CRAPO, Ms. ROSEN, Mr. SCOTT of Florida, and Mr. FETTERMAN) 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, insert the following:

Subtitle I—Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution Act

SEC. 1096. SHORT TITLE.

This subtitle may be cited as the ''Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution Act''.

SEC. 1096A. ESTABLISHMENT OF COMMISSION.

(a) IN GENERAL.—There is established the Commission to Study the Potential Transfer of the Weitzman National Museum of American Jewish History to the Smithsonian Institution (hereafter in this subtitle referred to as the ''Commission'').

(b) MEMBERSHIP.—The Commission shall be composed of 8 members, of whom—

(1) 2 members shall be appointed by the majority leader of the Senate;

(2) 2 members shall be appointed by the Speaker of the House of Representatives;

(3) 2 members shall be appointed by the minority leader of the Senate; and

(4) 2 members shall be appointed by the minority leader of the House of Representatives.

(c) QUALIFICATION.—Members of the Commission shall be appointed to the Commission from among individuals, or representatives of institutions or entities, who possess—

(1)(A) a demonstrated commitment to the research, study, or promotion of Jewish American history, art, political or economic status, or culture; and

(B)(i) expertise in museum administration;

(ii) expertise in fund-raising for nonprofit or cultural institutions;

(iii) experience in the study and teaching of Jewish American history;

(iv) experience in the study and teaching of combating and countering antisemitism;

(v) experience in studying the issue of the representation of Jewish Americans in art, life, history, and culture at the Smithsonian Institution; or

(vi) extensive experience in public or elected service;

(2) experience in the administration of, or the strategic planning for, museums; or

(3) experience in the planning or design of museum facilities.

(d) DEADLINE FOR INITIAL APPOINTMENT.—The initial members of the Commission shall be appointed not later than the date that is 90 days after the date of enactment of this subtitle.

(e) VACANCIES.—A vacancy in the Commission—

(1) shall not affect the powers of the Commission; and

(2) shall be filled in the same manner as the original appointment was made.

(f) CHAIRPERSON.—The Commission shall, by majority vote of all of the members, select 1 member of the Commission to serve as the Chairperson of the Commission.

(g) PROHIBITION.—No employee of the Federal Government may serve as a member of the Commission.

SEC. 1096B. DUTIES OF COMMISSION.

(a) REPORTS AND OTHER DELIVERABLES.—Not later than 2 years after the date of the first meeting of the Commission, the Commission shall submit to the President and to Congress the report, plan, and recommendations described in paragraphs (1) through (3).

(1) REPORT ON ISSUES.—A report that addresses the following issues relating to the Weitzman National Museum of American Jewish History in Philadelphia, PA, and its environs (hereafter in this subtitle referred to as the ''Museum''):

(A) The collections held by the Museum at the time of the report, the extent to which such collections are already represented in the Smithsonian Institution and Federal memorials at the time of the report, and the availability and cost of future collections to be acquired and housed in the Museum.

(B) The impact of the Museum on educational and governmental efforts to study and counter antisemitism.

(C) The financial assets and liabilities held by the Museum, and the cost of operating and maintaining the Museum.

(D) The governance and organizational structure from which the Museum should operate if transferred to the Smithsonian Institution.

(E) The financial and legal considerations associated with the potential transfer of the Museum to the Smithsonian Institution, including—

(i) any donor or legal restrictions on the Museum's collections, endowments, and real estate;

(ii) costs associated with actions that will be necessary to resolve the status of employees of the Museum, if the Museum is transferred to the Smithsonian Institution;

(iii) all additional costs for the Smithsonian Institution that would be associated with operating and maintaining a new museum outside of the Washington, D.C. metropolitan area; and

(iv) policy and legal restrictions that would become applicable to the Museum if transferred to the Smithsonian Institution.

(F) The feasibility of the Museum becoming part of the Smithsonian Institution, taking into account the Museum's potential impact on the Smithsonian's existing facilities maintenance backlog, collections storage needs, and identified construction or renovation costs for new or existing museums.

(2) FUND-RAISING PLAN.—A fund-raising plan that addresses the following topics:

(A) The ability to support the transfer, operation, and maintenance of the Museum through contributions from the public, including potential charges for admission.

(B) Any potential issues with funding the operations and maintenance of the Museum in perpetuity without reliance on appropriations of Federal funds.

(3) LEGISLATIVE RECOMMENDATIONS.—A report containing recommendations regarding a legislative plan for transferring the Museum to the Smithsonian Institution, which shall include each of the following:

(A) Proposals regarding the time frame, one-time appropriations level, and continuing appropriations levels that might be included in such legislation.

(B) Recommendations for the future name of the Museum if it is transferred to the Smithsonian Institution.

(b) NATIONAL CONFERENCE.—Not later than 2 years after the date on which the initial members of the Commission are appointed under section 1096A, the Commission may, in carrying out the duties of the Commission under this section, convene a national conference relating to the Museum, to be comprised of individuals committed to the advancement of the life, art, history, and culture of Jewish Americans.

SEC. 1096C. ADMINISTRATIVE PROVISIONS.

(a) COMPENSATION.—

(1) IN GENERAL.—A member of the Commission—

(A) shall not be considered to be a Federal employee for any purpose by reason of service on the Commission; and

(B) shall serve without pay.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed a per diem allowance for travel expenses, at rates consistent with those authorized under subchapter I of chapter 57 of title 5, United States Code.

(3) GIFTS, BEQUESTS, AND DEVISES.—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money, services, or real or personal property for the purpose of aiding or facilitating the work of the Commission. Such gifts, bequests, or devises may be from the Museum.

(b) TERMINATION.—The Commission shall terminate on the date that is 30 days after the date on which the final versions of the report, plan, and recommendations required under section 1096B are submitted.

(c) FUNDING.—The Commission shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the Commission.

(d) DIRECTOR AND STAFF OF COMMISSION.—

(1) DIRECTOR AND STAFF.—

(A) IN GENERAL.—The Commission may employ and compensate an executive director and any other additional personnel that are necessary to enable the Commission to perform the duties of the Commission.

(B) RATES OF PAY.—Rates of pay for persons employed under subparagraph (A) shall be consistent with the rates of pay allowed for employees of a temporary organization under section 3161 of title 5, United States Code.

(2) NOT FEDERAL EMPLOYMENT.—Any individual employed under this subsection shall not be considered a Federal employee for the purpose of any law governing Federal employment.

(3) TECHNICAL ASSISTANCE.—

(A) IN GENERAL.—Subject to subparagraph (B), on request of the Commission, the head of a Federal agency shall provide technical assistance to the Commission.

(B) PROHIBITION.—No Federal employees may be detailed to the Commission.

(4) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(e) ADMINISTRATIVE SUPPORT SERVICES.—Upon request of the Commission, the head of a Federal agency may provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this subtitle.

(f) MEETING LOCATION.—The Commission may meet virtually or in-person.

(g) APPOINTMENT DELAYS.—The Commission may begin to meet and carry out activities under this subtitle before all members of the Commission have been appointed if—

(1) 90 days have passed since the date of enactment of this subtitle; and

(2) a majority of the members of the Commission have been appointed.

SA 3005. 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 III, add the following:

SEC. 345. REPORT ON NAVAL WARFARE CENTERS.

Not later than January 31, 2026, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the state of the Naval Warfare Centers of the Department of the Navy, including—

(1) the material condition of the facilities;

(2) hiring and retention at the facilities as of the date of the report; and

(3) a plan to remain relevant, competitive, and technically advanced through 2050, including any additional resources required.

SA 3006. Mr. KAINE (for himself, Mrs. FISCHER, Mr. COTTON, 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 B of title XXXI, add the following:

SEC. 3123. APPROVAL OF THE AMENDMENT TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR COOPERATION ON THE USES OF ATOMIC ENERGY FOR MUTUAL DEFENSE PURPOSES.

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

(1) the United States and the United Kingdom share a special relationship;

(2) the Agreement Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, done at Washington July 3, 1958 (in this section referred to as the ''Agreement'') provides one of the bases for such special relationship;

(3) the Agreement has served the national security interest of the United States for more than 65 years; and

(4) Congress expects to receive transmittal of proposed amendments to the Agreement.

(b) IN GENERAL.—Notwithstanding the provisions for congressional consideration of a proposed agreement for cooperation in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), any amendment to the Agreement (in this section referred to as the ''Amendment''), transmitted to Congress before January 3, 2025, may be brought into effect on or after the date of the enactment of this Act, as if all the requirements in such section 123 for consideration of the Amendment had been satisfied, subject to subsection (c) of this section.

(c) APPLICABILITY OF ATOMIC ENERGY ACT OF 1954 AND OTHER PROVISIONS OF LAW.—Upon coming into effect, the Amendment shall be subject to applicable provisions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.) and any other applicable United States law as if the Amendment had come into effect in accordance with the requirements of section 123 of the Atomic Energy Act of 1954.

(d) ADHERENCE IN THE EVENT OF TIMELY SUBMISSION.—If the Amendment is completed and transmitted to Congress before October 1, 2024, thereby allowing for adherence to the provisions for congressional consideration of the Amendment as outlined in subsection d. of section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), subsection (b) of this section shall not take effect.

SA 3007. Ms. HASSAN (for herself and Mr. THUNE) 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. ___. IMPROVEMENTS TO NATIONAL QUANTUM INITIATIVE PROGRAM.

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

(1) the execution of the National Defense Strategy is critical to the functions of the Federal participants of the National Quantum Initiative Program; and

(2) the success of the National Quantum Initiative Program is necessary for the Department of Defense to carry out the National Defense Strategy.

(b) DEPARTMENT OF DEFENSE PARTICIPATION IN NATIONAL QUANTUM INITIATIVE PROGRAM.—

(1) IN GENERAL.—The National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8801 et seq.) is amended by adding at the end the following new title:

''TITLE V—DEPARTMENT OF DEFENSE QUANTUM ACTIVITIES

''SEC. 501. DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

''The quantum information science and technology research and development program carried out under section 234 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358 note) shall be treated as part of the National Quantum Initiative Program implemented under section 101(a) of this Act.

''SEC. 502. COORDINATION.

''The Secretary of Energy, the Director of the National Institute of Standards and Technology, and the Director of the National Science Foundation shall each coordinate with the Secretary of Defense in the efforts of the Secretary of Defense to conduct basic research to accelerate scientific breakthroughs in quantum information science and technology.''.

(2) CLERICAL AMENDMENT.—The table of contents is section 1(b) of such Act is amended by adding at the end the following:

''TITLE V—DEPARTMENT OF DEFENSE QUANTUM ACTIVITIES

''Sec. 501. Defense quantum information science and technology research and development program.

''Sec. 502. Coordination.''.

(c) ASSESSMENT BY COMPTROLLER GENERAL OF THE UNITED STATES OF NATIONAL QUANTUM INITIATIVE PROGRAM.—

(1) IN GENERAL.—The Comptroller General of the United States shall—

(A) assess the National Quantum Initiative Program; and

(B) submit to Congress a report on the findings of the Comptroller General with respect to such assessment.

(2) ELEMENTS.—The assessment required by paragraph (1)(A) shall cover the following:

(A) The effectiveness of the National Quantum Initiative Program.

(B) Whether all of the programs, committees, and centers required by the National Quantum Initiative Act (15 U.S.C. 8801 et seq.) have been established.

(C) Whether the agencies, programs, committees, and centers described in subparagraph (B) are effectively collaborating together and conducting joint activities where appropriate.

(D) Identification of inefficiencies or duplications across the various programs of the National Quantum Initiative Program.

(d) ADDITIONAL IMPROVEMENTS IN COORDINATION.—

(1) IN GENERAL.—The Secretary of Energy, the Secretary of Commerce acting through the Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, and the heads of other Federal agencies participating in the National Quantum Initiative Program shall coordinate with each other and the heads of other relevant Federal agencies, including the Secretary of Defense, to carry out the goals of the National Quantum Initiative Program.

(2) SUBCOMMITTEE ON THE ECONOMIC AND SECURITY IMPLICATIONS OF QUANTUM SCIENCE.—

(A) ESTABLISHMENT.—The President shall establish, through the National Science and Technology Council, the Subcommittee on the Economic and Security Implications of Quantum Science (in this paragraph referred to as the ''Subcommittee'').

(B) MEMBERSHIP.—

(i) COMPOSITION.—The Subcommittee shall be composed of members as follows:

(I) One member appointed by the Director of the National Institute of Standards and Technology.

(II) One member appointed by the Director of the National Science Foundation.

(III) One member appointed by the Secretary of Energy.

(IV) One member appointed by the Administrator of the National Aeronautics and Space Administration.

(V) Three members appointed by the Secretary of Defense, of whom—

(aa) one shall be a representative of the Army;

(bb) one shall be a representative of the Navy; and

(cc) one shall be a representative of the Air Force.

(VI) One member appointed by the Director of the National Security Agency.

(VII) One member appointed by the Director of National Intelligence.

(VIII) One member appointed by the Director of the Office of Science and Technology Policy.

(IX) Such other members as the President considers appropriate.

(ii) REQUIREMENT.—Each member of the Subcommittee shall be an employee of the Federal Government.

(C) CHAIRPERSONS.—The Director of the Office of Science and Technology Policy, the Secretary of Defense, the Secretary of Energy, and the Director of the National Security Agency shall jointly be chairpersons of the Subcommittee.

(D) DUTIES.—The Subcommittee shall—

(i) coordinate with the National Science and Technology Council and its subcommittees to ensure that the economic and national security implications of basic research and development in quantum information science, along with other related technologies, are reviewed and planned for;

(ii) analyze economic and national security risks arising from research and development in such areas and make recommendations on how to mitigate those risks; and

(iii) review new programs for national security implications, when feasible, prior to public announcement.

(E) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the chairpersons of the Subcommittee shall submit to Congress a report on the findings and assessments of the Subcommittee regarding economic and national security risks resulting from quantum information science and technology research.

(F) TERMINATION.—The Subcommittee shall terminate on the earlier of the following:

(i) The date that is five years after the date of the enactment of this Act.

(ii) Such date as the Subcommittee determines appropriate.

(3) INVOLVEMENT OF DEFENSE IN NATIONAL QUANTUM INITIATIVE ADVISORY COMMITTEE.—

(A) QUALIFICATIONS.—Subsection (b) of section 104 of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8814) is amended by striking ''and Federal laboratories'' and inserting ''Federal laboratories, and defense researchers''.

(B) INTEGRATION.—Such section is amended—

(i) by redesignating subsections (e) through (g) as subsection (f) through (h), respectively; and

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

''(e) INTEGRATION OF DEPARTMENT OF DEFENSE.—The Committee shall take such actions as may be necessary, including by modifying policies and procedures of the Committee, to ensure the appropriate integration of the Department of Defense in activities and programs of the Committee.''.

(4) CLARIFICATION OF PURPOSE OF MULTIDISCIPLINARY CENTERS FOR QUANTUM RESEARCH AND EDUCATION.—Section 302(c) of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8842(c)) is amended—

(A) in paragraph (2), by striking ''; and'' and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(4) encouraging workforce collaboration, both with private industry and among Federal entities, including national defense agencies.''.

(5) CLARIFICATIONS REGARDING NATIONAL QUANTUM INFORMATION SCIENCE RESEARCH CENTERS.—

(A) REQUIREMENTS.—Subsection (c) of section 402 of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8852) is amended by inserting ''the national defense agencies,'' after ''industry,''.

(B) COORDINATION.—Subsection (d) of such section is amended—

(i) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(ii) by inserting after paragraph (1) the following new paragraph (2):

''(2) other research entities of the Federal Government, including research entities in the Department of Defense and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003));''.

(6) NATIONAL QUANTUM COORDINATION OFFICE.—

(A) COLLABORATION WHEN REPORTING TO CONGRESS.—Section 102 of the National Quantum Initiative Act (Public Law 115–368; 15 U.S.C. 8812) is amended—

(i) by redesignating subsection (c) as subsection (d); and

(ii) by inserting after subsection (b) the following new subsection (c):

''(c) COLLABORATION WHEN REPORTING TO CONGRESS.—The Coordination Office shall ensure that when participants in the National Quantum Initiative Program prepare and submit reports to Congress that they do so in collaboration with each other and all appropriate Federal civilian, defense, and intelligence research entities.''.

(B) ADJUSTMENTS.—The National Quantum Coordination Office may make such additional adjustments as it deems necessary to ensure full integration of the Department of Defense into the National Quantum Initiative Program.

(7) REPORTING TO ADDITIONAL COMMITTEES OF CONGRESS.—Paragraph (2) of section 2 of such Act (15 U.S.C. 8801) is amended to read as follows:

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

''(A) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SA 3008. Ms. HASSAN (for herself and Mr. LANKFORD) 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 B of title X, add the following:

SECTION 1014. ENHANCING SOUTHBOUND INSPECTIONS TO COMBAT CARTELS.

(a) SHORT TITLE.—This section may be cited as the ''Enhancing Southbound Inspections to Combat Cartels Act''.

(b) DEFINITIONS.—In this section:

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

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Appropriations of the House of Representatives;

(E) the Committee on Homeland Security of the House of Representatives; and

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

(2) SOUTHERN BORDER.—The term ''Southern Border'' means the international land border between the United States and Mexico.

(c) ADDITIONAL INSPECTION EQUIPMENT AND INFRASTRUCTURE.—

(1) IMAGING SYSTEMS.—The Commissioner of U.S. Customs and Border Protection is authorized—

(A) to purchase up to 50 additional non-intrusive imaging systems; and

(B) to procure additional associated supporting infrastructure.

(2) DEPLOYMENT.—The systems and infrastructure purchased or otherwise procured pursuant to paragraph (1) shall be deployed along the Southern Border for the primary purpose of inspecting any persons, conveyances, or modes of transportation traveling from the United States to Mexico.

(3) ALTERNATIVE EQUIPMENT.—The Commissioner of U.S. Customs and Border Protection is authorized to procure additional infrastructure or alternative inspection equipment that the Commissioner deems necessary for the purpose of inspecting any persons, conveyances, or modes of transportation traveling from the United States to Mexico.

(4) SUNSET.—Paragraphs (1) and (3) shall cease to have force and effect beginning on the date that is 5 years after the date of the enactment of this Act.

(d) ADDITIONAL HOMELAND SECURITY INVESTIGATIONS PERSONNEL FOR INVESTIGATIONS OF SOUTHBOUND SMUGGLING.—

(1) HSI SPECIAL AGENTS.—The Director of U.S. Immigration and Customs Enforcement shall hire, train, and assign—

(A) not fewer than 100 new Homeland Security Investigations special agents to primarily assist with investigations involving the smuggling of currency and firearms from the United States to Mexico; and

(B) not fewer than 100 new Homeland Security Investigations special agents to assist with investigations involving the smuggling of contraband, human trafficking and smuggling (including that of children), drug smuggling, and unauthorized entry into the United States from Mexico.

(2) SUPPORT STAFF.—The Director is authorized to hire, train, and assign such additional support staff as may be necessary to support the functions carried out by the special agents hired pursuant to paragraph (1).

(e) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees that—

(A) identifies the resources provided, including equipment, personnel, and infrastructure, and the annual budget to carry out outbound and inbound inspections, including, to the extent practicable, resources specifically used for inspections of any individuals and modes of transportation—

(i) from the United States to Mexico or to Canada; and

(ii) from Mexico or Canada into the United States.

(B) describes the operational cadence of all outbound and inbound inspections of individuals and conveyances traveling from the United States to Mexico or to Canada and from Mexico or Canada into the United States, described as a percentage of total encounters or as the total number of inspections conducted;

(C) describes any plans that would allow for the use of alternative inspection sites near a port of entry;

(D) includes an estimate of—

(i) the number of vehicles and conveyances that can be inspected with up to 50 additional non-intrusive imaging systems dedicated to southbound inspections;

(ii) the number of vehicles and conveyances that can be inspected with up to 50 additional non-intrusive imaging systems that may be additionally dedicated to inbound inspections along the southwest border; and

(iii) the number of additional investigations and seizures that will occur based on the additional equipment and inspections; and

(E) assesses the capability of inbound inspections by authorities of the Government of Mexico, in cooperation with United States law enforcement agencies, to detect and interdict the flow of illicit weapons and currency being smuggled—

(i) from the United States to Mexico; and

(ii) from Mexico into the United States.

(2) CLASSIFICATION.—The report submitted pursuant to paragraph (1), or any part of such report, may be classified or provided with other appropriate safeguards to prevent public dissemination.

(f) MINIMUM MANDATORY SOUTHBOUND INSPECTION REQUIREMENT.—

(1) REQUIREMENT.—Not later than March 30, 2027, the Secretary of Homeland Security shall ensure, to the extent practicable, that not fewer than 10 percent of all conveyances and other modes of transportation traveling from the United States to Mexico are inspected before leaving the United States.

(2) AUTHORIZED INSPECTION ACTIVITIES.—Inspections required pursuant to paragraph (1) may include nonintrusive imaging, physical inspections by officers or canine units, or other means authorized by the Secretary of Homeland Security.

(3) REPORT ON ADDITIONAL INSPECTIONS CAPABILITIES.—Not later than March 30, 2028, the Secretary of Homeland Security shall submit a report to the appropriate congressional committees that—

(A) assesses the Department of Homeland Security's timeline and resource requirements for increasing inspection rates to between 15 and 20 percent of all conveyances and modes of transportation traveling from the United States to Mexico; and

(B) includes estimates for the numbers of additional investigations and seizures the Department expects if such inspection rates are so increased.

(g) CURRENCY AND FIREARMS SEIZURES QUARTERLY REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until the date that is 4 years after such date of enactment, the Commissioner of U.S. Customs and Border Protection shall submit a report to the appropriate congressional committees that describes the seizure of currency, firearms, and ammunition attempted to be trafficked out of the United States.

(2) CONTENTS.—Each report submitted pursuant to paragraph (1) shall include, for the most recent 90-day period for which such information is available—

(A) the total number of currency seizures that occurred from outbound inspections at United States ports of entry;

(B) the total dollar amount associated with the currency seizures referred to in subparagraph (A);

(C) the total number of firearms seized from outbound inspections at United States ports of entry;

(D) the total number of ammunition rounds seized from outbound inspections at United States ports of entry; and

(E) the total number of incidents of firearm seizures and ammunition seizures that occurred at United States ports of entry.

SA 3009. Mr. HICKENLOOPER 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. _____. PERIODIC INTELLIGENCE ASSESSMENTS ON CERTAIN EFFECTS OF CLIMATE CHANGE.

Title XI of the National Security Act of 1947 (50 U.S.C. 3231 et seq.) is amended by adding at the end the following new section (and conforming the table of contents at the beginning of such Act accordingly):

"SEC. 1115. PERIODIC INTELLIGENCE ASSESSMENTS ON CERTAIN EFFECTS OF CLIMATE CHANGE.

''(a) REQUIREMENT.—Not later than the date that is 6 years after the date of the enactment of this section, and on a basis that is not less frequent than once every 6 years thereafter, the Director of National Intelligence, acting through the National Intelligence Council, shall—

''(1) produce an intelligence assessment on the national security and economic security effects of climate change; and

''(2) submit to the congressional intelligence committees such intelligence assessment.

''(b) FORM.—Each intelligence assessment under subsection (a)(2) may be submitted in classified form, but if so submitted, shall include an unclassified executive summary.''.

SA 3010. Mr. HICKENLOOPER (for himself, Mr. ROMNEY, Mr. LUJÁN, Mr. BENNET, and Mr. HEINRICH) 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_____. REAUTHORIZATION OF UPPER COLORADO AND SAN JUAN RIVER BASINS ENDANGERED FISH AND THREATENED FISH RECOVERY IMPLEMENTATION PROGRAMS.

(a) PURPOSE.—Section 1 of Public Law 106–392 (114 Stat. 1602) is amended by inserting ''and threatened'' after ''endangered''.

(b) DEFINITIONS.—Section 2 of Public Law 106–392 (114 Stat. 1602; 116 Stat. 3113) is amended—

(1) in paragraph (1), by striking ''to implement the Recovery Implementation Program for the Endangered Fish Species in the Upper Colorado River dated September 29, 1987, and extended by the Extension of the Cooperative Agreement dated December 6, 2001, and the 1992 Cooperative Agreement to implement the San Juan River Recovery Implementation Program dated October 21, 1992, and as they may be amended'' and inserting ''for the Recovery Implementation Program for Endangered Species in the Upper Colorado River Basin dated September 29, 1987, and the 1992 Cooperative Agreement for the San Juan River Basin Recovery Implementation Program dated October 21, 1992, as the agreements may be amended and extended'';

(2) in paragraph (6)—

(A) by inserting ''or threatened'' after ''endangered''; and

(B) by striking ''removal or translocation'' and inserting ''control'';

(3) in paragraph (7), by striking ''long-term'' each place it appears;

(4) in paragraph (8), in the second sentence, by striking ''1988 Cooperative Agreement and the 1992 Cooperative Agreement'' and inserting ''Recovery Implementation Programs'';

(5) in paragraph (9)—

(A) by striking ''leases and agreements'' and inserting ''acquisitions'';

(B) by inserting ''or threatened'' after ''endangered''; and

(C) by inserting '', as approved under the Recovery Implementation Programs'' after ''nonnative fishes''; and

(6) in paragraph (10), by inserting ''pursuant to the Recovery Implementation Program for Endangered Species in the Upper Colorado River Basin'' after ''Service''.

(c) AUTHORIZATION TO FUND RECOVERY PROGRAMS.—Section 3 of Public Law 106–392 (114 Stat. 1603; 116 Stat. 3113; 120 Stat. 290; 123 Stat 1310; 126 Stat. 2444; 133 Stat. 809; 136 Stat. 5572) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''(1) There is hereby authorized to be appropriated to the Secretary, $88,000,000 to undertake capital projects to carry out the purposes of this Act. Such funds'' and inserting the following:

''(1) AUTHORIZATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), there is authorized to be appropriated to the Secretary for use by the Bureau of Reclamation to undertake capital projects to carry out the purposes of this Act $50,000,000 for the period of fiscal years 2024 through 2031.

''(B) ANNUAL ADJUSTMENT.—For each of fiscal years 2025 through 2031, the amount authorized to be appropriated under subparagraph (A) shall be annually adjusted to reflect widely available engineering cost indices applicable to relevant construction activities.

''(C) NONREIMBURSABLE FUNDS.—Amounts made available pursuant to subparagraph (A)'';

(B) in paragraph (2), by striking ''Program for Endangered Fish Species in the Upper Colorado River Basin shall expire in fiscal year 2024'' and inserting ''Programs shall expire in fiscal year 2031''; and

(C) by striking paragraph (3);

(2) by striking subsections (b) and (c) and inserting the following:

''(b) NON-FEDERAL CONTRIBUTIONS TO CAPITAL PROJECTS.—The Secretary, acting through the Bureau of Reclamation, may accept contributed funds, interests in land and water, or other contributions from the Upper Division States, political subdivisions of the Upper Division States, or individuals, entities, or organizations within the Upper Division States, pursuant to agreements that provide for the contributions to be used for capital projects costs.'';

(3) by redesignating subsections (d) through (j) as subsections (c) through (i), respectively;

(4) in subsection (c) (as so redesignated)—

(A) in paragraph (1)(A), by striking ''$10,000,000 for each of fiscal years 2020 through 2024'' and inserting ''$92,040,000 for the period of fiscal years 2024 through 2031'';

(B) in paragraph (2)—

(i) in the first sentence, by striking ''$4,000,000 per year'' and inserting ''$61,100,000 for the period of fiscal years 2024 through 2031'';

(ii) in the second sentence—

(I) by inserting ''Basin'' after ''San Juan River''; and

(II) by striking ''$2,000,000 per year'' and inserting ''$30,940,000 for the period of fiscal years 2024 through 2031''; and

(iii) in the third sentence, by striking ''in fiscal years commencing after the enactment of this Act'' and inserting ''for fiscal year 2024 and each fiscal year thereafter''; and

(C) by striking paragraph (3) and inserting the following:

''(3) FEDERAL CONTRIBUTIONS TO ANNUAL BASE FUNDING.—

''(A) IN GENERAL.—For each of fiscal years 2024 through 2031, the Secretary, acting through the Bureau of Reclamation, may accept funds from other Federal agencies, including power revenues collected pursuant to the Act of April 11, 1956 (commonly known as the ''Colorado River Storage Project Act'') (43 U.S.C. 620 et seq.).

''(B) AVAILABILITY OF FUNDS.—Funds made available under subparagraph (A) shall be available for expenditure by the Secretary, as determined by the contributing agency in consultation with the Secretary.

''(C) TREATMENT OF FUNDS.—Funds made available under subparagraph (A) shall be treated as nonreimbursable Federal expenditures.

''(D) TREATMENT OF POWER REVENUES.—Not more than $499,000 in power revenues over the period of fiscal years 2024 through 2031 shall be accepted under subparagraph (A) and treated as having been repaid and returned to the general fund of the Treasury.

''(4) NON-FEDERAL CONTRIBUTIONS TO ANNUAL BASE FUNDING.—The Secretary, acting through the Bureau of Reclamation, may accept contributed funds from the Upper Division States, political subdivisions of the Upper Division States, or individuals, entities, or organizations within the Upper Division States, pursuant to agreements that provide for the contributions to be used for annual base funding.

''(5) REPLACEMENT POWER.—Contributions of funds made pursuant to this subsection shall not include the cost of replacement power purchased to offset modifications to the operation of the Colorado River Storage Project to benefit threatened or endangered fish species under the Recovery Implementation Programs.'';

(5) in subsection (f) (as so redesignated), in the first sentence, by inserting ''or threatened'' after ''endangered'';

(6) in subsection (g) (as so redesignated), by striking ''unless the time period for the respective Cooperative Agreement is extended to conform with this Act'' and inserting '', as amended or extended'';

(7) in subsection (h) (as so redesignated), in the first sentence, by striking ''Upper Colorado River Endangered Fish Recovery Program or the San Juan River Basin Recovery Implementation Program'' and inserting ''Recovery Implementation Programs''; and

(8) in subsection (i)(1) (as so redesignated)—

(A) by striking ''2022'' each place it appears and inserting ''2030'';

(B) by striking ''2024'' each place it appears and inserting ''2031''; and

(C) in subparagraph (C)(ii)(III), by striking ''contributions by the States, power customers, Tribes, water users, and environmental organizations'' and inserting ''non-Federal contributions''.

SA 3011. Mr. HICKENLOOPER 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 XV, add the following:

SEC. 1510. REPORT ON COOPERATION EFFORTS BETWEEN THE DEPARTMENT OF DEFENSE AND THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on cooperation efforts between the Department of Defense and the National Aeronautics and Space Administration.

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

(1) A detailed assessment of existing forms of cooperation between the Department of Defense and the National Aeronautics and Space Administration.

(2) An assessment of, and recommendations for improving, future joint engagement between the Department of Defense and the National Aeronautics and Space Administration.

(3) An assessment of the opportunities for exchange of personnel between the Department of Defense and National Aeronautics and Space Administration, and an examination of the feasibility and strategic benefits of establishing—

(A) dedicated joint duty billets for Space Force personnel at the National Aeronautics and Space Administration; and

(B) rotational assignments of National Aeronautics and Space Administration employees in Space Force units and in the United States Space Command.

(4) An identification of potential career incentives for Space Force joint duty at the National Aeronautics and Space Administration and civilian National Aeronautics and Space Administration rotational assignments at Space Force commands.

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

SA 3012. Mrs. BLACKBURN (for herself and Mr. PETERS) 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. ____. REPORT ON DEPARTMENT OF JUSTICE ACTIVITIES RELATED TO COUNTERING CHINESE NATIONAL SECURITY THREATS.

(a) REQUIREMENT.—Not later than 90 days after the date of enactment of this Act, and each year thereafter for 7 years, the Attorney General shall submit to the Committees on the Judiciary of the Senate and of the House of Representatives, and make publicly available on the website of the Department of Justice, a report that includes each of the following:

(1) A description of the activities and operations of the Department of Justice related to countering Chinese national security threats and espionage in the United States, including—

(A) theft of United States intellectual property (including trade secrets) and research; and

(B) threats from non-traditional collectors, such as researchers in laboratories, at universities, and at defense industrial base facilities (as that term is defined in section 2208(u)(3) of title 10, United States Code).

(2) An accounting of the resources of the Department of Justice that are dedicated to programs aimed at combating national security threats posed by the Chinese Communist

Party, and any supporting information as to the efficacy of each such program.

(3) A detailed description of the measures used to ensure the protection of civil rights, civil liberties, and privacy rights of United States persons in carrying out the activities, operations, and programs described in paragraphs (1) and (2).

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

(c) CONSULTATION.—In preparing the report under subsection (a), the Attorney General shall collaborate with the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and any other appropriate officials.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Attorney General to disclose confidential, classified, law enforcement sensitive, or otherwise protected information, including information about ongoing Federal litigation, investigations, or operations, in the report under subsection (a).

SA 3013. 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 appropriate place, insert the following:

SEC. ___. FEDERAL STANDARDS FOR ARTIFICIAL INTELLIGENCE.

(a) IN GENERAL.—Division E of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 134 Stat. 4523) is amended by inserting after section 5303 the following new section:

"SEC. 5304. FEDERAL STANDARDS FOR ARTIFICIAL INTELLIGENCE.

''(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall—

''(1) develop standards and guidelines, including minimum requirements, for artificial intelligence systems used or operated by an agency or by a contractor of an agency or other organization on behalf of an agency, other than national security systems;

''(2) develop standards and guidelines, including minimum requirements, for managing risks associated with artificial intelligence systems for all agency operations and assets, but such standards and guidelines shall not apply to national security systems;

''(3) develop standards and guidelines, including minimum requirements, for authenticating, tracking provenance, and labeling synthetic content generated by an agency or by a contractor of an agency or other organization on behalf of an agency, other than national security systems; and

''(4) conduct research and analysis pursuant to section 5301 of this Act to inform the development of standards and guidelines for activities described in this section.

''(b) STANDARDS AND GUIDELINES.—In developing standards and guidelines required by subsections (a), the Director shall—

''(1) provide standards and guidelines, practices, profiles, and tools consistent with the framework, and information on how agencies can leverage the framework to reduce risks caused by agency implementation in the development, procurement, and use of artificial intelligence systems;

''(2) provide standards and guidelines that—

''(A) are consistent with the framework, successor document, or technical standard that is functionally equivalent to the framework;

''(B) are consistent with Circular A–119 of the Office of Management and Budget, or successor circular; and

''(C) enable conformity assessment;

''(3) recommend training on standards and guidelines for each agency responsible for procuring artificial intelligence;

''(4) develop and periodically revise performance indicators and measures for agency artificial intelligence related standards and guidelines;

''(5) provide standards and guidelines, including minimum requirements, for developing profiles for agency use of artificial intelligence consistent with the framework;

''(6) develop profiles for framework use for an entity that is a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632));

''(7) evaluate artificial intelligence policies and practices developed for national security systems to assess potential application by agencies to strengthen risk management of artificial intelligence systems; and

''(8) periodically assess the effectiveness of standards and guidelines developed under this section and undertake revisions as appropriate.

''(c) READINESS.—For standards and guidelines developed pursuant to subsection (a) that are deemed by the Director to be at a readiness level sufficient for standardization, the Director—

''(1) shall submit standards and guidelines to the Secretary of Commerce for promulgation under section 11331 of title 40;

''(2) where practicable and appropriate, shall provide technical review and assistance to agencies; and

''(3) shall evaluate the effectiveness and sufficiency of, and challenges to, agencies' implementation of standards and guidelines developed under this section and standards and guidelines promulgated under section 11331 of title 40.

''(d) TESTING AND EVALUATION OF ARTIFICIAL INTELLIGENCE ACQUISITIONS.—

''(1) STUDY.—Subject to the availability of appropriations, the Director shall complete a study to review the existing and forthcoming voluntary technical standards for the test, evaluation, verification, and validation of artificial intelligence acquisitions.

''(2) TESTING AND EVALUATION STANDARDS.—Not later than 90 days after the date of the completion of the study required by paragraph (1), the Director shall—

''(A) convene relevant stakeholders to facilitate the development of technical standards for the test, evaluation, verification, and validation of artificial intelligence acquisitions;

''(B) develop standards and guidelines for the conduct of test, evaluation, verification, and validation of artificial intelligence acquisitions pursuant to this section;

''(C) review and make recommendations to the head of each agency on risk management policies and principles for relevant artificial intelligence acquisitions; and

''(D) continuously update the standards and guidelines described in this paragraph.

''(e) DEFINITIONS.—In this section:

''(1) The term 'agency' means any department, independent establishment, Government corporation, or other agency of the executive branch of the Federal Government.

''(2) The term 'artificial intelligence system' has the meaning given such term in section 7223 of the Advancing American AI Act (40 U.S.C. 11301 note).

''(3) The term 'Director' means the Director of the National Institute of Standards and Technology.

''(4) The term 'framework' means the most recently updated version of the framework developed and updated pursuant to section 22A(c) of the National Institute of Standards and Technology Act (15 U.S.C. 278h–1(c)).

''(5) The term 'national security system' has the meaning givne such term in section 3552(b)(6) of title 44, United States Code.

''(6) The term 'profile' means an implementation of the artificial intelligence risk management functions, categories, and subcategories for a specific setting or application based on the requirements, risk tolerance, and resources of the framework user.

''(7) The term 'synthetic content' means information, such as images, videos, audio clips, and text, that has been significantly modified or generated by algorithms, including by artificial intelligence.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 2(b) of such Act is amended by inserting after the item relating to section 5303 the following new item:

''Sec. 5304. Federal standards for artificial intelligence.''.

SA 3014. 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 subtitle H of title X, add the following:

SEC. 1095. OFFICE OF AQUACULTURE AND WILD SEAFOOD POLICY AND PROGRAM INTEGRATION.

Subtitle B of title VI of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7651 et seq.) is amended by adding at the end the following:

"SEC. 621. OFFICE OF AQUACULTURE AND WILD SEAFOOD POLICY AND PROGRAM INTEGRATION.

''(a) PURPOSE.—The purpose of this section is to establish an Office of Aquaculture and Wild Seafood Policy and Program Integration to provide for the effective coordination of aquaculture and wild seafood policies and activities within the Department, and in coordination with the Secretary of Commerce, the United States Trade Representative, the Commissioner of Food and Drugs, and the heads of other necessary Federal agencies relating to the support of domestically harvested and processed wild seafood and aquaculture products and aquaculture operations.

''(b) DEFINITIONS.—In this section:

''(1) AQUACULTURE.—The term 'aquaculture' has the meaning given the term in section 3 of the National Aquaculture Act of 1980 (16 U.S.C. 2802).

''(2) AQUACULTURE PRODUCT.—The term 'aquaculture product' means a farm-raised aquatic or marine animal cultivated in the United States, including—

''(A) shellfish (including oysters, clams, and mussels);

''(B) micro- and macro-algae;

''(C) animals cultivated within land-based systems; and

''(D) other animals, as determined by the Secretary, in consultation with the Secretary of Commerce and the heads of other Federal agencies, as applicable.

''(3) DIRECTOR.—The term 'Director' means the Director of the Office appointed under subsection (c)(2).

''(4) OFFICE.—The term 'Office' means the Office of Aquaculture and Wild Seafood Policy and Program Integration established under subsection (c)(1).

''(5) WILD SEAFOOD.—

''(A) IN GENERAL.—The term 'wild seafood' means a natural-born or hatchery-raised finfish, mollusk, crustacean, or other form of aquatic animal life that is—

''(i) harvested from a natural habitat; and

''(ii) used for human consumption.

''(B) INCLUSIONS.—The term 'wild seafood' includes—

''(i) a fillet, a steak, a nugget, and any other flesh from wild fish or shellfish;

''(ii) fish oil; and

''(iii) any other nonflesh product of wild fish or shellfish.

''(C) EXCLUSIONS.—The term 'wild seafood' does not include—

''(i) marine mammals; or

''(ii) seabirds.

''(c) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary shall establish in the Office of the Chief Economist an office, to be known as the 'Office of Aquaculture and Wild Seafood Policy and Program Integration'.

''(2) DIRECTOR.—The Office shall be headed by a Director of Aquaculture and Wild Seafood Policy and Program Integration, who shall be appointed by the Secretary.

''(d) RESPONSIBILITIES.—The Office shall be responsible for—

''(1) the development and coordination of Department and interagency policy on wild seafood and aquaculture products, including technological and policy input, advice on wild seafood and aquaculture issues, and support for aquaculture- and wild seafood-producing operations that promote United States food security;

''(2) providing strategic oversight, planning, implementation, communication, and coordination of Department and interagency activities for wild seafood and aquaculture products—

''(A) to strengthen United States wild seafood and aquaculture production and supply chains;

''(B) to facilitate wild seafood and aquaculture product research and nutrition science;

''(C) to maintain, develop, and expand markets for wild seafood, wild seafood products, and aquaculture products;

''(D) to incorporate wild seafood and aquaculture production into economic analyses, reviews, and forecasts, in coordination with the National Oceanic and Atmospheric Administration and other relevant Federal agencies;

''(E) to integrate United States wild seafood and aquaculture production into Federal policy strategies and relevant programs of the Department to ensure—

''(i) food system security and climate-resilient food production;

''(ii) rural business development to support food security and wild seafood and aquaculture production; and

''(iii) wild seafood and aquaculture product nutrition and consumption education activities;

''(F) to engage in stakeholder relations and develop external partnerships relating to sustainable wild seafood harvest and aquaculture practices and to oversee extension and outreach efforts to support aquaculture and wild seafood producers and businesses; and

''(G) to identify common State and municipal best practices for navigating local policies relating to wild seafood and aquaculture production and marketing;

''(3) providing scientific and policy analysis to advise the Secretary and the Chief Economist regarding the development, availability, promotion, and use of domestically produced wild seafood and aquaculture products in Department programs and policies;

''(4) identifying opportunities to provide integrated access for United States wild seafood and aquaculture producers to Department programs to more efficiently and effectively—

''(A) support the modernization and development of—

''(i) consumer education and outreach on the health and nutrition benefits of wild seafood and aquaculture product consumption;

''(ii) harvesting and production technologies and processes that minimize waste and reduce environmental impacts;

''(iii) value-added wild seafood and aquaculture product processing and product development;

''(iv) infrastructure capacity to support the harvesting and production of wild seafood and aquaculture products in rural communities; and

''(v) technical assistance relating to best practices for aquaculture producers and businesses, including for shellfish, algae, and land-based systems—

''(I) using the best available science; and

''(II) in coordination with the National Oceanic and Atmospheric Administration and other relevant Federal agencies;

''(B) strengthen capacity for local and regional wild seafood and aquaculture system development through community collaboration and expansion of local and regional supply chains;

''(C) work to improve income and economic opportunities for wild seafood and aquaculture producers and food businesses through job creation and improved regional food system infrastructure, especially in rural communities;

''(D) serve as a conduit of information regarding Department application eligibility and processes to support aquaculture products and domestically harvested wild seafood in all applicable Department programs, including food commodity promotion, producer assistance, risk mitigation, and disaster programs; and

''(E) increase access to, and use of, seafood (including wild seafood and aquaculture products) in the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to levels commensurate with Food and Drug Administration dietary guidelines;

''(5) collecting and disseminating data relating to aquaculture and wild seafood production, in coordination with the National Oceanic and Atmospheric Administration and other relevant Federal agencies; and

''(6) performing such other functions as may be required by law or prescribed by the Secretary.

''(e) INTERAGENCY AGREEMENT FOR COORDINATION.—

''(1) IN GENERAL.—In support of the responsibilities described in subsection (d), the Office shall provide leadership to ensure coordination of interagency activities with the National Oceanic and Atmospheric Administration, the United States Trade Representative, the Environmental Protection Agency, the Office of Science and Technology Policy, and other Federal and State agencies.

''(2) INTERAGENCY AGREEMENT.—

''(A) IN GENERAL.—The Office shall develop an agreement to be entered into between the Department and the National Oceanic and Atmospheric Administration to enhance wild seafood and aquaculture purchases through the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''(B) REQUIREMENTS.—The agreement under subparagraph (A) shall establish information-sharing protocols, including sharing with the Department the list of domestic seafood vendors of the National Oceanic and Atmospheric Administration.

''(f) OUTREACH.—The Office shall consult with wild seafood harvesters and aquaculture producers that may be affected by policies or actions of the Department, as necessary, in carrying out the responsibilities of the Office described in subsection (d).

''(g) AQUACULTURE ADVISORY COMMITTEE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish an advisory committee, to be known as the 'Aquaculture Advisory Committee' (referred to in this subsection as the 'Committee'), to advise the Secretary with respect to—

''(A) the development of policies and outreach relating to sustainable aquaculture practices;

''(B) the history, use, and preservation of indigenous and traditional aquaculture practices and ecological knowledge; and

''(C) any other aspects relating to the implementation of this section.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall be composed of 14 members, to be appointed by the Secretary, of whom—

''(i) 1 shall be a representative of the Department, who shall serve as chairperson of the Committee;

''(ii) 4 shall be aquaculture producers who employ best practices and limit adverse effects that result from the operations of the aquaculture producers;

''(iii) 2 shall be representatives of Indian Tribes, Tribal organizations, or Native Hawaiian organizations;

''(iv) 1 shall be a representative of a State or interstate commission;

''(v) 1 shall be a representative of an institution of higher education or an extension program;

''(vi) 1 shall be a representative of a nonprofit organization, which may include a public health, environmental, or community organization;

''(vii) 1 shall be a representative of a relevant port, coastal, or waterfront community;

''(viii) 1 shall be an individual with—

''(I) supply chain experience, which may include experience relating to a food aggregator, a wholesale food distributor, or a food hub; or

''(II) direct-to-consumer market experience;

''(ix) 1 shall be an individual with experience or expertise relating to aquaculture production practices, as determined by the Secretary; and

''(x) 1 shall be a representative of aquaculture end-users, including a chef, a member of the food service industry, or a grocer.

''(B) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Committee not later than 180 days after the date of enactment of this section.

''(3) PERIOD OF APPOINTMENT; VACANCIES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i), a member of the Committee shall be appointed for a term of 3 years.

''(B) INITIAL APPOINTMENTS.—

''(i) TERMS OF SERVICE.—Of the members initially appointed to the Committee under paragraph (2)(B), as the Secretary determines to be appropriate—

''(I) 5 shall be appointed for a term of 3 years;

''(II) 5 shall be appointed for a term of 2 years; and

''(III) 4 shall be appointed for a term of 1 year.

''(ii) CONSECUTIVE TERMS.—A member initially appointed to the Committee may serve

an additional consecutive term if the member is reappointed by the Secretary.

''(C) VACANCIES.—Any vacancy on the Committee—

''(i) shall not affect the powers of the Committee; and

''(ii) shall be filled as soon as practicable in the same manner as the original appointment.

''(4) MEETINGS.—

''(A) FREQUENCY.—The Committee shall meet not fewer than 3 times per year.

''(B) INITIAL MEETING.—Not later than 180 days after the date on which the members are appointed under paragraph (2)(B), the Committee shall hold the first meeting of the Committee.

''(5) DUTIES.—

''(A) IN GENERAL.—The Committee shall—

''(i) develop recommendations and advise the Director with respect to aquaculture policies, initiatives, and outreach administered by the Office;

''(ii) evaluate and review ongoing research and extension activities relating to aquaculture practices;

''(iii) identify new and existing barriers to successful aquaculture practices; and

''(iv) provide to the Director additional assistance and advice, as appropriate.

''(B) REPORTS.—Not later than 1 year after the date on which the Committee is established, and every 2 years thereafter through 2028, the Committee shall submit a report describing the recommendations developed under subparagraph (A) to—

''(i) the Secretary;

''(ii) the Committees on Agriculture, Nutrition, and Forestry and Commerce, Science, and Transportation of the Senate; and

''(iii) the Committees on Agriculture and Natural Resources of the House of Representatives.

''(6) PERSONNEL MATTERS.—

''(A) COMPENSATION.—A member of the Committee shall serve without compensation.

''(B) TRAVEL EXPENSES.—A member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code.

''(7) TERMINATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee shall terminate on the date that is 5 years after the date on which the members are appointed under paragraph (2)(B).

''(B) EXTENSIONS.—Before the date on which the Committee terminates, the Secretary may renew the Committee for 1 or more 2-year periods.

''(h) WILD SEAFOOD ADVISORY COMMITTEE.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish an advisory committee, to be known as the 'Wild Seafood Advisory Committee' (referred to in this subsection as the 'Committee'), to advise the Secretary with respect to—

''(A) the development of policies and outreach relating to sustainable wild seafood product support and practices;

''(B) the history, use, and preservation of indigenous and traditional aquaculture practices and ecological knowledge; and

''(C) any other aspects relating to the implementation of this section.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Committee shall be composed of 14 members, to be appointed by the Secretary in a manner that ensures—

''(i) balanced representation among—

''(I) commercial harvesters and processors of wild seafood;

''(II) consumer, academic, Tribal, governmental, and supply chain experts; and

''(III) experts in other interest areas; and

''(ii) geographic diversity.

''(B) QUALIFICATIONS.—Each member of the Committee shall have expertise or experience relating to 1 or more of the following:

''(i) Harvesting wild seafood.

''(ii) Processing or marketing wild seafood or wild seafood products.

''(iii) Holding a leadership role in a national, State, or regional organization representing wild seafood interests or seafood commodity interests.

''(iv) Representing consumers of wild seafood or wild seafood products through active, sustained participation in a local, State, or national organization.

''(v) Teaching, writing, researching, or consulting on matters relating to wild seafood as a food commodity.

''(vi) Public health, environmental, or community organizations.

''(vii) Wild seafood-producing port, coastal, or waterfront communities.

''(viii) Supply chains, which may include a food aggregator, wholesale food distributor, or food hub.

''(ix) Direct-to-consumer markets.

''(C) INITIAL APPOINTMENTS.—The Secretary shall appoint the initial members of the Committee not later than 180 days after the date of enactment of this section.

''(3) PERIOD OF APPOINTMENT; VACANCIES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B)(i), a member of the Committee shall be appointed for a term of 3 years.

''(B) INITIAL APPOINTMENTS.—

''(i) TERMS OF SERVICE.—The Secretary shall ensure that the terms of the members initially appointed to the Committee under paragraph (2)(B) are staggered such that the terms of not more than approximately ⅓ of the membership of the Committee shall expire during any single year.

''(ii) CONSECUTIVE TERMS.—A member initially appointed to the Committee may serve an additional consecutive term if the member is reappointed by the Secretary.

''(C) VACANCIES.—Any vacancy on the Committee—

''(i) shall not affect the powers of the Committee; and

''(ii) shall be filled as soon as practicable in the same manner as the original appointment.

''(4) CHAIRPERSON; VICE CHAIRPERSON.—The Secretary shall designate a chairperson and vice chairperson from among the members of the Committee.

''(5) MEETINGS.—

''(A) FREQUENCY.—The Committee shall meet at least 1 time per year.

''(B) INITIAL MEETING.—Not later than 180 days after the date on which the members are appointed under paragraph (2)(B), the Committee shall hold the first meeting of the Committee.

''(6) DUTIES.—

''(A) IN GENERAL.—The Committee shall—

''(i) develop recommendations and advise the Director with respect to wild seafood policies, initiatives, and outreach administered by the Office;

''(ii) evaluate and review ongoing research, support efforts, and other activities relating to wild seafood production and supply chains;

''(iii) identify new and existing barriers to successful wild seafood food production and distribution; and

''(iv) provide additional assistance and advice to the Director as appropriate.

''(B) REPORTS.—Not later than 2 years after the date on which the Committee is established, and every 2 years thereafter through 2028, the Committee shall submit a report describing the recommendations developed under subparagraph (A) to—

''(i) the Secretary;

''(ii) the Committees on Agriculture, Nutrition, and Forestry and Commerce, Science, and Transportation of the Senate; and

''(iii) the Committees on Agriculture and Natural Resources of the House of Representatives.

''(7) PERSONNEL MATTERS.—

''(A) COMPENSATION.—A member of the Committee shall serve without compensation.

''(B) TRAVEL EXPENSES.—A member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code.

''(8) TERMINATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Committee shall terminate on the date that is 5 years after the date on which the members are appointed under paragraph (2)(B).

''(B) EXTENSIONS.—Before the date on which the Committee terminates, the Secretary may renew the Committee for 1 or more 2-year periods.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $10,000,000 for each of fiscal years 2025 through 2028; and

''(2) such sums as are necessary for each of fiscal years 2029 through 2033.''.

SA 3015. Mr. LANKFORD 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. SUBMISSION OF REQUESTS FOR ASSISTANCE ALONG THE SOUTHERN BORDER.

(a) SHORT TITLE.—This section may be cited as the ''Border Security Coordination and Improvement Act''.

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

(1) the Committee on Homeland Security and Governmental Affairs of the Senate;

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

(3) the Committee on Homeland Security of the House of Representatives; and

(4) the Committee on Armed Services of the House of Representatives.

(c) IN GENERAL.—The Secretary of Homeland Security shall make every effort to submit to the Department of Defense a request for assistance along the southern border of the United States not later than 180 days before the requested date such assistance would begin.

(d) CONTENTS.—A request for assistance submitted in accordance with subsection (c) shall specify the capabilities necessary to assist the Secretary of Homeland Security and the Commissioner for U.S. Customs and Border Protection in fulfilling the relevant mission along the southern border.

(e) NOTIFICATION REQUIREMENTS.—

(1) ONGOING NOTIFICATIONS.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Secretary of Homeland Security shall submit a notification to the appropriate congressional committees that describes—

(A) the efforts by the Department of Homeland Security to develop and transmit to the Department of Defense requests for assistance along the southern border of the United States;

(B) the progress made toward ensuring that such requests for assistance are submitted to the Department of Defense not later than 180 days before the requested deployment of such personnel or capabilities;

(C) the number of days before the beginning of requested assistance that any request for assistance was submitted to the Department of Defense during the previous 90 days; and

(D) in the case of any request for assistance submitted after the date that is 180 days before the requested date of the beginning of Department of Defense assistance, the reason such request for assistance was submitted after such date.

(2) NOTIFICATION OF TRANSMITTAL.—Upon submitting a request for assistance to the Department of Defense, the Secretary of Homeland Security shall notify the appropriate congressional committees of such submission, which shall include—

(A) a copy of such request for assistance;

(B) the number of days after the date of such request that assistance would begin;

(C) a description of the reasons such requested assistance was necessary;

(D) a description of the personnel, capabilities, and resources the Department of Homeland Security would need to render the request for assistance unnecessary, and the associated costs of such personnel, capabilities, and resources;

(E) the Department of Homeland Security's efforts to obtain the personnel, capabilities, and resources described in subparagraph (D); and

(F) if the Department of Homeland Security did not commit to reimburse the Department of Defense for its assistance —

(i) the reasons for such failure to commit;

(ii) a description of the estimated amount necessary to reimburse the Department of Defense for such assistance; and

(iii) a description of the Department of Homeland Security's efforts to ensure that the Department of Homeland Security has sufficient funds to commit to reimbursing the Department of Defense for future assistance.

SA 3016. Mr. LANKFORD 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 XII, insert the following:

SEC. 12_____. SOIL ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Security and Oversight for International Landholdings Act of 2024'' or the ''SOIL Act of 2024''.

(b) REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF CERTAIN AGRICULTURAL REAL ESTATE TRANSACTIONS.—Section 721(a)(4) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)) is amended—

(1) in subparagraph (A)—

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

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

(C) by adding at the end the following:

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

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

''(vi) Any acquisition or transfer of an interest, other than a security, in agricultural land held by a person that is a national of, or is organized under the laws or otherwise subject to the jurisdiction of, a country—

''(I) designated as a nonmarket economy country pursuant to section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)); or

''(II) identified as a country that poses as risk to the national security of the United States in the most recent annual report on worldwide threats issued by the Director of National Intelligence pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b)(commonly known as the 'Annual Threat Assessment').''.

(c) REVIEW BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES OF REAL ESTATE TRANSACTIONS NEAR MILITARY INSTALLATIONS.—Section 721(a)(4)(B) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(4)(B)), as amended by section 2, is amended by adding at the end the following:

''(vii) Any acquisition or transfer of an interest, other than a security, in any form of real estate that is located not more than 50 miles from a site listed in Appendix A to part 802 of title 31, Code of Federal Regulations or other military installation (as that term is defined in section 802.227 of title 31, Code of Federal Regulations) other than residential property held by a person that is a national of, or is organized under the laws or otherwise subject to the jurisdiction of, a country—

''(I) designated as a nonmarket economy country pursuant to section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18)); or

''(II) identified as a country that poses as risk to the national security of the United States in the most recent annual report on worldwide threats issued by the Director of National Intelligence pursuant to section 108B of the National Security Act of 1947 (50 U.S.C. 3043b)(commonly known as the 'Annual Threat Assessment').''.

SA 3017. Mr. CARPER (for himself and Mrs. CAPITO) 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—THOMAS R. CARPER WATER RESOURCES DEVELOPMENT ACT OF 2024

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Thomas R. Carper Water Resources Development Act of 2024''.

SEC. 5002. DEFINITION OF SECRETARY.

In this division, the term ''Secretary'' means the Secretary of the Army.

TITLE LI—GENERAL PROVISIONS

SEC. 5101. NOTICE TO CONGRESS REGARDING WRDA IMPLEMENTATION.

(a) PLAN OF IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall develop a plan for implementing this division and the amendments made by this division.

(2) REQUIREMENTS.—In developing the plan under paragraph (1), the Secretary shall—

(A) identify each provision of this division (or an amendment made by this division) that will require—

(i) the development and issuance of guidance, including whether that guidance will be significant guidance;

(ii) the development and issuance of a rule; or

(iii) appropriations;

(B) develop timelines for the issuance of—

(i) any guidance described in subparagraph (A)(i); and

(ii) each rule described in subparagraph (A)(ii); and

(C) establish a process to disseminate information about this division and the amendments made by this division to each District and Division Office of the Corps of Engineers.

(3) TRANSMITTAL.—On completion of the plan under paragraph (1), the Secretary shall transmit the plan to—

(A) the Committee on Environment and Public Works of the Senate; and

(B) the Committee on Transportation and Infrastructure of the House of Representatives.

(b) IMPLEMENTATION OF PRIOR WATER RESOURCES DEVELOPMENT LAWS.—

(1) DEFINITION OF PRIOR WATER RESOURCES DEVELOPMENT LAW.—In this subsection, the term ''prior water resources development law'' means each of the following (including the amendments made by any of the following):

(A) The Water Resources Development Act of 2000 (Public Law 106–541; 114 Stat. 2572).

(B) The Water Resources Development Act of 2007 (Public Law 110–114; 121 Stat. 1041).

(C) The Water Resources Reform and Development Act of 2014 (Public Law 113–121; 128 Stat. 1193).

(D) The Water Infrastructure Improvements for the Nation Act (Public Law 114–322; 130 Stat. 1628).

(E) The America's Water Infrastructure Act of 2018 (Public Law 115–270; 132 Stat. 3765).

(F) Division AA of the Consolidated Appropriations Act, 2021 (Public Law 116–260; 134 Stat. 2615).

(G) Title LXXXI of division H of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; 136 Stat. 3691).

(2) NOTICE.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notice of the status of efforts by the Secretary to implement the prior water resources development laws.

(B) CONTENTS.—

(i) IN GENERAL.—As part of the notice under subparagraph (A), the Secretary shall include a list describing each provision of a prior water resources development law that has not been fully implemented as of the date of submission of the notice.

(ii) ADDITIONAL INFORMATION.—For each provision included on the list under clause (i), the Secretary shall—

(I) establish a timeline for implementing the provision;

(II) provide a description of the status of the provision in the implementation process; and

(III) provide an explanation for the delay in implementing the provision.

(3) BRIEFINGS.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and every 90 days thereafter until the Chairs of the Committee on Environment and Public Works of the Senate and the Committee on

Transportation and Infrastructure of the House of Representatives determine that this division, the amendments made by this division, and prior water resources development laws are fully implemented, the Secretary shall provide to relevant congressional committees a briefing on the implementation of this division, the amendments made by this division, and prior water resources development laws.

(B) INCLUSIONS.—A briefing under subparagraph (A) shall include—

(i) updates to the implementation plan under subsection (a); and

(ii) updates to the written notice under paragraph (2).

(c) ADDITIONAL NOTICE PENDING ISSUANCE.—Not later than 30 days before issuing any guidance, rule, notice in the Federal Register, or other documentation required to implement this division, an amendment made by this division, or a prior water resources development law (as defined in subsection (b)(1)), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notice regarding the pending issuance.

(d) WRDA IMPLEMENTATION TEAM.—

(1) DEFINITIONS.—In this subsection:

(A) PRIOR WATER RESOURCES DEVELOPMENT LAW.—The term ''prior water resources development law'' has the meaning given the term in subsection (b)(1).

(B) TEAM.—The term ''team'' means the Water Resources Development Act implementation team established under paragraph (2).

(2) ESTABLISHMENT.—The Secretary shall establish a Water Resources Development Act implementation team that shall consist of current employees of the Federal Government, including—

(A) not fewer than 2 employees in the Office of the Assistant Secretary of the Army for Civil Works;

(B) not fewer than 2 employees at the headquarters of the Corps of Engineers; and

(C) a representative of each district and division of the Corps of Engineers.

(3) DUTIES.—The team shall be responsible for assisting with the implementation of this division, the amendments made by this division, and prior water resources development laws, including—

(A) performing ongoing outreach to—

(i) Congress; and

(ii) employees and servicemembers stationed in districts and divisions of the Corps of Engineers to ensure that all Corps of Engineers employees are aware of and implementing provisions of this division, the amendments made by this division, and prior water resources development laws, in a manner consistent with congressional intent;

(B) identifying any issues with implementation of a provision of this division, the amendments made by this division, and prior water resources development laws at the district, division, or national level;

(C) resolving the issues identified under subparagraph (B), in consultation with Corps of Engineers leadership and the Secretary; and

(D) ensuring that any interpretation developed as a result of the process under subparagraph (C) is consistent with congressional intent for this division, the amendments made by this division, and prior water resources development laws.

SEC. 5102. PRIOR GUIDANCE.

Not later than 180 days after the date of enactment of this Act, the Secretary shall issue the guidance required pursuant to each of the following provisions:

(1) Section 1043(b)(9) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121).

(2) Section 8136 of the Water Resources Development Act of 2022 (10 U.S.C. 2667 note; Public Law 117–263).

SEC. 5103. ABILITY TO PAY.

(a) IMPLEMENTATION.—The Secretary shall expedite any guidance or rulemaking necessary to the implementation of section 103(m) of the Water Resources Development Act 1986 (33 U.S.C. 2213(m)) to address ability to pay.

(b) ABILITY TO PAY.—Section 103(m) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(m)) is amended by adding the end the following:

''(5) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives written notification of determinations made by the Secretary of the ability of non-Federal interests to pay under this subsection.

''(B) CONTENTS.—In preparing the written notification under subparagraph (A), the Secretary shall include, for each determination made by the Secretary—

''(i) the name of the non-Federal interest that submitted to the Secretary a request for a determination under this subsection;

''(ii) the name and location of the project; and

''(iii) the determination made by the Secretary and the reasons for the determination, including the adjusted share of the costs of the project of the non-Federal interest, if applicable.''.

(c) TRIBAL PARTNERSHIP PROGRAM.—Section 203(d) of the Water Resources Development Act of 2000 (33 U.S.C. 2269(d)) is amended by adding at the end the following:

''(7) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives written notification of determinations made by the Secretary of the ability of non-Federal interests to pay under this subsection.

''(B) CONTENTS.—In preparing the written notification under subparagraph (A), the Secretary shall include, for each determination made by the Secretary—

''(i) the name of the non-Federal interest that submitted to the Secretary a request for a determination under paragraph (1)(B)(ii);

''(ii) the name and location of the project; and

''(iii) the determination made by the Secretary and the reasons for the determination, including the adjusted share of the costs of the project of the non-Federal interest, if applicable.''.

SEC. 5104. FEDERAL INTEREST DETERMINATIONS.

Section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b)) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—

''(A) IDENTIFICATION.—As part of the submission of a work plan to Congress pursuant to the joint explanatory statement for an annual appropriations Act or as part of the submission of a spend plan to Congress for a supplemental appropriations Act under which the Corps of Engineers receives funding, the Secretary shall identify the studies in the plan—

''(i) for which the Secretary plans to prepare a feasibility report under subsection (a) that will benefit—

''(I) an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)); or

''(II) a community other than a community described in subclause (I); and

''(ii) that are designated as a new start under the work plan.

''(B) DETERMINATION.—

''(i) IN GENERAL.—After identifying the studies under subparagraph (A) and subject to subparagraph (C), the Secretary shall, with the consent of the applicable non-Federal interest for the study, first determine the Federal interest in carrying out the study and the projects that may be proposed in the study.

''(ii) FEASIBILITY COST SHARE AGREEMENT.—The Secretary may make a determination under clause (i) prior to the execution of a feasibility cost share agreement between the Secretary and the non-Federal interest.

''(C) LIMITATION.—For each fiscal year, the Secretary may not make a determination under subparagraph (B) for more than 20 studies identified under subparagraph (A)(i)(II).

''(D) APPLICATION.—

''(i) IN GENERAL.—Subject to clause (ii) and with the consent of the non-Federal interest, the Secretary may use the authority provided under this subsection for a study in a work plan submitted to Congress prior to the date of enactment of the Thomas R. Carper Water Resources Development Act of 2024 if the study otherwise meets the requirements described in subparagraph (A).

''(ii) LIMITATION.—Subparagraph (C) shall apply to the use of authority under clause (i).'';

(2) in paragraph (2)—

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

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

(C) by adding at the end the following:

''(C) shall be paid from the funding provided for the study in the applicable work plan described in that paragraph.''; and

(3) by adding at the end the following:

''(6) POST-DETERMINATION WORK.—A study under this section shall continue after a determination under paragraph (1)(B)(i) without a new investment decision.''.

SEC. 5105. ANNUAL REPORT TO CONGRESS.

Section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) is amended—

(1) by redesignating subsection (g) as subsection (i); and

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

''(g) NON-FEDERAL INTEREST NOTIFICATION.—

''(1) IN GENERAL.—After the publication of the annual report under subsection (f), if the proposal of a non-Federal interest submitted under subsection (b) was included by the Secretary in the appendix under subsection (c)(4), the Secretary shall provide written notification to the non-Federal interest of such inclusion.

''(2) DEBRIEF.—

''(A) IN GENERAL.—Not later than 30 days after the date on which a non-Federal interest receives the written notification under paragraph (1), the non-Federal interest shall notify the Secretary that the non-Federal interest is requesting a debrief under this paragraph.

''(B) RESPONSE.—If a non-Federal interest requests a debrief under this paragraph, the Secretary shall provide the debrief to the non-Federal interest by not later than 60 days after the date on which the Secretary receives the request for the debrief.

''(C) INCLUSIONS.—The debrief provided by the Secretary under this paragraph shall include—

''(i) an explanation of the reasons that the proposal was included in the appendix under subsection (c)(4); and

''(ii) a description of—

''(I) any revisions to the proposal that may allow the proposal to be included in a subsequent annual report, to the maximum extent practicable;

''(II) other existing authorities of the Secretary that may be used to address the need that prompted the proposal, if applicable; and

''(III) any other information that the Secretary determines to be appropriate.

''(h) CONGRESSIONAL NOTIFICATION.—Not later than 30 days after the publication of the annual report under subsection (f), for each proposal included in that annual report or appendix, the Secretary shall notify each Member of Congress that represents the State in which that proposal will be located that the proposal was included the annual report or the appendix.''.

SEC. 5106. PROCESSING TIMELINES.

Not later than 30 days after the end of each fiscal year, the Secretary shall ensure that the public website for the ''permit finder'' of the Corps of Engineers accurately reflects the current status of projects for which a permit was, or is being, processed using amounts accepted under section 214 of the Water Resources Development Act of 2000 (33 U.S.C. 2352).

SEC. 5107. SERVICES OF VOLUNTEERS.

The seventeenth paragraph under the heading ''GENERAL PROVISIONS'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' in chapter IV of title I of the Supplemental Appropriations Act, 1983 (33 U.S.C. 569c), is amended—

(1) in the first sentence, by striking ''The United States Army Chief of Engineers'' and inserting the following:

''SERVICES OF VOLUNTEERS

''SEC. 141. (a) IN GENERAL.—The Chief of Engineers''.

(2) in subsection (a) (as so designated), in the second sentence, by striking ''Such volunteers'' and inserting the following:

''(b) TREATMENT.—Volunteers under subsection (a)''; and

(3) by adding at the end the following:

''(c) RECOGNITION.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Chief of Engineers may recognize through an award or other appropriate means the service of volunteers under subsection (a).

''(2) PROCESS.—The Chief of Engineers shall establish a process to carry out paragraph (1).

''(3) LIMITATION.—The Chief of Engineers shall ensure that the recognition provided to a volunteer under paragraph (1) shall not be in the form of a cash award.''.

SEC. 5108. SUPPORT OF ARMY CIVIL WORKS MISSIONS.

Section 8159 of the Water Resources Development Act of 2022 (136 Stat. 3740) is amended—

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

(2) by striking paragraph (4) and inserting the following:

''(4) West Virginia University to conduct academic research on flood resilience planning and risk management, water resource-related emergency management, aquatic ecosystem restoration, water quality, siting and risk management for open- and closed-loop pumped hydropower energy storage, hydropower, and water resource-related recreation and management of resources for recreation in the State of West Virginia;

''(5) Delaware State University to conduct academic research on water resource ecology, water quality, aquatic ecosystem restoration, coastal restoration, and water resource-related emergency management in the State of Delaware, the Delaware River Basin, and the Chesapeake Bay watershed;

''(6) the University of Notre Dame to conduct academic research on hazard mitigation policies and practices in coastal communities, including through the incorporation of data analysis and the use of risk-based analytical frameworks for reviewing flood mitigation and hardening plans and for evaluating the design of new infrastructure; and

''(7) Mississippi State University to conduct academic research on technology to be used in water resources development infrastructure, analyses of the environment before and after a natural disaster, and geospatial data collection.''.

SEC. 5109. INLAND WATERWAY PROJECTS.

(a) IN GENERAL.—Section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''65 percent of the costs'' and inserting ''75 percent of the costs''; and

(2) in the undesignated matter following paragraph (3), in the second sentence, by striking ''35 percent of such costs'' and inserting ''25 percent of such costs''.

(b) APPLICATION.—The amendments made by subsection (a) shall apply beginning on October 1, 2024, to any construction of a project for navigation on the inland waterways that is new or ongoing on or after that date.

(c) EXCEPTION.—In the case of an inland waterways project that receives funds under the heading ''CONSTRUCTION'' under the heading ''CORPS OF ENGINEERS—CIVIL'' under the heading ''DEPARTMENT OF THE ARMY'' in title III of division J of the Infrastructure Investment and Jobs Act (135 Stat. 1359) that will not complete construction, replacement, rehabilitation, and expansion with such funds—

(1) section 102(a) of the Water Resources Development Act of 1986 (33 U.S.C. 2212(a)) shall not apply; and

(2) any remaining costs shall be paid only from amounts appropriated from the general fund of the Treasury.

SEC. 5110. LEVERAGING FEDERAL INFRASTRUCTURE FOR INCREASED WATER SUPPLY.

Section 1118(i) of Water Resources Development Act of 2016 (43 U.S.C. 390b–2(i)) is amended by striking paragraph (2) and inserting the following:

''(2) CONTRIBUTED FUNDS FOR OTHER FEDERAL RESERVOIR PROJECTS.—

''(A) IN GENERAL.—The Secretary is authorized to receive and expend funds from a non-Federal interest or a Federal agency that owns a Federal reservoir project described in subparagraph (B) to formulate, review, or revise operational documents pursuant to a proposal submitted in accordance with subsection (a).

''(B) FEDERAL RESERVOIR PROJECTS DESCRIBED.—A Federal reservoir project referred to in subparagraph (A) is a reservoir for which the Secretary is authorized to prescribe regulations for the use of storage allocated for flood control or navigation pursuant to section 7 of the Act of December 22, 1944 (commonly known as the 'Flood Control Act of 1944') (58 Stat. 890, chapter 665; 33 U.S.C. 709).''.

SEC. 5111. OUTREACH AND ACCESS.

(a) IN GENERAL.—Section 8117(b) of the Water Resources Development Act of 2022 (33 U.S.C. 2281b(b)) is amended—

(1) in paragraph (1)—

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

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

(C) by adding at the end the following:

''(C) ensuring that a potential non-Federal interest is aware of the roles, responsibilities, and financial commitments associated with a completed water resources development project prior to initiating a feasibility study (as defined in section 105(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2215(d))), including operations, maintenance, repair, replacement, and rehabilitation responsibilities.'';

(2) in paragraph (2)—

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

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

(C) by adding at the end the following:

''(F) to the maximum extent practicable—

''(i) develop and continue to make publicly available, through a publicly available existing website, information on the projects and studies within the jurisdiction of each district of the Corps of Engineers; and

''(ii) ensure that the information described in clause (i) is consistent and made publicly available in the same manner across all districts of the Corps of Engineers.'';

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

(4) by inserting after paragraph (2) the following:

''(3) GUIDANCE.—The Secretary shall develop and issue guidance to ensure that the points of contacts established under paragraph (2)(B) are adequately fulfilling their obligations under that paragraph.''.

(b) BRIEFING.—Not later than 60 days after the date of enactment of this Act, the Secretary shall provide to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of the implementation of section 8117 of the Water Resources Development Act of 2022 (33 U.S.C. 2281b), including the amendments made to that section by subsection (a), including—

(1) a plan for implementing any requirements under that section; and

(2) any potential barriers to implementing that section.

SEC. 5112. MODEL DEVELOPMENT.

Section 8230 of the Water Resources Development Act of 2022 (136 Stat. 3765) is amended by adding at the end the following:

''(d) MODEL DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary may partner with other Federal agencies, National Laboratories, and institutions of higher education to develop, update, and maintain hydrologic and climate-related models for use in water resources planning, including models to assess compound flooding that arises when 2 or more flood drivers occur simultaneously or in close succession, or are impacting the same region over time.

''(2) USE.—The Secretary may use models developed by the entities described in paragraph (1).''.

SEC. 5113. PLANNING ASSISTANCE FOR STATES.

Section 22(a)(2)(B) of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–16(a)(2)(B)) is amended by inserting ''and title research for abandoned structures'' before the period at the end.

SEC. 5114. CORPS OF ENGINEERS LEVEE OWNERS ADVISORY BOARD.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LEVEE SYSTEM OWNER-OPERATOR.—The term ''Federal levee system owner-operator'' means a non-Federal interest that owns and operates and maintains a levee system that was constructed by the Corps of Engineers.

(2) OWNERS BOARD.—The term ''Owners Board'' means the Levee Owners Advisory Board established under subsection (b).

(b) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish a Levee Owners Advisory Board.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Owners Board—

(A) shall be composed of—

(i) 11 members, to be appointed by the Secretary, who shall—

(I) represent various regions of the country, including not less than 1 Federal levee system owner-operator from each of the civil works divisions of the Corps of Engineers; and

(II) have the requisite experiential or technical knowledge to carry out the duties of the Owners Board described in subsection (d); and

(ii) a representative of the Corps of Engineers, to be designated by the Secretary, who shall serve as a nonvoting member; and

(B) may include a representative designated by the head of the Federal agency described in section 9002(1) of the Water Resources Development Act of 2007 (33 U.S.C. 3301(1)), who shall serve as a nonvoting member.

(2) TERMS OF MEMBERS.—

(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a member of the Owners Board shall be appointed for a term of 3 years.

(B) REAPPOINTMENT.—A member of the Owners Board may be reappointed to the Owners Board, as the Secretary determines to be appropriate.

(C) VACANCIES.—A vacancy on the Owners Board shall be filled in the same manner as the original appointment was made.

(3) CHAIRPERSON.—The members of the Owners Board shall appoint a chairperson from among the members of the Owners Board.

(d) DUTIES.—

(1) RECOMMENDATIONS.—The Owners Board shall provide advice and recommendations to the Secretary and the Chief of Engineers on—

(A) the activities and actions, consistent with applicable statutory authorities, that should be undertaken by the Corps of Engineers and Federal levee system owner-operators to improve flood risk management throughout the United States; and

(B) how to improve cooperation and communication between the Corps of Engineers and Federal levee system owner-operators.

(2) MEETINGS.—The Owners Board shall meet not less frequently than semiannually.

(3) REPORT.—The Secretary, on behalf of the Owners Board, shall—

(A) submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the recommendations provided under paragraph (1); and

(B) make those recommendations publicly available, including on a publicly available existing website.

(e) INDEPENDENT JUDGMENT.—Any advice or recommendation made by the Owners Board pursuant to subsection (d)(1) shall reflect the independent judgment of the Owners Board.

(f) ADMINISTRATION.—

(1) COMPENSATION.—Except as provided in paragraph (2), the members of the Owners Board shall serve without compensation.

(2) TRAVEL EXPENSES.—The members of the Owners Board shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(3) TREATMENT.—The members of the Owners Board shall not be considered to be Federal employees, and the meetings and reports of the Owners Board shall not be considered a major Federal action under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(g) SAVINGS CLAUSE.—The Owners Board shall not supplant the Committee on Levee Safety established by section 9003 of the Water Resources Development Act of 2007 (33 U.S.C. 3302).

SEC. 5115. SILVER JACKETS PROGRAM.

The Secretary shall continue the Silver Jackets program established by the Secretary pursuant to section 206 of the Flood Control Act of 1960 (33 U.S.C. 709a) and section 204 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5134).

SEC. 5116. TRIBAL PARTNERSHIP PROGRAM.

Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (b)(2)—

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

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following:

''(D) projects that improve emergency response capabilities and provide increased access to infrastructure that may be utilized in the event of a severe weather event or other natural disaster; and''; and

(2) by striking subsection (e) and inserting the following:

''(e) PILOT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall carry out a pilot program under which the Secretary shall carry out not more than 5 projects described in paragraph (2).

''(2) PROJECTS DESCRIBED.—Notwithstanding subsection (b)(1)(B), a project referred to in paragraph (1) is a project—

''(A) that is otherwise eligible and meets the requirements under this section; and

''(B) that is located—

''(i) along the Mid-Columbia River, Washington, Taneum Creek, Washington, or Similk Bay, Washington; or

''(ii) at Big Bend, Lake Oahe, Fort Randall, or Gavins Point Reservoirs, South Dakota.

''(3) REQUIREMENT.—The Secretary shall carry out a project described in paragraph (2) in accordance with this section.

''(4) SAVINGS PROVISION.—Nothing in this subsection authorizes—

''(A) a project for the removal of a dam that otherwise is a project described in paragraph (2);

''(B) the study of the removal of a dam; or

''(C) the study of any Federal dam, including the study of power, flood control, or navigation replacement, or the implementation of any functional alteration to that dam, that is located along a body of water described in clause (i) or (ii) of paragraph (2)(B).''.

SEC. 5117. TRIBAL PROJECT IMPLEMENTATION PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PROJECT.—The term ''eligible project'' means a project or activity eligible to be carried out under the Tribal partnership program under section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269).

(2) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(b) AUTHORIZATION.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish and implement a pilot program under which Indian Tribes may directly carry out eligible projects.

(c) PURPOSES.—The purposes of the pilot program under this section are—

(1) to authorize Tribal contracting to advance Tribal self-determination and provide economic opportunities for Indian Tribes; and

(2) to evaluate the technical, financial, and organizational efficiencies of Indian Tribes carrying out the design, execution, management, and construction of 1 or more eligible projects.

(d) ADMINISTRATION.—

(1) IN GENERAL.—In carrying out the pilot program under this section, the Secretary shall—

(A) identify a total of not more than 5 eligible projects that have been authorized for construction;

(B) notify the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the identification of each eligible project under the pilot program under this section;

(C) in collaboration with the Indian Tribe, develop a detailed project management plan for each identified eligible project that outlines the scope, budget, design, and construction resource requirements necessary for the Indian Tribe to execute the project or a separable element of the eligible project;

(D) on the request of the Indian Tribe and in accordance with subsection (f)(2), enter into a project partnership agreement with the Indian Tribe for the Indian Tribe to provide full project management control for construction of the eligible project, or a separable element of the eligible project, in accordance with plans approved by the Secretary;

(E) following execution of the project partnership agreement, transfer to the Indian Tribe to carry out construction of the eligible project, or a separable element of the eligible project—

(i) if applicable, the balance of the unobligated amounts appropriated for the eligible project, except that the Secretary shall retain sufficient amounts for the Corps of Engineers to carry out any responsibilities of the Corps of Engineers relating to the eligible project and the pilot program under this section; and

(ii) additional amounts, as determined by the Secretary, from amounts made available to carry out this section, except that the total amount transferred to the Indian Tribe shall not exceed the updated estimate of the Federal share of the cost of construction, including any required design; and

(F) regularly monitor and audit each eligible project being constructed by an Indian Tribe under this section to ensure that the construction activities are carried out in compliance with the plans approved by the Secretary and that the construction costs are reasonable.

(2) DETAILED PROJECT SCHEDULE.—Not later than 180 days after entering into an agreement under paragraph (1)(D), each Indian Tribe, to the maximum extent practicable, shall submit to the Secretary a detailed project schedule, based on estimated funding levels, that lists all deadlines for each milestone in the construction of the eligible project.

(3) TECHNICAL ASSISTANCE.—On the request of an Indian Tribe, the Secretary may provide technical assistance to the Indian Tribe, if the Indian Tribe contracts with and compensates the Secretary for the technical assistance relating to—

(A) any study, engineering activity, and design activity for construction carried out by the Indian Tribe under this section; and

(B) expeditiously obtaining any permits necessary for the eligible project.

(e) COST SHARE.—Nothing in this section affects the cost-sharing requirement applicable on the day before the date of enactment

of this Act to an eligible project carried out under this section.

(f) IMPLEMENTATION GUIDANCE.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall issue guidance for the implementation of the pilot program under this section that, to the extent practicable, identifies—

(A) the metrics for measuring the success of the pilot program;

(B) a process for identifying future eligible projects to participate in the pilot program;

(C) measures to address the risks of an Indian Tribe constructing eligible projects under the pilot program, including which entity bears the risk for eligible projects that fail to meet Corps of Engineers standards for design or quality;

(D) the laws and regulations that an Indian Tribe must follow in carrying out an eligible project under the pilot program; and

(E) which entity bears the risk in the event that an eligible project carried out under the pilot program fails to be carried out in accordance with the project authorization or this section.

(2) NEW PROJECT PARTNERSHIP AGREEMENTS.—The Secretary may not enter into a project partnership agreement under this section until the date on which the Secretary issues the guidance under paragraph (1).

(g) REPORT.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives and make publicly available a report detailing the results of the pilot program under this section, including—

(A) a description of the progress of Indian Tribes in meeting milestones in detailed project schedules developed pursuant to subsection (d)(2); and

(B) any recommendations of the Secretary concerning whether the pilot program or any component of the pilot program should be implemented on a national basis.

(2) UPDATE.—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an update to the report under paragraph (1).

(3) FAILURE TO MEET DEADLINE.—If the Secretary fails to submit a report by the required deadline under this subsection, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a detailed explanation of why the deadline was missed and a projected date for submission of the report.

(h) ADMINISTRATION.—All laws and regulations that would apply to the Secretary if the Secretary were carrying out the eligible project shall apply to an Indian Tribe carrying out an eligible project under this section.

(i) TERMINATION OF AUTHORITY.—The authority to commence an eligible project under this section terminates on December 31, 2029.

(j) AUTHORIZATION OF APPROPRIATIONS.—In addition to any amounts appropriated for a specific eligible project, there is authorized to be appropriated to the Secretary to carry out this section, including the costs of administration of the Secretary, $15,000,000 for each of fiscal years 2024 through 2029.

SEC. 5118. ELIGIBILITY FOR INTER-TRIBAL CONSORTIUMS.

(a) IN GENERAL.—Section 221(b)(1) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)(1)) is amended by inserting ''and an inter-tribal consortium (as defined in section 403 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202)))'' after ''5304))''.

(b) TRIBAL PARTNERSHIP PROGRAM.—Section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269) is amended—

(1) in subsection (a)—

(A) by striking the subsection designation and heading and all that follows through ''the term'' and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) INDIAN TRIBE.—The term''; and

(B) by adding at the end the following:

''(2) INTER-TRIBAL CONSORTIUM.—The term 'inter-tribal consortium' has the meaning given the term in section 403 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202).

''(3) TRIBAL ORGANIZATION.—The term 'Tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting '', inter-tribal consortiums, Tribal organizations,'' after ''Indian tribes''; and

(ii) in subparagraph (A), by inserting '', inter-tribal consortiums, or Tribal organizations'' after ''Indian tribes'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''flood hurricane'' and inserting ''flood or hurricane'';

(ii) in subparagraph (C), in the matter preceding clause (i), by inserting '', an inter-tribal consortium, or a Tribal organization'' after ''Indian tribe''; and

(iii) in subparagraph (E) (as redesignated by section 5116(1)(B)), by inserting '', inter-tribal consortiums, Tribal organizations,'' after ''Indian tribes''; and

(C) in paragraph (3)(A), by inserting '', inter-tribal consortium, or Tribal organization'' after ''Indian tribe'' each place it appears.

SEC. 5119. SENSE OF CONGRESS RELATING TO THE MANAGEMENT OF RECREATION FACILITIES.

It is the sense of Congress that—

(1) the Corps of Engineers should have greater access to the revenue collected from the use of Corps of Engineers-managed facilities with recreational purposes;

(2) revenue collected from Corps of Engineers-managed facilities with recreational purposes should be available to the Corps of Engineers for necessary operation, maintenance, and improvement activities at the facility from which the revenue was derived;

(3) the districts of the Corps of Engineers should be provided with more authority to partner with non-Federal public entities and private nonprofit entities for the improvement and management of Corps of Engineers-managed facilities with recreational purposes; and

(4) legislation to address the issues described in paragraphs (1) through (3) should be considered by Congress.

SEC. 5120. EXPEDITED CONSIDERATION.

Section 7004(b)(4) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1374; 132 Stat. 3784) is amended by striking ''December 31, 2024'' and inserting ''December 31, 2026''.

TITLE LII—STUDIES AND REPORTS

SEC. 5201. AUTHORIZATION OF PROPOSED FEASIBILITY STUDIES.

(a) NEW PROJECTS.—The Secretary is authorized to conduct a feasibility study for the following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress:

(1) YAVAPAI COUNTY, ARIZONA.—Project for flood risk management, Yavapai County, Arizona.

(2) EASTMAN LAKE, CALIFORNIA.—Project for ecosystem restoration and water supply, including for conservation and recharge, Eastman Lake, Merced and Madera Counties, California.

(3) PINE FLAT DAM, CALIFORNIA.—Project for ecosystem restoration, water supply, and recreation, Pine Flat Dam, Fresno County, California.

(4) SAN DIEGO, CALIFORNIA.—Project for flood risk management, including sea level rise, San Diego, California.

(5) SACRAMENTO, CALIFORNIA.—Project for flood risk management and ecosystem restoration, including levee improvement, Sacramento River, Sacramento, California.

(6) SAN MATEO, CALIFORNIA.—Project for flood risk management, City of San Mateo, California.

(7) SACRAMENTO COUNTY, CALIFORNIA.—Project for flood risk management, ecosystem restoration, and water supply, Lower Cosumnes River, Sacramento County, California.

(8) COLORADO SPRINGS, COLORADO.—Project for ecosystem restoration and flood risk management, Fountain Creek, Monument Creek, and T–Gap Levee, Colorado Springs, Colorado.

(9) PLYMOUTH, CONNECTICUT.—Project for ecosystem restoration, Plymouth, Connecticut.

(10) WINDHAM, CONNECTICUT.—Project for ecosystem restoration and recreation, Windham, Connecticut.

(11) ENFIELD, CONNECTICUT.—Project for flood risk management and ecosystem restoration, including restoring freshwater brook floodplain, Enfield, Connecticut.

(12) NEWINGTON, CONNECTICUT.—Project for flood risk management, Newington, Connecticut.

(13) HARTFORD, CONNECTICUT.—Project for hurricane and storm damage risk reduction, Hartford, Connecticut.

(14) FAIRFIELD, CONNECTICUT.—Project for flood risk management, Rooster River, Fairfield, Connecticut.

(15) MILTON, DELAWARE.—Project for flood risk management, Milton, Delaware.

(16) WILMINGTON, DELAWARE.—Project for coastal storm risk management, City of Wilmington, Delaware.

(17) TYBEE ISLAND, GEORGIA.—Project for flood risk management and coastal storm risk management, including the potential for beneficial use of dredged material, Tybee Island, Georgia.

(18) HANAPEPE LEVEE, HAWAII.—Project for ecosystem restoration, flood risk management, and hurricane and storm damage risk reduction, including Hanapepe Levee, Kauai County, Hawaii.

(19) KAUAI COUNTY, HAWAII.—Project for flood risk management and coastal storm risk management, Kauai County, Hawaii.

(20) HAWAI'I KAI, HAWAII.—Project for flood risk management, Hawai'i Kai, Hawaii.

(21) MAUI, HAWAII.—Project for flood risk management and ecosystem restoration, Maui County, Hawaii.

(22) BUTTERFIELD CREEK, ILLINOIS.—Project for flood risk management, Butterfield Creek, Illinois, including the villages of Flossmoor, Matteson, Park Forest, and Richton Park.

(23) ROCKY RIPPLE, INDIANA.—Project for flood risk management, Rocky Ripple, Indiana.

(24) COFFEYVILLE, KANSAS.—Project for flood risk management, Coffeyville, Kansas.

(25) FULTON COUNTY, KENTUCKY.—Project for flood risk management, including bank stabilization, Fulton County, Kentucky.

(26) CUMBERLAND RIVER, CRITTENDEN COUNTY, LYON COUNTY, AND LIVINGSTON COUNTY, KENTUCKY.—Project for ecosystem restoration, including bank stabilization, Cumberland River, Crittenden County, Lyon County, and Livingston County, Kentucky.

(27) SCOTT COUNTY, KENTUCKY.—Project for ecosystem restoration, including water supply, Scott County, Kentucky.

(28) BULLSKIN CREEK AND SHELBY COUNTY, KENTUCKY.—Project for ecosystem restoration, including bank stabilization, Bullskin Creek and Shelby County, Kentucky.

(29) LAKE PONTCHARTRAIN BARRIER, LOUISIANA.—Project for hurricane and storm damage risk reduction, Orleans Parish, St. Tammany Parish, and St. Bernard Parish, Louisiana.

(30) OCEAN CITY, MARYLAND.—Project for flood risk management, Ocean City, Maryland.

(31) BEAVERDAM CREEK, MARYLAND.—Project for flood risk management, Beaverdam Creek, Prince George's County, Maryland.

(32) OAK BLUFFS, MASSACHUSETTS.—Project for flood risk management, coastal storm risk management, recreation, and ecosystem restoration, including shoreline stabilization along East Chop Drive, Oak Bluffs, Massachusetts.

(33) TISBURY, MASSACHUSETTS.—Project for coastal storm risk management, including shoreline stabilization along Beach Road Causeway, Tisbury, Massachusetts.

(34) OAK BLUFFS HARBOR, MASSACHUSETTS.—Project for coastal storm risk management and navigation, Oak Bluffs Harbor north and south jetties, Oak Bluffs, Massachusetts.

(35) CONNECTICUT RIVER, MASSACHUSETTS.—Project for flood risk management along the Connecticut River, Massachusetts.

(36) MARYSVILLE, MICHIGAN.—Project for coastal storm risk management, including shoreline stabilization, City of Marysville, Michigan.

(37) CHEBOYGAN, MICHIGAN.—Project for flood risk management, Little Black River, City of Cheboygan, Michigan.

(38) KALAMAZOO, MICHIGAN.—Project for flood risk management and ecosystem restoration, Kalamazoo River Watershed and tributaries, City of Kalamazoo, Michigan.

(39) DEARBORN AND DEARBORN HEIGHTS, MICHIGAN.—Project for flood risk management, Dearborn and Dearborn Heights, Michigan.

(40) GRAND TRAVERSE BAY, MICHIGAN.—Project for navigation, Grand Traverse Bay, Michigan.

(41) GRAND TRAVERSE COUNTY, MICHIGAN.—Project for flood risk management and ecosystem restoration, Grand Traverse County, Michigan.

(42) BRIGHTON MILL POND, MICHIGAN.—Project for ecosystem restoration, Brighton Mill Pond, Michigan.

(43) LUDINGTON, MICHIGAN.—Project for coastal storm risk management, including feasibility of emergency shoreline protection, Ludington, Michigan.

(44) PAHRUMP, NEVADA.—Project for hurricane and storm damage risk reduction and flood risk management, Pahrump, Nevada.

(45) ALLEGHENY RIVER, NEW YORK.—Project for navigation and ecosystem restoration, Allegheny River, New York.

(46) TURTLE COVE, NEW YORK.—Project for ecosystem restoration, Turtle Cove, Pelham Bay Park, Bronx, New York.

(47) NILES, OHIO.—Project for flood risk management, ecosystem restoration, and recreation, City of Niles, Ohio.

(48) GENEVA-ON-THE-LAKE, OHIO.—Project for flood and coastal storm risk management, ecosystem restoration, recreation, and shoreline erosion protection, Geneva-on-the-Lake, Ohio.

(49) LITTLE KILLBUCK CREEK, OHIO.—Project for ecosystem restoration, including aquatic invasive species management, Little Killbuck Creek, Ohio.

(50) DEFIANCE, OHIO.—Project for flood risk management, ecosystem restoration, recreation, and bank stabilization, Maumee, Auglaize, and Tiffin Rivers, Defiance, Ohio.

(51) DILLON LAKE, MUSKINGUM COUNTY, OHIO.—Project for ecosystem restoration, recreation, and shoreline erosion protection, Dillon Lake, Muskingum and Licking Counties, Ohio.

(52) JERUSALEM TOWNSHIP, OHIO.—Project for flood and coastal storm risk management and shoreline erosion protection, Jerusalem Township, Ohio.

(53) NINE MILE CREEK, CLEVELAND, OHIO.—Project for flood risk management, Nine Mile Creek, Cleveland, Ohio.

(54) COLD CREEK, OHIO.—Project for ecosystem restoration, Cold Creek, Erie County, Ohio.

(55) ALLEGHENY RIVER, PENNSYLVANIA.—Project for navigation and ecosystem restoration, Allegheny River, Pennsylvania.

(56) PHILADELPHIA, PENNSYLVANIA.—Project for ecosystem restoration and recreation, including shoreline stabilization, South Philadelphia Wetlands Park, Philadelphia, Pennsylvania.

(57) GALVESTON BAY, TEXAS.—Project for navigation, Galveston Bay, Texas.

(58) WINOOSKI, VERMONT.—Project for flood risk management, Winooski River and tributaries, Winooski, Vermont.

(59) MT. ST. HELENS, WASHINGTON.—Project for navigation, Mt. St. Helens, Washington.

(60) GRAYS BAY, WASHINGTON.—Project for navigation, flood risk management, and ecosystem restoration, Grays Bay, Wahkiakum County, Washington.

(61) WIND, KLICKITAT, HOOD, DESCHUTES, ROCK CREEK, AND JOHN DAY TRIBUTARIES, WASHINGTON.—Project for ecosystem restoration, Wind, Klickitat, Hood, Deschutes, Rock Creek, and John Day tributaries, Washington.

(62) LA CROSSE, WISCONSIN.—Project for flood risk management, City of La Crosse, Wisconsin.

(b) PROJECT MODIFICATIONS.—The Secretary is authorized to conduct a feasibility study for the following project modifications:

(1) LUXAPALILA CREEK, ALABAMA.—Modifications to the project for flood risk management, Luxapalila Creek, Alabama, authorized by section 203 of the Flood Control Act of 1958 (72 Stat. 307).

(2) OSCEOLA HARBOR, ARKANSAS.—Modifications to the project for navigation, Osceola Harbor, Arkansas, authorized under section 107 of the River and Harbor Act of 1960 (33 U.S.C. 577), to evaluate the expansion of the harbor.

(3) SAVANNAH, GEORGIA.—Modifications to the project for navigation, Savannah Harbor Expansion Project, Georgia, authorized by section 7002(1) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1364) and modified by section 1401(6) of the America's Water Infrastructure Act of 2018 (132 Stat. 3839).

(4) HAGAMAN CHUTE, LOUISIANA.—Modifications to the project for navigation, including sediment management, Hagaman Chute, Louisiana.

(5) CALCASIEU RIVER AND PASS, LOUISIANA.—Modifications to the project for navigation, Calcasieu River and Pass, Louisiana, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 481) and modified by section 3079 of the Water Resources Development Act of 2007 (121 Stat. 1126), including channel deepening and jetty improvements.

(6) MISSISSIPPI RIVER AND TRIBUTARIES, OUACHITA RIVER, LOUISIANA.—Modifications to the project for flood risk management, including bank stabilization, Ouachita River, Monroe to Caldwell Parish, Louisiana, authorized by the first section of the Act of May 15, 1928 (45 Stat. 534, chapter 569).

(7) ST. MARYS RIVER, MICHIGAN.—Modifications to the project for navigation, St. Marys River and tributaries, Michigan, for channel improvements.

(8) MOSQUITO CREEK LAKE, TRUMBULL COUNTY, OHIO.—Modifications to the project for flood risk management and water supply, Mosquito Creek Lake, Trumbull County, Ohio.

(9) LITTLE CONEMAUGH, STONYCREEK, AND CONEMAUGH RIVERS, PENNSYLVANIA.—Modifications to the project for ecosystem restoration, recreation, and flood risk management, Little Conemaugh, Stonycreek, and Conemaugh rivers, Pennsylvania, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1586, chapter 688; 50 Stat. 879; chapter 877).

(10) CHARLESTON, SOUTH CAROLINA.—Modifications to the project for navigation, Charleston Harbor, South Carolina, authorized by section 1401(1) of the Water Resources Development Act of 2016 (130 Stat. 1709), including improvements to address potential or actual changed conditions on that portion of the project that serves the North Charleston Terminal.

(11) ADDICKS AND BARKER RESERVOIRS, TEXAS.—Modifications to the project for flood risk management, Addicks and Barker Reservoirs, Texas.

(12) WESTSIDE CREEK, SAN ANTONIO CHANNEL, TEXAS.—Modifications to the project for ecosystem restoration, Westside Creek, San Antonio Channel, Texas, authorized by section 203 of the Flood Control Act of 1954 (68 Stat. 1259) as part of the comprehensive plan for flood protection on the Guadalupe and San Antonio Rivers, Texas, and modified by section 103 of the Water Resources Development Act of 1976 (90 Stat. 2921), section 335 of the Water Resources Development Act of 2000 (114 Stat. 2611), and section 3154 of the Water Resources Development Act of 2007 (121 Stat. 1148).

(13) MONONGAHELA RIVER, WEST VIRGINIA.—Modifications to the project for recreation, Monongahela River, West Virginia.

(c) SPECIAL RULE, ST. MARYS RIVER, MICHIGAN.—The cost of the study under subsection (b)(7) shall be shared in accordance with the cost share applicable to construction of the project for navigation, Sault Sainte Marie, Michigan, authorized by section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254; 121 Stat. 1131).

SEC. 5202. VERTICAL INTEGRATION AND ACCELERATION OF STUDIES.

(a) IN GENERAL.—Section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c) is amended—

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

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

''(d) DELEGATION.—

''(1) IN GENERAL.—The Secretary shall delegate the determination to grant an extension under subsection (c) to the Commander of the relevant Division if—

''(A) the final feasibility report for the study can be completed with an extension of not more than 1 year beyond the time period described in subsection (a)(1); or

''(B) the feasibility study requires an additional cost of not more than $1,000,000 above the amount described in subsection (a)(2).

''(2) GUIDANCE.—If the Secretary determines that implementation guidance is necessary to implement this subsection, the Secretary shall issue such implementation guidance not later than 180 days after the date of enactment of the Thomas R. Carper Water Resources Development Act of 2024.''; and

(3) by adding at the end the following:

''(h) DEFINITION OF DIVISION.—In this section, the term 'Division' means each of the following Divisions of the Corps of Engineers:

''(1) The Great Lakes and Ohio River Division.

''(2) The Mississippi Valley Division.

''(3) The North Atlantic Division.

''(4) The Northwestern Division.

''(5) The Pacific Ocean Division.

''(6) The South Atlantic Division.

''(7) The South Pacific Division.

''(8) The Southwestern Division.'';

(b) DEADLINE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop and issue implementation guidance that improves the implementation of section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c).

(2) STANDARDIZED FORM.—In carrying out this subsection, the Secretary shall develop and provide to each Division (as defined in subsection (h) of section 1001 of the Water Resources Reform and Development of 2014 (33 U.S.C. 2282c)) a standardized form to assist the Divisions in preparing a written request for an exception under subsection (c) of that section.

(3) NOTIFICATION.—The Secretary shall submit a written copy of the implementation guidance developed under paragraph (1) to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives not less than 30 days before the date on which the Secretary makes that guidance publicly available.

SEC. 5203. EXPEDITED COMPLETION.

(a) FEASIBILITY STUDIES.—The Secretary shall expedite the completion of a feasibility study or general reevaluation report (as applicable) for each of the following projects, and if the Secretary determines that the project is justified in a completed report, may proceed directly to preconstruction planning, engineering, and design of the project:

(1) Project for food risk management, Upper Guyandotte River Basin, West Virginia.

(2) Project for flood risk management, Kanawha River Basin, West Virginia, Virginia, and North Carolina.

(3) Project for flood risk management, Cave Buttes Dam, Phoenix, Arizona.

(4) Project for flood risk management, McMicken Dam, Maricopa County, Arizona.

(5) Project for ecosystem restoration, Rio Salado, Phoenix, Arizona.

(6) Project for flood risk management, Lower San Joaquin River, San Joaquin Valley, California.

(7) Project for flood risk management, Stratford, Connecticut.

(8) Project for flood risk management, Waimea River, Kauai County, Hawaii.

(9) Modifications to the project for flood risk management, Cedar River, Cedar Rapids, Iowa, authorized by section 8201(b)(6) of the Water Resources Development Act of 2022 (136 Stat. 3750).

(10) Project for flood risk management, Rahway River, Rahway, New Jersey.

(11) Northeast Levee System portion of the project for flood control and other purposes, Williamsport, Pennsylvania, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1573, chapter 688).

(12) Project for navigation, Menominee River, Menominee, Wisconsin.

(13) General reevaluation report for the project for flood risk management and other purposes, East St. Louis and Vicinity, Illinois.

(14) General reevaluation report for project for flood risk management, Green Brook, New Jersey.

(15) Project for ecosystem restoration, Imperial Streams Salton Sea, California.

(16) Modification of the project for navigation, Honolulu Deep Draft Harbor, Hawaii.

(17) Project for shoreline damage mitigation, Burns Waterway Harbor, Indiana.

(18) Project for hurricane and coastal storm risk management, Dare County Beaches, North Carolina.

(19) Modification of the project for flood protection and recreation, Surry Mountain Lake, New Hampshire, including for consideration of low flow augmentation.

(20) Project for coastal storm risk management, Virginia Beach and vicinity, Virginia.

(21) Project for secondary water source identification, Washington Metropolitan Area, Washington, DC, Maryland, and Virginia.

(b) STUDY REPORTS.—The Secretary shall expedite the completion of a Chief's Report or Director's Report (as applicable) for each of the following projects for the project to be considered for authorization:

(1) Modification of the project for navigation, Norfolk Harbors and Channels, Anchorage F segment, Norfolk, Virginia.

(2) Project for aquatic ecosystem restoration, Biscayne Bay Coastal Wetlands, Florida.

(3) Project for ecosystem restoration, Claiborne and Millers Ferry Locks and Dam Fish Passage, Lower Alabama River, Alabama.

(4) Project for flood and storm damage reduction, Surf City, North Carolina.

(5) Project for flood and storm damage reduction, Nassau County Back Bays, New York.

(6) Project for flood risk management, Tar Pamlico, North Carolina.

(7) Project for ecosystem restoration, Central and South Florida Comprehensive Everglades Restoration Program, Western Everglades Restoration Project, Florida.

(8) Project for flood and storm damage reduction, Ala Wai, Hawaii.

(9) Project for ecosystem restoration, Central and South Florida Comprehensive Everglades Restoration Program, Lake Okeechobee Watershed Restoration, Florida.

(10) Project for flood and coastal storm damage reduction, Miami-Dade County Back Bay, Florida.

(11) Project for navigation, Tampa Harbor, Florida.

(12) Project for flood and storm damage reduction, Amite River and tributaries, Louisiana.

(13) Project for flood and coastal storm risk management, Puerto Rico Coastal Study, Puerto Rico.

(14) Project for coastal storm risk management, Baltimore, Maryland.

(15) Project for water supply reallocation, Stockton Lake Reallocation Study, Missouri.

(16) Project for ecosystem restoration, Hatchie–Loosahatchie Mississippi River, Tennessee and Arkansas.

(17) Project for ecosystem restoration, Biscayne Bay and Southern Everglades, Florida, authorized by section 601 of the Water Resources Development Act of 2000 (114 Stat. 2680).

(c) PROJECTS.—The Secretary shall, to the maximum extent practicable, expedite completion of the following projects:

(1) Project for flood control, Lower Mud River, Milton, West Virginia, authorized by section 580 of the Water Resources Development Act of 1996 (110 Stat. 3790) and modified by section 340 of the Water Resources Development Act of 2000 (114 Stat. 2612) and section 3170 of the Water Resources Development Act of 2007 (121 Stat. 1154).

(2) Project for dam safety modifications, Bluestone Dam, West Virginia, authorized pursuant to section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1586, chapter 688).

(3) Project for flood risk management, Tulsa and West–Tulsa Levee System, Tulsa County, Oklahoma, authorized by section 401(2) of the Water Resources Development Act of 2020 (134 Stat. 2735).

(4) Project for flood risk management, Little Colorado River, Navajo County, Arizona.

(5) Project for flood risk management, Rio de Flag, Flagstaff, Arizona.

(6) Project for ecosystem restoration, Va Shly'AY Akimel, Maricopa Indian Reservation, Arizona.

(7) Project for aquatic ecosystem restoration, Quincy Bay, Illinois, Upper Mississippi River Restoration Program.

(8) Major maintenance on Laupahoehoe Harbor, Hawaii County, Hawaii.

(9) Project for flood risk management, Green Brook, New Jersey.

(10) Water control manual update for water supply and flood control, Theodore Roosevelt Dam, Globe, Arizona.

(11) Water control manual update for Oroville Dam, Butte County, California.

(12) Water control manual update for New Bullards Dam, Yuba County, California.

(13) Project for flood risk management, Morgan City, Louisiana.

(14) Project for hurricane and storm risk reduction, Upper Barataria Basin, Louisiana.

(15) Project for ecosystem restoration, Mid-Chesapeake Bay, Maryland.

(16) Project for navigation, Big Bay Harbor of Refuge, Michigan.

(17) Project for George W. Kuhn Headwaters Outfall, Michigan.

(18) The portion of the project for flood control and other purposes, Williamsport, Pennsylvania, authorized by section 5 of the Act of June 22, 1936 (commonly known as the ''Flood Control Act of 1936'') (49 Stat. 1573, chapter 688), to bring the Northwest Levee System into compliance with current flood mitigation standards.

(19) Project for navigation, Seattle Harbor, Washington, authorized by section 1401(1) of the Water Resources Development Act of 2018 (132 Stat. 3836), deepening the East Waterway at the Port of Seattle.

(20) Project for shoreline stabilization, Clarksville, Indiana.

(d) CONTINUING AUTHORITIES PROGRAMS.—The Secretary shall, to the maximum extent practicable, expedite completion of the following projects and studies:

(1) Projects for flood control under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) for the following areas:

(A) Ak Chin Levee, Pinal County, Arizona.

(B) McCormick Wash, Globe, Arizona.

(C) Rose and Palm Garden Washes, Douglas, Arizona.

(D) Lower Santa Cruz River, Arizona.

(2) Project for aquatic ecosystem restoration under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330), Corazon de los Tres Rios del Norte, Pima County, Arizona.

(3) Project for hurricane and storm damage reduction under section 3 of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g), Stratford, Connecticut.

(4) Project modification for improvements to the environment, Surry Mountain Lake, New Hampshire, under section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a).

(e) TRIBAL PARTNERSHIP PROGRAM.—The Secretary shall, to the maximum extent practicable, expedite completion of the following projects and studies under the Tribal partnership program under section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269):

(1) Maricopa (Ak Chin) Indian Reservation, Arizona.

(2) Gila River Indian Reservation, Arizona.

(3) Navajo Nation, Bird Springs, Arizona.

(f) WATERSHED ASSESSMENTS.—The Secretary shall, to the maximum extent practicable, expedite completion of the watershed assessment for flood risk management, Upper Mississippi and Illinois Rivers, authorized by section 1206 of Water Resources Development Act of 2016 (130 Stat. 1686) and section 214 of the Water Resources Development Act of 2020 (134 Stat. 2687).

(g) EXPEDITED PROSPECTUS.—The Secretary shall prioritize the completion of the prospectus for the United States Moorings Facility, Portland, Oregon, required for authorization of funding from the revolving fund established by the first section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576).

SEC. 5204. EXPEDITED COMPLETION OF OTHER FEASIBILITY STUDIES.

(a) CEDAR PORT NAVIGATION AND IMPROVEMENT DISTRICT CHANNEL DEEPENING PROJECT, BAYTOWN, TEXAS.—The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Cedar Port Navigation and Improvement District Channel Deepening Project, Baytown, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

(b) LAKE OKEECHOBEE WATERSHED RESTORATION PROJECT, FLORIDA.—The Secretary shall expedite the review and coordination of the feasibility study for the project for ecosystem restoration, Lake Okeechobee Component A Reservoir, Everglades, Florida, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

(c) SABINE–NECHES WATERWAY NAVIGATION IMPROVEMENT PROJECT, TEXAS.—The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, Sabine–Neches Waterway, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

(d) LA QUINTA EXPANSION PROJECT, TEXAS.—The Secretary shall expedite the review and coordination of the feasibility study for the project for navigation, La Quinta Ship Channel, Corpus Christi, Texas, under section 203(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(b)).

SEC. 5205. ALEXANDRIA TO THE GULF OF MEXICO, LOUISIANA, FEASIBILITY STUDY.

(a) IN GENERAL.—The Secretary is authorized to conduct a feasibility study for the project for flood risk management, navigation and ecosystem restoration, Rapides, Avoyelles, Point Coupee, Allen, Evangeline, St. Landry, Calcasieu, Jefferson Davis, Acadia, Lafayette, St. Martin, Iberville, Cameron, Vermilion, Iberia, and St. Mary Parishes, Louisiana.

(b) SPECIAL RULE.—The study authorized by subsection (a) shall be considered a continuation of the study authorized by the resolution of the Committee on Transportation and Infrastructure of the House of Representatives with respect to the study for flood risk management, Alexandria to the Gulf of Mexico, Louisiana, dated July 23, 1997.

SEC. 5206. CRAIG HARBOR, ALASKA.

The cost of completing a general reevaluation report for the project for navigation, Craig Harbor, Alaska, authorized by section 1401(1) of the Water Resources Development Act of 2016 (130 Stat. 1709) shall be at full Federal expense.

SEC. 5207. SUSSEX COUNTY, DELAWARE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that consistent nourishments of Lewes Beach, Delaware, are important for the safety and economic prosperity of Sussex County, Delaware.

(b) GENERAL REEVALUATION REPORT.—

(1) IN GENERAL.—The Secretary shall carry out a general reevaluation report for the project for Delaware Bay Coastline, Roosevelt Inlet, and Lewes Beach, Delaware.

(2) INCLUSIONS.—The general reevaluation report under paragraph (1) shall include a determination of—

(A) the area that the project should include; and

(B) how section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i) should be applied with respect to the project.

SEC. 5208. FORECAST-INFORMED RESERVOIR OPERATIONS IN THE COLORADO RIVER BASIN.

Section 1222 of the America's Water Infrastructure Act of 2018 (132 Stat. 3811; 134 Stat. 2661) is amended by adding at the end the following:

''(d) FORECAST-INFORMED RESERVOIR OPERATIONS IN THE COLORADO RIVER BASIN.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that assesses the viability of forecast-informed reservoir operations at a reservoir in the Colorado River Basin.

''(2) AUTHORIZATION.—If the Secretary determines, and includes in the report under paragraph (1), that forecast-informed reservoir operations are viable at a reservoir in the Colorado River Basin, the Secretary is authorized to carry out forecast-informed reservoir operations at that reservoir, subject to the availability of appropriations.''.

SEC. 5209. BEAVER LAKE, ARKANSAS, REALLOCATION STUDY.

The Secretary shall expedite the completion of a study for the reallocation of water supply storage, carried out in accordance with section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b), for the Beaver Water District, Beaver Lake, Arkansas.

SEC. 5210. GATHRIGHT DAM, VIRGINIA, STUDY.

The Secretary shall conduct a study on the feasibility of modifying the project for flood risk management, Gathright Dam, Virginia, authorized by section 10 of the Flood Control Act of 1946 (60 Stat. 645, chapter 596), to include downstream recreation as a project purpose.

SEC. 5211. DELAWARE INLAND BAYS WATERSHED STUDY.

(a) IN GENERAL.—The Secretary shall conduct a study to restore aquatic ecosystems in the Delaware Inland Bays Watershed.

(b) REQUIREMENTS.—

(1) IN GENERAL.—In carrying out the study under subsection (a), the Secretary shall—

(A) conduct a comprehensive analysis of ecosystem restoration needs in the Delaware Inland Bays Watershed, including—

(i) saltmarsh restoration;

(ii) shoreline stabilization;

(iii) stormwater management; and

(iv) an identification of sources for the beneficial use of dredged materials; and

(B) recommend feasibility studies to address the needs identified under subparagraph (A).

(2) NATURAL OR NATURE-BASED FEATURES.—To the maximum extent practicable, a feasibility study that is recommended under paragraph (1)(B) shall consider the use of natural features or nature-based features (as those terms are defined in section 1184(a) of the Water Resources Development Act of 2016 (33 U.S.C. 2289a(a))).

(c) CONSULTATION AND USE OF EXISTING DATA.—

(1) CONSULTATION.—In carrying out the study under subsection (a), the Secretary shall consult with applicable—

(A) Federal, State, and local agencies;

(B) Indian Tribes;

(C) non-Federal interests; and

(D) other stakeholders, as determined appropriate by the Secretary.

(2) USE OF EXISTING DATA.—To the maximum extent practicable, in carrying out the study under subsection (a), the Secretary shall use existing data provided to the Secretary by entities described in paragraph (1).

(d) FEASIBILITY STUDIES.—

(1) IN GENERAL.—The Secretary may carry out a feasibility study for a project recommended under subsection (b)(1)(B).

(2) CONGRESSIONAL AUTHORIZATION.—The Secretary may not begin construction for a project recommended by a feasibility study described in paragraph (1) unless the project has been authorized by Congress.

(e) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes—

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

(2) a description of actions taken under this section, including any feasibility studies under subsection (b)(1)(B).

SEC. 5212. UPPER SUSQUEHANNA RIVER BASIN COMPREHENSIVE FLOOD DAMAGE REDUCTION FEASIBILITY STUDY.

(a) IN GENERAL.—The Secretary shall, at the request of a non-Federal interest, complete a feasibility study for comprehensive flood damage reduction, Upper Susquehanna River Basin, New York.

(b) REQUIREMENTS.—In carrying out the feasibility study under subsection (a), the Secretary shall—

(1) use, for purposes of meeting the requirements of a final feasibility study, information from the feasibility study completion report entitled ''Upper Susquehanna River Basin, New York, Comprehensive Flood Damage Reduction'' and dated January 2020; and

(2) re-evaluate project benefits, as determined using the framework described in the proposed rule of the Corps of Engineers entitled ''Corps of Engineers Agency Specific Procedures To Implement the Principles, Requirements, and Guidelines for Federal Investments in Water Resources'' (89 Fed. Reg. 12066 (February 15, 2024)), including a consideration of economically disadvantaged communities (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

SEC. 5213. KANAWHA RIVER BASIN.

Section 1207 of the Water Resources Development Act of 2016 (130 Stat. 1686) is amended—

(1) by striking ''The Secretary shall'' and inserting the following:

''(a) IN GENERAL.—The Secretary shall''; and

(2) by adding at the end the following:

''(b) PROJECTS AND SEPARABLE ELEMENTS.—Notwithstanding any other provision of law, for an authorized project or a separable element of an authorized project that is recommended as a result of a study carried out by the Secretary under subsection (a) benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) in the State of West Virginia, the non-Federal share of the cost of the project or separable element of a project shall be 10 percent.''.

SEC. 5214. AUTHORIZATION OF FEASIBILITY STUDIES FOR PROJECTS FROM CAP AUTHORITIES.

(a) CEDAR POINT SEAWALL, SCITUATE, MASSACHUSETTS.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study for the project for hurricane and storm damage risk reduction, Cedar Point Seawall, Scituate, Massachusetts.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 3 of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g).

(b) JONES LEVEE, PIERCE COUNTY, WASHINGTON.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study for the project for flood risk management, Jones Levee, Pierce County, Washington.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(c) HATCH, NEW MEXICO.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study for the project for flood risk management, Hatch, New Mexico.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s).

(d) FORT GEORGE INLET, JACKSONVILLE, FLORIDA.—

(1) IN GENERAL.—The Secretary may conduct a feasibility study to modify the project for navigation, Fort George Inlet, Jacksonville, Florida, to include navigation improvements or shoreline erosion prevention or mitigation as a result of the project.

(2) REQUIREMENT.—In carrying out paragraph (1), the Secretary shall use any relevant information from the project described in that paragraph that was carried out under section 111 of the River and Harbor Act of 1968 (33 U.S.C. 426i).

SEC. 5215. PORT FOURCHON BELLE PASS CHANNEL, LOUISIANA.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—Notwithstanding section 203(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2231(a)(1)), the non-Federal interest for the project for navigation, Port Fourchon Belle Pass Channel, Louisiana, authorized by section 403(a)(4) of the Water Resources Development Act of 2020 (134 Stat. 2743) may, on written notification to the Secretary, and at the cost of the non-Federal interest, carry out a feasibility study to modify the project for deepening in accordance with section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231).

(2) REQUIREMENT.—A modification recommended by a feasibility study under paragraph (1) shall be approved by the Secretary and authorized by Congress before construction.

(b) PRIOR WRITTEN AGREEMENTS.—

(1) PRIOR WRITTEN AGREEMENTS FOR SECTION 203.—To the maximum extent practicable, the Secretary shall use the previous agreement between the Secretary and the non-Federal interest for the feasibility study carried about under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) that resulted in the project described in subsection (a)(1) in order to expedite the revised agreement between the Secretary and the non-Federal interest for the feasibility study described in that subsection.

(2) PRIOR WRITTEN AGREEMENTS FOR TECHNICAL ASSISTANCE.—On the request of the non-Federal interest described in subsection (a)(1), the Secretary shall use the previous agreement for technical assistance under section 203 of the Water Resources Development Act of 1986 (33 U.S.C. 2231) between the Secretary and the non-Federal interest in order to provide technical assistance to the non-Federal interest for the feasibility study under subsection (a)(1).

(c) SUBMISSION TO CONGRESS.—The Secretary shall—

(1) review the feasibility study under subsection (a)(1); and

(2) if the Secretary determines that the proposed modifications are consistent with the authorized purposes of the project and the study meets the same legal and regulatory requirements of a Post Authorization Change Report that would be otherwise undertaken by the Secretary, submit to Congress the study for authorization of the modification.

SEC. 5216. STUDIES FOR MODIFICATION OF PROJECT PURPOSES IN THE COLORADO RIVER BASIN IN ARIZONA.

(a) STUDY.—The Secretary shall carry out a study of a project of the Corps of Engineers in the Colorado River Basin in the State of Arizona to determine whether to include water supply as a project purpose of that project if a request for such a study to modify the project purpose is made to the Secretary by—

(1) the non-Federal interest for the project; or

(2) in the case of a project for which there is no non-Federal interest, the Governor of the State of Arizona.

(b) COORDINATION.—The Secretary, to the maximum extent practicable, shall coordinate with relevant State and local authorities in carrying out this section.

(c) RECOMMENDATIONS.—If, after carrying out a study under subsection (a) with respect to a project described in that subsection, the Secretary determines that water supply should be included as a project purpose for that project, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a recommendation for the modification of the project purpose of that project.

SEC. 5217. NON-FEDERAL INTEREST PREPARATION OF WATER REALLOCATION STUDIES, NORTH DAKOTA.

Section 301 of the Water Supply Act of 1958 (43 U.S.C. 390b) is amended by adding at the following:

''(f) NON-FEDERAL INTEREST PREPARATION.—

''(1) IN GENERAL.—In accordance with this subsection, a non-Federal interest may carry out a water reallocation study at a reservoir project constructed by the Corps of Engineers and located in the State of North Dakota.

''(2) SUBMISSION.—On completion of the study under paragraph (1), the non-Federal interest shall submit to the Secretary the results of the study.

''(3) GUIDELINES.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall issue guidelines for the formulation of a water reallocation study carried out by a non-Federal interest under this subsection.

''(B) REQUIREMENTS.—The guidelines under subparagraph (A) shall contain provisions that—

''(i) ensure that any water reallocation study with respect to which the Secretary submits an assessment under paragraph (6) complies with all of the requirements that would apply to a water reallocation study undertaken by the Secretary; and

''(ii) provide sufficient information for the formulation of the water reallocation studies, including processes and procedures related to reviews and assistance under paragraph (7).

''(4) AGREEMENT.—Before carrying out a water reallocation study under paragraph (1), the Secretary and the non-Federal interest shall enter into an agreement.

''(5) REVIEW BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall review each water reallocation study received under paragraph (2) for the purpose of determining whether or not the study, and the process under which the study was developed, comply with Federal laws and regulations applicable to water reallocation studies.

''(B) TIMING.—The Secretary may not submit to Congress an assessment of a water reallocation study under paragraph (1) until such time as the Secretary—

''(i) determines that the study complies with all of the requirements that would apply to a water reallocation study carried out by the Secretary; and

''(ii) completes all of the Federal analyses, reviews, and compliance processes under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), that would be required with respect to the proposed action if the Secretary had carried out the water reallocation study.

''(6) SUBMISSION TO CONGRESS.—Not later than 180 days after the completion of review of a water reallocation study under paragraph (5), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an assessment that—

''(A) describes—

''(i) the results of that review;

''(ii) based on the results of the water allocation study, any structural or operations changes at the reservoir project that would occur if the water reallocation is carried out; and

''(iii) based on the results of the water reallocation study, any effects to the authorized purposes of the reservoir project that would occur if the water reallocation is carried out; and

''(B) includes a determination by the Secretary of whether the modifications recommended under the study are those described in subsection (e).

''(7) REVIEW AND TECHNICAL ASSISTANCE.—

''(A) REVIEW.—The Secretary may accept and expend funds provided by non-Federal interests to carry out the reviews and other activities that are the responsibility of the Secretary in carrying out this subsection.

''(B) TECHNICAL ASSISTANCE.—At the request of the non-Federal interest, the Secretary shall provide to the non-Federal interest technical assistance relating to any aspect of a water reallocation study if the non-Federal interest contracts with the Secretary to pay all costs of providing that technical assistance.

''(C) IMPARTIAL DECISIONMAKING.—In carrying out this subsection, the Secretary shall ensure that the use of funds accepted from a non-Federal interest will not affect the impartial decisionmaking of the Secretary, either substantively or procedurally.

''(D) SAVINGS PROVISION.—The provision of technical assistance by the Secretary under subparagraph (B)—

''(i) shall not be considered to be an approval or endorsement of the water reallocation study; and

''(ii) shall not affect the responsibilities of the Secretary under paragraphs (5) and (6).''.

SEC. 5218. TECHNICAL CORRECTION, WALLA WALLA RIVER.

Section 8201(a) of the Water Resources Development Act of 2022 (136 Stat. 3744) is amended—

(1) by striking paragraph (76) and inserting the following:

''(76) NURSERY REACH, WALLA WALLA RIVER, OREGON.—Project for ecosystem restoration, Nursery Reach, Walla Walla River, Oregon.'';

(2) by redesignating paragraphs (92) through (94) as paragraphs (93) through (95), respectively; and

(3) by inserting after paragraph (91) the following:

''(92) MILL CREEK, WALLA WALLA RIVER BASIN, WASHINGTON.—Project for ecosystem restoration, Mill Creek and Mill Creek Flood Control Zone District Channel, Washington.''.

SEC. 5219. WATERSHED AND RIVER BASIN ASSESSMENTS.

Section 729(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2267a(d)) is amended—

(1) in paragraph (12), by striking ''and'' at the end;

(2) in paragraph (13), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(14) the Walla Walla River Basin; and

''(15) the San Francisco Bay Basin.''.

SEC. 5220. INDEPENDENT PEER REVIEW.

Section 2034(h)(2) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(h)(2)) is amended by striking ''17 years'' and inserting ''22 years''.

SEC. 5221. ICE JAM PREVENTION AND MITIGATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on efforts by the Secretary to prevent and mitigate flood damages associated with ice jams.

(b) INCLUSION.—The Secretary shall include in the report under subsection (a)—

(1) an assessment of the projects carried out pursuant to section 1150 of the Water Resources Development Act of 2016 (33 U.S.C. 701s note; Public Law 114–322), if applicable; and

(2) a description of—

(A) the challenges associated with preventing and mitigating ice jams;

(B) the potential measures that may prevent or mitigate ice jams, including the extent to which additional research and the development and deployment of technologies are necessary; and

(C) actions taken by the Secretary to provide non-Federal interests with technical assistance, guidance, or other information relating to ice jam events; and

(D) how the Secretary plans to conduct outreach and engagement with non-Federal interests and other relevant State and local agencies to facilitate an understanding of the circumstances in which ice jams could occur and the potential impacts to critical public infrastructure from ice jams.

SEC. 5222. REPORT ON HURRICANE AND STORM DAMAGE RISK REDUCTION DESIGN GUIDELINES.

(a) DEFINITIONS.—In this section:

(1) GUIDELINES.—The term ''guidelines'' means the Hurricane and Storm Damage Risk Reduction Design Guidelines of the Corps of Engineers.

(2) LAROSE TO GOLDEN MEADOW HURRICANE PROTECTION SYSTEM.—The term ''Larose to Golden Meadow Hurricane Protection System'' means the project for hurricane-flood protection, Grand Isle and Vicinity, Louisiana, authorized by section 204 of the Flood Control Act of 1965 (79 Stat. 1077).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that compares—

(1) the guidelines; and

(2) the construction methods used by the South Lafourche Levee District for the levees and flood control structures of the Larose to Golden Meadow Hurricane Protection System.

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

(1) a description of—

(A) the guidelines;

(B) the construction methods used by the South Lafourche Levee District for levees and flood control structures of the Larose to Golden Meadow Hurricane Protection System; and

(C) any deviations identified between the guidelines and the construction methods described in subparagraph (B); and

(2) an analysis by the Secretary of geotechnical and other relevant data from the land adjacent to the levees and flood control structures constructed by the South Lafourche Levee District to determine the effectiveness of those structures.

SEC. 5223. BRIEFING ON STATUS OF CERTAIN ACTIVITIES ON THE MISSOURI RIVER.

(a) IN GENERAL.—Not later than 30 days after the date on which the consultation under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) that was reinitiated by the Secretary for the operation of the Missouri River Mainstem Reservoir System, the operation and maintenance of the Bank Stabilization and Navigation Project, the operation of the Kansas River Reservoir System, and the implementation of the Missouri River Recovery Management Plan is completed, the Secretary shall brief the Committee on the Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the outcomes of that consultation.

(b) REQUIREMENTS.—The briefing under subsection (a) shall include a discussion of—

(1) any biological opinions that result from the consultation, including any actions that the Secretary is required to undertake pursuant to such biological opinions; and

(2) any forthcoming requests from the Secretary to Congress to provide funding in order carry out the actions described in paragraph (1).

SEC. 5224. REPORT ON MATERIAL CONTAMINATED BY A HAZARDOUS SUBSTANCE AND THE CIVIL WORKS PROGRAM.

(a) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the impact of material contaminated by a hazardous substance on the civil works program of the Corps of Engineers.

(b) REQUIREMENTS.—In developing the report under subsection (a), the Secretary shall—

(1) describe—

(A) with respect to water resources development projects—

(i) the applicable statutory authorities that require the removal of material contaminated by a hazardous substance; and

(ii) the roles and responsibilities of the Secretary and non-Federal interests for removing material contaminated by a hazardous substance; and

(B) any regulatory actions or decisions made by another Federal agency that impact—

(i) the removal of material contaminated by a hazardous substance; and

(ii) the ability of the Secretary to carry out the civil works program of the Corps of Engineers;

(2) discuss the impact of material contaminated by a hazardous substance on—

(A) the timely completion of construction of water resources development projects;

(B) the operation and maintenance of water resources development projects, including dredging activities of the Corps of Engineers to maintain authorized Federal depths at ports and along the inland waterways; and

(C) costs associated with carrying out the civil works program of the Corps of Engineers;

(3) include any other information that the Secretary determines to be appropriate to facilitate an understanding of the impact of material contaminated by a hazardous substance on the civil works program of the Corps of Engineers; and

(4) propose any legislative recommendations to address any issues identified in paragraphs (1) through (3).

SEC. 5225. REPORT ON EFFORTS TO MONITOR, CONTROL, AND ERADICATE INVASIVE SPECIES.

(a) DEFINITION OF INVASIVE SPECIES.—In this section, the term ''invasive species'' has the meaning given the term in section 1 of Executive Order 13112 (42 U.S.C. 4321 note; relating to invasive species).

(b) ASSESSMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of, an assessment of the efforts by the Secretary to monitor, control, and eradicate invasive species at water resources development projects across the United States.

(c) REQUIREMENTS.—The report under subsection (b) shall include—

(1) a description of—

(A) the statutory authorities and programs used by the Secretary to monitor, control, and eradicate invasive species; and

(B) a geographically diverse sample of successful projects and activities carried out by the Secretary to monitor, control, and eradicate invasive species;

(2) a discussion of—

(A) the impact of invasive species on the ability of the Secretary to carry out the civil works program of the Corps of Engineers, with a particular emphasis on impact of invasive species to the primary missions of the Corps of Engineers;

(B) the research conducted and techniques and technologies used by the Secretary consistent with the applicable statutory authorities described in paragraph (1)(A) to monitor, control, and eradicate invasive species; and

(C) the extent to which the Secretary has partnered with States and units of local government to monitor, control, and eradicate

invasive species within the boundaries of those States or units of local government;

(3) an update on the status of the plan developed by the Secretary pursuant to section 1108(c) of the Water Resources Development Act of 2018 (33 U.S.C. 2263a(c)); and

(4) recommendations, including legislative recommendations, to further the efforts of the Secretary to monitor, control, and eradicate invasive species.

SEC. 5226. J. STROM THURMOND LAKE, GEORGIA.

(a) ENCROACHMENT RESOLUTION PLAN.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall prepare, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, an encroachment resolution plan for a portion of the project for flood control, recreation, and fish and wildlife management, J. Strom Thurmond Lake, Georgia and South Carolina, authorized by section 10 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 894, chapter 665).

(2) LIMITATION.—The encroachment resolution plan under paragraph (1) shall only apply to the portion of the J. Strom Thurmond Lake that is located within the State of Georgia.

(b) CONTENTS.—Subject to subsection (c), the encroachment resolution plan under subsection (a) shall include—

(1) a description of the nature and number of encroachments;

(2) a description of the circumstances that contributed to the development of the encroachments;

(3) an assessment of the impact of the encroachments on operation and maintenance of the project described in subsection (a) for its authorized purposes;

(4) an analysis of alternatives to the removal of encroachments to mitigate any impacts identified in the assessment under paragraph (3);

(5) a description of any actions necessary or advisable to prevent further encroachments; and

(6) an estimate of the cost and timeline to carry out the plan, including actions described under paragraph (5).

(c) RESTRICTION.—To the maximum extent practicable, the encroachment resolution plan under subsection (a) shall minimize adverse impacts to private landowners while maintaining the functioning of the project described in that subsection for its authorized purposes.

(d) NOTICE AND PUBLIC COMMENT.—

(1) TO OWNERS.—In preparing the encroachment resolution plan under subsection (a), not later than 30 days after the Secretary identifies an encroachment, the Secretary shall notify the owner of the encroachment.

(2) TO PUBLIC.—The Secretary shall provide an opportunity for the public to comment on the encroachment resolution plan under subsection (a) before the completion of the plan.

(e) MORATORIUM.—The Secretary shall not take action to compel removal of an encroachment covered by the encroachment resolution plan under subsection (a) unless Congress specifically authorizes such action.

(f) SAVINGS PROVISION.—This section does not—

(1) grant any rights to the owner of an encroachment; or

(2) impose any liability on the United States for operation and maintenance of the project described in subsection (a) for its authorized purposes.

SEC. 5227. STUDY ON LAND VALUATION PROCEDURES FOR THE TRIBAL PARTNERSHIP PROGRAM.

(a) DEFINITION OF TRIBAL PARTNERSHIP PROGRAM.—In this section, the term ''Tribal Partnership Program'' means the Tribal Partnership Program established under section 203 of the Water Resources Development Act of 2000 (33 U.S.C. 2269).

(b) STUDY REQUIRED.—Not later than 1 year after the date of enactment of this Act, the Secretary shall carry out, and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the results of, a study on appropriate procedures for determining the value of real estate and cost-share contributions for projects under the Tribal Partnership Program.

(c) REQUIREMENTS.—The report required under subsection (b) shall include—

(1) an evaluation of the procedures used for determining the valuation of real estate and contribution of real estate value to cost-share for projects under the Tribal Partnership Program, including consideration of cultural factors that are unique to the Tribal Partnership Program and land valuation;

(2) a description of any existing Federal authorities that the Secretary intends to use to implement policy changes that result from the evaluation under paragraph (1); and

(3) recommendations for any legislation that may be needed to revise land valuation or cost-share procedures for the Tribal Partnership Program pursuant to the evaluation under paragraph (1).

SEC. 5228. REPORT TO CONGRESS ON LEVEE SAFETY GUIDELINES.

(a) DEFINITION OF LEVEE SAFETY GUIDELINES.—In this section, the term ''levee safety guidelines'' means the levee safety guidelines established under section 9005(c) of the Water Resources Development Act of 2007 (33 U.S.C. 3303a(c)).

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with other applicable Federal agencies, shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the levee safety guidelines.

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

(1) a description of—

(A) the levee safety guidelines;

(B) the process utilized to develop the levee safety guidelines; and

(C) the extent to which the levee safety guidelines are being used by Federal, State, Tribal, and local agencies;

(2) an assessment of the requirement for the levee safety guidelines to be voluntary and a description of actions taken by the Secretary and other applicable Federal agencies to ensure that the guidelines are voluntary; and

(3) any recommendations of the Secretary, including the extent to which the levee safety guidelines should be revised.

SEC. 5229. PUBLIC-PRIVATE PARTNERSHIP USER'S GUIDE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop and make publicly available on an existing website of the Corps of Engineers a guide on the use of public-private partnerships for water resources development projects.

(b) INCLUSIONS.—In developing the guide under subsection (a), the Secretary shall include—

(1) a description of—

(A) applicable authorities and programs of the Secretary that allow for the use of public-private partnerships to carry out water resources development projects; and

(B) opportunities across the civil works program of the Corps of Engineers for the use of public-private partnerships, including at recreational facilities;

(2) a summary of prior public-private partnerships for water resources development projects, including lessons learned and best practices from those partnerships and projects;

(3) a discussion of—

(A) the roles and responsibilities of the Corps of Engineers and non-Federal interests when using a public-private partnership for a water resources development project, including the opportunities for risk-sharing; and

(B) the potential benefits associated with using a public-private partnership for a water resources development project, including the opportunities to accelerate funding as compared to the annual appropriations process; and

(4) a description of the process for executing a project partnership agreement for a water resources development project, including any unique considerations when using a public-private partnership.

(c) FLEXIBILITY.—The Secretary may satisfy the requirements of this section by modifying an existing partnership handbook in accordance with this section.

SEC. 5230. REVIEW OF AUTHORITIES AND PROGRAMS FOR ALTERNATIVE PROJECT DELIVERY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and subject to subsections (b) and (c), the Secretary shall carry out a study of the authorities and programs of the Corps of Engineers that facilitate the use of alternative project delivery methods for water resources development projects, including public-private partnerships.

(b) AUTHORITIES AND PROGRAMS INCLUDED.—In carrying out the study under subsection (a), the authorities and programs that are studied shall include any programs and authorities under—

(1) section 204 of the Water Resources Development Act of 1986 (33 U.S.C. 2232);

(2) section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b); and

(3) section 5014 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121).

(c) REPORT.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(1) describes the findings of the study under subsection (a); and

(2) includes—

(A) an assessment of how each authority and program included in the study under subsection (a) has been used by the Secretary;

(B) a list of the water resources development projects that have been carried out pursuant to the authorities and programs included in the study under subsection (a);

(C) a discussion of the implementation challenges, if any, associated with the authorities and programs included in the study under subsection (a);

(D) a description of lessons learned and best practices identified by the Secretary from carrying out the authorities and programs included in the study under subsection (a); and

(E) any recommendations, including legislative recommendations, that result from the study under subsection (a).

SEC. 5231. REPORT TO CONGRESS ON EMERGENCY RESPONSE EXPENDITURES.

(a) IN GENERAL.—The Secretary shall conduct a review of emergency response expenditures from the emergency fund authorized by section 5(a) of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C.

701n(a)) (referred to in this section as the ''Flood Control and Coastal Emergencies Account'') and from post-disaster supplemental appropriations Acts during the period of fiscal years 2013 through 2023.

(b) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes the results of the review under subsection (a), including—

(1) for each of fiscal years 2013 through 2023, a summary of—

(A) annual expenditures from the Flood Control and Coastal Emergencies Account;

(B) annual budget requests for that account; and

(C) any activities, including any reprogramming, that may have been required to cover any annual shortfall in that account;

(2) a description of the contributing factors that resulted in any annual variability in the amounts described in subparagraphs (A) and (B) of paragraph (1) and activities described in subparagraph (C) of that paragraph;

(3) an assessment and a description of future budget needs of the Flood Control and Coastal Emergencies Account based on trends observed and anticipated by the Secretary; and

(4) an assessment and a description of the use and impact of funds from post-disaster supplemental appropriations on emergency response activities.

SEC. 5232. EXCESS LAND REPORT FOR CERTAIN PROJECTS IN NORTH DAKOTA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and subject to subsection (b), the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that identifies any real property associated with the project of the Corps of Engineers at Lake Oahe, North Dakota, that the Secretary determines—

(1) is not needed to carry out the authorized purposes of the project; and

(2) may be transferred to the Standing Rock Sioux Tribe to support recreation opportunities for the Tribe, including, at a minimum—

(A) Walker Bottom Marina, Lake Oahe;

(B) Fort Yates Boat Ramp, Lake Oahe;

(C) Cannonball District, Lake Oahe; and

(D) any other recreation opportunities identified by the Tribe.

(b) INCLUSION.—If the Secretary determines that there is not any real property that may be transferred to the Standing Rock Sioux Tribe as described in subsection (a), the Secretary shall include in the report required under that subsection—

(1) a list of the real property considered by the Secretary;

(2) an explanation of why the real property identified under paragraph (1) is needed to carry out the authorized purposes of the project described in subsection (a); and

(3) a description of how the Secretary has recently utilized the real property identified under paragraph (1) to carry out the authorized purpose of the project described in subsection (a).

SEC. 5233. GAO STUDIES.

(a) REVIEW OF THE ACCURACY OF PROJECT COST ESTIMATES.—

(1) REVIEW.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States (referred to in this section as the ''Comptroller General'') shall initiate a review of the accuracy of the project cost estimates developed by the Corps of Engineers for completed and ongoing water resources development projects carried out by the Secretary.

(B) REQUIREMENTS.—In carrying out subparagraph (A), the Comptroller General shall determine the factors, if any, that impact the accuracy of the estimates described in that subparagraph, including—

(i) applicable statutory requirements, including—

(I) section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c); and

(II) section 905(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2282(b))]; and

(ii) applicable guidance, regulations, and policies of the Corps of Engineers.

(C) INCORPORATION OF PREVIOUS REPORT.—In carrying out subparagraph (A), the Comptroller General may incorporate applicable information from the report carried out by the Comptroller General under section 8236(c) of the Water Resources Development Act of 2022 (136 Stat. 3769).

(2) REPORT.—On completion of the review conducted under paragraph (1), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review and any recommendations that result from the review.

(b) REPORT ON PROJECT LIFESPAN AND INDEMNIFICATION CLAUSE IN PROJECT PARTNERSHIP AGREEMENTS.—

(1) DEFINITIONS.—In this subsection:

(A) INDEMNIFICATION CLAUSE.—The term ''indemnification clause'' means the indemnification clause required in project partnership agreements for water resources development projects under sections 101(e)(2) and 103(j)(1)(A) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(e)(2), 2213(j)(1)(A)).

(B) OMRR&R.—The term ''OMRR&R'', with respect to a water resources development project, means operation, maintenance, repair, replacement, and rehabilitation.

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

(A) there are significant concerns about whether—

(i) the indemnification clause, which was first applied in 1910 to flood control projects, should still be included in project partnership agreements prepared by the Corps of Engineers for water resources development projects; and

(ii) non-Federal interests for water resources development projects should be required to assume full responsibility for OMRR&R of water resources development projects in perpetuity;

(B) non-Federal interests have reported that the indemnification clause and OMRR&R requirements are a barrier to entering into project partnership agreements with the Corps of Engineers;

(C) critical water resources development projects are being delayed by years, or not pursued at all, due to the barriers described in subparagraph (B); and

(D) legal structures have changed since the indemnification clause was first applied and there may be more suitable tools available to address risk and liability issues.

(3) ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall conduct an analysis of the implications of—

(A) the indemnification clause; and

(B) the assumption of OMRR&R responsibilities by non-Federal interests in perpetuity for water resources development projects.

(4) INCLUSIONS.—The analysis under paragraph (3) shall include—

(A) a review of risk for the Federal Government and non-Federal interests with respect to removing requirements for the indemnification clause;

(B) an assessment of whether the indemnification clause is still necessary given the changes in engineering, legal structures, and water resources development projects since 1910, with a focus on the quantity and types of claims and takings over time;

(C) an identification of States with State laws that prohibit those States from entering into agreements that include an indemnification clause;

(D) a comparison to other Federal agencies with respect to how those agencies approach indemnification and OMRR&R requirements in projects, if applicable;

(E) a review of indemnification and OMRR&R requirements for projects that States require with respect to agreements with cities and localities, if applicable;

(F) an analysis of the useful lifespan of water resources development projects, including any variations in that lifespan for different types of water resources development projects and how changing weather patterns and increased extreme weather events impact that lifespan;

(G) a review of situations in which non-Federal interests have been unable to meet OMRR&R requirements; and

(H) a review of policy alternatives to OMRR&R requirements, such as allowing extension, reevaluation, or deauthorization of water resources development projects.

(5) REPORT.—On completion of the analysis under paragraph (3), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

(A) the results of the analysis; and

(B) any recommendations for changes needed to existing law or policy of the Corps of Engineers to address those results.

(c) REVIEW OF CERTAIN PERMITS.—

(1) DEFINITION OF SECTION 408 PROGRAM.—In this subsection, the term ''section 408 program'' means the program administered by the Secretary pursuant to section 14 of the Act of March 3, 1899 (commonly known as the ''Rivers and Harbors Act of 1899'') (30 Stat. 1152, chapter 425; 33 U.S.C. 408).

(2) REVIEW.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate a review of the section 408 program.

(3) REQUIREMENTS.—The review by the Comptroller General under paragraph (2) shall include, at a minimum—

(A) an identification of trends related to the number and types of permits applied for each year under the section 408 program;

(B) an evaluation of—

(i) the materials developed by the Secretary to educate potential applicants about—

(I) the section 408 program; and

(II) the process for applying for a permit under the section 408 program;

(ii) the public website of the Corps of Engineers that tracks the status of permits issued under the section 408 program, including whether the information provided by the website is updated in a timely manner;

(iii) the ability of the districts and divisions of the Corps of Engineers to consistently administer the section 408 program; and

(iv) the extent to which the Secretary carries out the process for issuing a permit under the section 408 program concurrently with the review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), if applicable;

(C) a determination of the factors, if any, that impact the ability of the Secretary to adhere to the timelines required for reviewing and making a decision on an application for a permit under the section 408 program; and

(D) ways to expedite the review of applications for permits under the section 408 program, including the use of categorical permissions.

(4) REPORT.—On completion of the review under paragraph (2), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the review and any recommendations that result from the review.

(d) CORPS OF ENGINEERS MODERNIZATION STUDY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate an analysis of opportunities for the Corps of Engineers to modernize the civil works program through the use of technology, where appropriate, and the best available engineering practices.

(2) INCLUSIONS.—In conducting the analysis under paragraph (1), the Comptroller General of the United States shall include an assessment of the extent to which—

(A) existing engineering practices and technologies could be better utilized by the Corps of Engineers—

(i) to improve study, planning, and design efforts of the Corps of Engineers to further the benefits of water resources development projects of the Corps of Engineers;

(ii) to reduce delays of water resources development projects, including through the improvement of environmental review and permitting processes;

(iii) to provide cost savings over the lifecycle of a project, including through improved design processes or a reduction of operation and maintenance costs; and

(iv) to improve data collection and data sharing capabilities; and

(B) the Corps of Engineers—

(i) currently utilizes the engineering practices and technologies identified under subparagraph (A), including any challenges associated with acquisition and application;

(ii) has effective processes to share best practices associated with the engineering practices and technologies identified under subparagraph (A) among the districts, divisions, and headquarters of the Corps of Engineers; and

(iii) partners with National Laboratories, academic institutions, and other Federal agencies.

(3) REPORT.—On completion of the analysis under paragraph (1), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the analysis and any recommendations that result from the analysis.

(e) STUDY ON EASEMENTS RELATED TO WATER RESOURCES DEVELOPMENT PROJECTS.—

(1) DEFINITION OF COVERED EASEMENT.—In this subsection, the term ''covered easement'' has the meaning given the term in section 8235(c) of the Water Resources Development Act of 2022 (136 Stat. 3768).

(2) STUDY ON EASEMENTS RELATED TO WATER RESOURCES DEVELOPMENT PROJECTS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate an analysis of the use of covered easements that may be provided to the Secretary by non-Federal interests in relation to the construction, operation, or maintenance of a project for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration.

(3) SCOPE.—In carrying out the analysis under paragraph (2), the Comptroller General of the United States shall—

(A) review—

(i) the report submitted by the Secretary under section 8235(b) of the Water Resources Development Act of 2022 (136 Stat. 3768); and

(ii) the existing statutory, regulatory, and policy requirements and procedures relating to the use of covered easements; and

(B) assess—

(i) the minimum rights in property that are necessary to construct, operate, or maintain projects for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration;

(ii) whether increased use of covered easements in relation to projects described in clause (i) could promote greater participation from cooperating landowners in addressing local flooding or ecosystem restoration challenges;

(iii) whether such increased use could result in cost savings in the implementation of the projects described in clause (i), without any reduction in project benefits; and

(iv) the extent to which the Secretary should expand what is considered by the Secretary to be part of a series of estates deemed standard for construction, operation, or maintenance of a project for flood risk management, hurricane and storm damage risk reduction, or ecosystem restoration.

(4) REPORT.—On completion of the analysis under paragraph (2), the Comptroller General of the United States shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the analysis, including any recommendations, including legislative recommendations, as a result of the analysis.

(f) MODERNIZATION OF ENVIRONMENTAL REVIEWS.—

(1) DEFINITION OF PROJECT STUDY.—In this subsection, the term ''project study'' means a feasibility study for a project carried out pursuant to section 905 of the Water Resources Development Act of 1986 (33 U.S.C. 2282).

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that describes the efforts of the Secretary to facilitate improved environmental review processes for project studies, including through the consideration of expanded use of categorical exclusions, environmental assessments, or programmatic environmental impact statements.

(3) REQUIREMENTS.—In completing the report under paragraph (2), the Comptroller General of the United States shall—

(A) describe the actions the Secretary is taking or plans to take to implement the amendments to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) made by section 321 of the Fiscal Responsibility Act of 2023 (Public Law 118–5; 137 Stat. 38);

(B) describe the existing categorical exclusions most frequently used by the Secretary to streamline the environmental review of project studies;

(C) consider—

(i) whether the adoption of additional categorical exclusions, including those used by other Federal agencies, would facilitate the environmental review of project studies;

(ii) whether the adoption of new programmatic environmental impact statements would facilitate the environmental review of project studies; and

(iii) whether agreements with other Federal agencies would facilitate a more efficient process for the environmental review of project studies; and

(D) identify—

(i) any discrepancies or conflicts, as applicable, between the amendments to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) made by section 321 of the Fiscal Responsibility Act of 2023 (Public Law 118–5; 137 Stat. 38) and—

(I) section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348); and

(II) section 1001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282c); and

(ii) other issues, as applicable, relating to section 2045 of the Water Resources Development Act of 2007 (33 U.S.C. 2348) that are impeding the implementation of that section consistent with congressional intent.

(g) STUDY ON DREDGED MATERIAL DISPOSAL SITE CONSTRUCTION.—

(1) IN GENERAL.—The Comptroller General shall conduct a study that—

(A) assesses the costs and limitations of the construction of various types of dredged material disposal sites, with a particular focus on aquatic confined placement structures in the Lower Columbia River; and

(B) includes a comparison of—

(i) the operation and maintenance needs and costs associated with the availability of aquatic confined placement structures; and

(ii) the operation and maintenance needs and costs associated with the lack of availability of aquatic confined placement structures.

(2) REPORT.—On completion of the study under paragraph (1), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the study, and any recommendations that result from that study.

(h) GAO STUDY ON DISTRIBUTION OF FUNDING FROM THE HARBOR MAINTENANCE TRUST FUND.—

(1) DEFINITION OF HARBOR MAINTENANCE TRUST FUND.—In this subsection, the term ''Harbor Maintenance Trust Fund'' means the Harbor Maintenance Trust Fund established by section 9505(a) of the Internal Revenue Code of 1986.

(2) ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall initiate an analysis of the distribution of funding from the Harbor Maintenance Trust Fund.

(3) REQUIREMENTS.—In conducting the analysis under paragraph (2), the Comptroller General shall assess—

(A) the implementation of provisions related to the Harbor Maintenance Trust Fund in the Water Resources Development Act of 2020 (134 Stat. 2615) and the amendments made by that Act by the Corps of Engineers, including—

(i) changes to the budgetary treatment of funding from the Harbor Maintenance Trust Fund; and

(ii) amendments to the definitions of the terms ''donor ports'', ''medium-sized donor parts'', and ''energy transfer ports'' under section 2106(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c(a)), including—

(I) the reliability of metrics, data for those metrics, and sources for that data used by the Corps of Engineers to determine if a port satisfies the requirements of 1 or more of those definitions; and

(II) the extent of the impact of cyclical dredging cycles for operations and maintenance activities and deep draft navigation construction projects on the ability of ports to meet the requirements of 1 or more of those definitions; and

(B) the amount of Harbor Maintenance Trust Fund funding in the annual appropriations Acts enacted after the date of enactment of the Water Resources Development Act of 2020 (134 Stat. 2615), including an analysis of—

(i) the allocation of funding to donor ports and energy transfer ports (as those terms are defined in section 2106(a) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2238c(a))) and the use of that funding by those ports;

(ii) activities funded pursuant to section 210 of the Water Resources Development Act of 1986 (33 U.S.C. 2238); and

(iii) challenges associated with expending the remaining balance of the Harbor Maintenance Trust Fund.

(4) REPORT.—On completion of the analysis under paragraph (2), the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the findings of the analysis and any recommendations that result from that analysis.

(i) STUDY ON ENVIRONMENTAL JUSTICE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(A) the costs and benefits of the environmental justice initiatives of the Secretary with respect to the civil works program; and

(B) the positive and negative effects on the civil works program of those environmental justice initiatives.

(2) INCLUSIONS.—The report under paragraph (1) shall include, at a minimum, a review of projects carried out by the Secretary during fiscal year 2023 and fiscal year 2024 pursuant to the environmental justice initiatives of the Secretary with respect to the civil works program.

SEC. 5234. PRIOR REPORTS.

(a) REPORTS.—The Secretary shall prioritize the completion of the reports required pursuant to the following provisions:

(1) Section 2036(b) of the Water Resources Development Act of 2007 (33 U.S.C. 2283a).

(2) Section 1008(c) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2321b(c)).

(3) Section 164(c) of the Water Resources Development Act of 2020 (134 Stat. 2668).

(4) Section 226(a) of the Water Resources Development Act of 2020 (134 Stat. 2697).

(5) Section 503(d) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260).

(6) Section 509(a)(7) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260).

(7) Section 8205(a) of the Water Resources Development Act of 2022 (136 Stat. 3754).

(8) Section 8206(c) of the Water Resources Development Act of 2022 (136 Stat. 3756).

(9) Section 8218 of the Water Resources Development Act of 2022 (136 Stat. 3761).

(10) Section 8227(b) of the Water Resources Development Act of 2022 (136 Stat. 3764).

(11) Section 8232(b) of the Water Resources Development Act of 2022 (136 Stat. 3766).

(b) NOTICE.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification of the status of each report described in subsection (a).

(2) CONTENTS.—As part of the notification under paragraph (1), the Secretary shall include for each report described in subsection (a)—

(A) a description of the status of the report; and

(B) if not completed, a timeline for the completion of the report.

SEC. 5235. BRIEFING ON STATUS OF CAPE COD CANAL BRIDGES, MASSACHUSETTS.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary shall brief the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the project for the replacement of the Bourne and Sagamore Highway Bridges that cross the Cape Cod Canal Federal Navigation Project.

(b) REQUIREMENTS.—The briefing under subsection (a) shall include discussion of—

(1) the current status of environmental review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and expected timelines for completion;

(2) project timelines and relevant paths to move the project described in that subsection toward completion; and

(3) any issues that are impacting the delivery of the project described in that subsection.

SEC. 5236. VIRGINIA PENINSULA COASTAL STORM RISK MANAGEMENT, VIRGINIA.

(a) IN GENERAL.—In carrying out the feasibility study for flood risk management, ecosystem restoration, and navigation, Coastal Virginia, authorized by section 1201(9) of the Water Resources Development Act of 2018 (132 Stat. 3802), the Secretary is authorized to use funds made available to the Secretary for water resources development investigations to analyze, at full Federal expense, a measure benefitting Federal land under the administrative jurisdiction of another Federal agency.

(b) SAVINGS PROVISIONS.—Nothing in this section—

(1) precludes—

(A) a Federal agency with administrative jurisdiction over Federal land in the study area from contributing funds for any portion of the cost of analyzing a measure as part of the study described in subsection (a) that benefits that land; or

(B) the Secretary, at the request of the non-Federal interest for the study described in subsection (a), from using funds made available to the Secretary for water resources development investigations to formulate measures to reduce risk to a military installation, if the non-Federal interest shares in the cost to formulate those measures to the same extent that the non-Federal interest is required to share in the cost of the study; or

(2) waives the cost-sharing requirements of a Federal agency for the construction of an authorized water resources development project or a separable element of that project that results from the study described in subsection (a).

SEC. 5237. ALLEGHENY RIVER, PENNSYLVANIA.

It is the sense of Congress that—

(1) the Allegheny River is an important waterway that can be utilized more to support recreational, environmental, and navigation needs in Pennsylvania;

(2) ongoing efforts to increase utilization of the Allegheny River will require consistent hours of service at key locks and dams; and

(3) to the maximum extent practicable, the lockage levels of service at locks and dams along the Allegheny River should be preserved until after the completion of the study authorized by section 201(a)(55).

SEC. 5238. NEW YORK AND NEW JERSEY HARBOR AND TRIBUTARIES FOCUS AREA FEASIBILITY STUDY.

The Secretary shall expedite the completion of the feasibility study for coastal storm risk management, New York and New Jersey, including evaluation of comprehensive flood risk in accordance with section 8106 of the Water Resources and Development Act of 2022 (33 U.S.C. 2282g), as applicable.

SEC. 5239. MATAGORDA SHIP CHANNEL, TEXAS.

The Federal share of the costs of the planning, design, and construction of the Recommended Corrective Action identified by the Corps of Engineers in the Project Deficiency Report completed in 2020 for the project for navigation, Matagorda Ship Channel, Texas, authorized by section 101 of the River and Harbor Act of 1958 (72 Stat. 298), shall be 90 percent.

SEC. 5240. MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT, TEXAS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should provide the necessary resources to expedite the completion of the required documentation for the Matagorda Ship Channel Improvement Project in order to ensure that the project is not further delayed.

(b) EXPEDITE.—The Secretary shall, to the maximum extent practicable, expedite the completion of the required documentation for the Matagorda Ship Channel Improvement Project, including—

(1) the supplemental environmental impact statement and the associated record of decision;

(2) the dredged material management plan; and

(3) a post authorization change report, if applicable.

(c) PRECONSTRUCTION PLANNING, ENGINEERING, AND DESIGN.—If the Secretary determines that the Matagorda Ship Channel Improvement Project is justified in a completed report and if the project requires an additional authorization from Congress pursuant to that report, the Secretary shall proceed directly to preconstruction planning, engineering, and design on the project.

(d) DEFINITION OF MATAGORDA SHIP CHANNEL IMPROVEMENT PROJECT.—In this section, the term ''Matagorda Ship Channel Improvement Project'' means the project for navigation, Matagorda Ship Channel Improvement Project, Port Lavaca, Texas, authorized by section 401(1) of the Water Resources Development Act of 2020 (134 Stat. 2734).

SEC. 5241. ASSESSMENT OF IMPACTS FROM CHANGING CONSTRUCTION RESPONSIBILITIES.

(a) IN GENERAL.—The Secretary shall carry out an assessment of the impacts of amending section 101(a)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(a)(1)) to authorize the construction of navigation projects for harbors or inland harbors , or any separable element thereof, constructed by the Secretary at 75 percent Federal cost to a depth of 55 feet.

(b) CONTENTS.—In carrying out the assessment under subsection (a), the Secretary shall—

(1) describe all existing Federal navigation projects that are authorized or constructed to a depth of 50 feet or greater;

(2) describe any Federal navigation project that is likely to seek authorization or modification to a depth of 55 feet or greater during the 10-year period beginning on the date of enactment of this Act;

(3) assess the potential effect of authorizing construction of a navigation project to a depth of 55 feet at 75 percent Federal cost on other Federal navigation construction activities, including estimates of port by port impacts over the next 5, 10, and 20 years;

(4) estimate the potential increase in Federal costs that would result from authorizing the construction of the projects described in paragraph (2), including estimates of port by port impacts over the next 5, 10, and 20 years; and

(5) subject to subsection (c), describe the potential budgetary impact to the civil works program of the Corps of Engineers from authorizing the construction of a navigation project to a depth of 55 feet at 75 percent Federal cost and authorizing operation and maintenance of a navigation project to a depth of 55 feet at Federal expense, including estimates of port by port impacts over the next 5, 10, and 20 years.

(c) PRIOR REPORT.—The Secretary may use information from the assessment and the report of the Secretary under section 8206 of the Water Resources Development Act of 2022 (136 Stat. 3756) in carrying out subsection (b)(5).

(d) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, and make publicly available (including on an existing publicly available website), a report that describes the results of the assessment carried out under subsection (a).

SEC. 5242. DEADLINE FOR PREVIOUSLY REQUIRED LIST OF COVERED PROJECTS.

Notwithstanding the deadline in paragraph (1) of section 8236(c) of the Water Resources Development Act of 2022 (136 Stat. 3769), the Secretary shall submit the list of covered projects under that paragraph by not later than 30 days after the date of enactment of this Act.

SEC. 5243. COOPERATION AUTHORITY.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Secretary shall carry out an assessment of the extent to which the existing authorities and programs of the Secretary allow the Corps of Engineers to construct water resources development projects abroad.

(2) REPORT.—The Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that—

(A) describes—

(i) the findings of the assessment under paragraph (1);

(ii) how each authority and program assessed under paragraph (1) has been used by the Secretary to construct water resources development projects abroad, if applicable; and

(iii) the extent to which the Secretary partners with other Federal agencies when carrying out such projects; and

(B) includes any recommendations that result from the assessment under paragraph (1).

(b) INTERAGENCY AND INTERNATIONAL SUPPORT AUTHORITY.—Section 234 of the Water Resources Development Act of 1996 (33 U.S.C. 2323a) is amended—

(1) in subsection (c), by inserting '', including the planning and design expertise,'' after ''expertise''; and

(2) in subsection (d)(1), by striking ''$1,000,000'' and inserting ''$2,500,000''.

TITLE LIII—DEAUTHORIZATIONS, MODIFICATIONS, AND RELATED PROVISIONS

SEC. 5301. DEAUTHORIZATIONS.

(a) TRUCKEE MEADOWS, NEVADA.—The project for flood control, Truckee Meadows, Nevada, authorized by section 3(a)(10) of the Water Resources Development Act of 1988 (102 Stat. 4014) and section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366) is no longer authorized beginning on the date of enactment of this Act.

(b) SEATTLE HARBOR, WASHINGTON.—

(1) IN GENERAL.—Beginning on the date of enactment of this Act, the portion of the project for navigation, Seattle Harbor, Washington, described in paragraph (2) is no longer authorized.

(2) PORTION DESCRIBED.—The portion of the project referred to in paragraph (1) is the approximately 74,490 square foot area of the Federal channel within the East Waterway—

(A) starting at a point on the United States pierhead line in the southwest corner of block 386 of plat of Seattle Tidelands, T. 24 N., R. 4. E, sec.18, Willamette Meridian;

(B) thence running N90°00'00''W along the projection of the south line of block 386, 206.58 feet to the centerline of the East Waterway;

(C) thence running N14°30'00''E along the centerline and parallel with the northwesterly line of block 386, 64.83 feet;

(D) thence running N33°32'59''E, 235.85 feet;

(E) thence running N39°55'22''E, 128.70 feet;

(F) thence running N14°30'00''E, parallel with the northwesterly line of block 386, 280.45 feet;

(G) thence running N90°00'00''E, 70.00 feet to the pierhead line and the northwesterly line of block 386; and

(H) thence running S14°30'00''W, 650.25 feet along the pierhead line and northwesterly line of block 386 to the point of beginning.

(c) CHERRYFIELD DAM, MAINE.—The project for flood control, Narraguagus River, Cherryfield Dam, Maine, authorized by, and constructed pursuant to, section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is no longer authorized beginning on the date of enactment of this Act.

(d) EAST SAN PEDRO BAY, CALIFORNIA.—The study for the project for ecosystem restoration, East San Pedro Bay, California, authorized by the resolution of the Committee on Public Works of the Senate, dated June 25, 1969, relating to the report of the Chief of Engineers for Los Angeles and San Gabriel Rivers, Ballona Creek, is no longer authorized beginning on the date of enactment of this Act.

(e) SOURIS RIVER BASIN, NORTH DAKOTA.—The Talbott's Nursery portion, consisting of approximately 2,600 linear feet of levee, of stage 4 of the project for flood control, Souris River Basin, North Dakota, authorized by section 1124 of the Water Resources Development Act of 1986 (100 Stat. 4243; 101 Stat. 1329–111), is no longer authorized beginning on the date of enactment of this Act.

(f) MASARYKTOWN CANAL, FLORIDA.—

(1) IN GENERAL.—The portion of the project for the Four River Basins, Florida, authorized by section 203 of the Flood Control Act of 1962 (76 Stat. 1183) described in paragraph (2) is no longer authorized beginning on the date of enactment of this Act.

(2) PORTION DESCRIBED.—The portion of the project referred to in paragraph (1) is the Masaryktown Canal C–534, which spans approximately 5.5 miles from Hernando County, between Ayers Road and County Line Road east of United States Route 41, and continues south to Pasco County, discharging into Crews Lake.

SEC. 5302. ENVIRONMENTAL INFRASTRUCTURE.

(a) NEW PROJECTS.—Section 219(f) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3808) is amended by adding at the end the following:

''(406) GLENDALE, ARIZONA.—$5,200,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Glendale, Arizona.

''(407) TOHONO O'ODHAM NATION, ARIZONA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Tohono O'odham Nation, Arizona.

''(408) FLAGSTAFF, ARIZONA.—$4,800,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Flagstaff, Arizona.

''(409) TUCSON, ARIZONA.—$30,000,000 for environmental infrastructure, including water and wastewater infrastructure (including recycled water systems), Tucson, Arizona.

''(410) BAY-DELTA, CALIFORNIA.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, San Francisco Bay–Sacramento–San Joaquin River Delta, California.

''(411) INDIAN WELLS VALLEY, CALIFORNIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure, Indian Wells Valley, Kern County, California.

''(412) OAKLAND–ALAMEDA ESTUARY, CALIFORNIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Oakland–Alameda Estuary, Oakland and Alameda Counties, California.

''(413) TIJUANA RIVER VALLEY WATERSHED, CALIFORNIA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure, Tijuana River Valley Watershed, San Diego County, California.

''(414) EL PASO COUNTY, COLORADO.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure and stormwater management, El Paso County, Colorado.

''(415) REHOBOTH BEACH, LEWES, DEWEY, BETHANY, SOUTH BETHANY, FENWICK ISLAND, DELAWARE.—$25,000,000 for environmental infrastructure, including water and wastewater infrastructure, Rehoboth Beach, Lewes, Dewey, Bethany, South Bethany, and Fenwick Island, Delaware.

''(416) WILMINGTON, DELAWARE.—$25,000,000 for environmental infrastructure, including water and wastewater infrastructure, Wilmington, Delaware.

''(417) PICKERING BEACH, KITTS HUMMOCK, BOWERS BEACH, SOUTH BOWERS BEACH, SLAUGHTER BEACH, PRIME HOOK BEACH, MILTON, MILFORD, DELAWARE.—$25,000,000 for environmental infrastructure, including water and wastewater infrastructure, Pickering Beach, Kitts Hummock, Bowers Beach, South Bowers Beach, Slaughter Beach, Prime Hook Beach, Milton, and Milford, Delaware.

''(418) COASTAL GEORGIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), Glynn County, Chatham County, Bryan County, Effingham County, McIntosh County, and Camden County, Georgia.

''(419) COLUMBUS, HENRY, AND CLAYTON COUNTIES, GEORGIA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including

stormwater management), Columbus, Henry, and Clayton Counties, Georgia.

''(420) COBB COUNTY, GEORGIA.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure, Cobb County, Georgia.

''(421) CALUMET CITY, ILLINOIS.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure, Calumet City, Illinois.

''(422) WYANDOTTE COUNTY AND KANSAS CITY, KANSAS.—$35,000,000 for water and wastewater infrastructure, including stormwater management (including combined sewer overflows), Wyandotte County and Kansas City, Kansas.

''(423) EASTHAMPTON, MASSACHUSETTS.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including wastewater treatment plant outfalls), Easthampton, Massachusetts.

''(424) BYRAM, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Byram, Mississippi.

''(425) DIAMONDHEAD, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure and drainage systems, Diamondhead, Mississippi.

''(426) HANCOCK COUNTY, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Hancock County, Mississippi.

''(427) MADISON, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Madison, Mississippi.

''(428) PEARL, MISSISSIPPI.—$7,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), drainage systems, and water quality enhancement, Pearl, Mississippi.

''(429) NEW HAMPSHIRE.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure, New Hampshire.

''(430) CAPE MAY COUNTY, NEW JERSEY.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Cape May County, New Jersey.

''(431) NYE COUNTY, NEVADA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including water wellfield and pipeline in the Pahrump Valley), Nye County, Nevada.

''(432) STOREY COUNTY, NEVADA.—$10,000,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Storey County, Nevada.

''(433) NEW ROCHELLE, NEW YORK.—$20,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), New Rochelle, New York.

''(434) CUYAHOGA COUNTY, OHIO.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure (including combined sewer overflows), Cuyahoga County, Ohio.

''(435) BLOOMINGBURG, OHIO.—$6,500,000 for environmental infrastructure, including water and wastewater infrastructure (including facilities for withdrawal, treatment, and distribution), Bloomingburg, Ohio.

''(436) CITY OF AKRON, OHIO.—$5,500,000 for environmental infrastructure, including water and wastewater infrastructure (including drainage systems), City of Akron, Ohio.

''(437) EAST CLEVELAND, OHIO.—$13,000,000 for environmental infrastructure, including water and wastewater infrastructure (including stormwater management), East Cleveland, Ohio.

''(438) ASHTABULA COUNTY, OHIO.—$1,500,000 for environmental infrastructure, including water and wastewater infrastructure (including water supply and water quality enhancement), Ashtabula County, Ohio.

''(439) STRUTHERS, OHIO.—$500,000 for environmental infrastructure, including water and wastewater infrastructure (including wastewater infrastructure, stormwater management, and sewer improvements), Struthers, Ohio.

''(440) STILLWATER, OKLAHOMA.—$30,000,000 for environmental infrastructure, including water and wastewater infrastructure and water supply infrastructure (including facilities for withdrawal, treatment, and distribution), Stillwater, Oklahoma.

''(441) PENNSYLVANIA.—$38,600,000 for environmental infrastructure, including water and wastewater infrastructure, Pennsylvania.

''(442) CHESTERFIELD COUNTY, SOUTH CAROLINA.—$3,000,000 for water and wastewater infrastructure and other environmental infrastructure (including stormwater management), Chesterfield County, South Carolina.

''(443) TIPTON COUNTY, TENNESSEE.—$35,000,000 for wastewater infrastructure and water supply infrastructure, including facilities for withdrawal, treatment, and distribution, Tipton County, Tennessee.

''(444) OTHELLO, WASHINGTON.—$14,000,000 for environmental infrastructure, including water supply and storage treatment, Othello, Washington.

''(445) COLLEGE PLACE, WASHINGTON.—$5,000,000 for environmental infrastructure, including water and wastewater infrastructure, College Place, Washington.''.

(b) PROJECT MODIFICATIONS.—

(1) CONSISTENCY WITH REPORTS.—Congress finds that the project modifications described in this subsection are in accordance with the reports submitted to Congress by the Secretary under section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d), titled ''Report to Congress on Future Water Resources Development'', or have otherwise been reviewed by Congress.

(2) MODIFICATIONS.—

(A) ALABAMA.—Section 219(f)(274) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3808) is amended by striking ''$50,000,000'' and inserting ''$85,000,000''.

(B) LOS ANGELES COUNTY, CALIFORNIA.—Section 219(f)(93) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1259; 136 Stat. 3816) is amended by striking ''Santa Clarity Valley'' and inserting ''Santa Clarita Valley''.

(C) KENT, DELAWARE.—Section 219(f)(313) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3810) is amended by striking ''$35,000,000'' and inserting ''$40,000,000''.

(D) NEW CASTLE, DELAWARE.—Section 219(f)(314) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3810) is amended by striking ''$35,000,000'' and inserting ''$40,000,000''.

(E) SUSSEX, DELAWARE.—Section 219(f)(315) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3810) is amended by striking ''$35,000,000'' and inserting ''$40,000,000''.

(F) EAST POINT, GEORGIA.—Section 219(f)(136) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1261; 136 Stat. 3817) is amended by striking ''$15,000,000'' and inserting ''$20,000,000''.

(G) MADISON COUNTY AND ST. CLAIR COUNTY, ILLINOIS.—Section 219(f)(55) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 114 Stat. 2763A–221; 136 Stat. 3817) is amended—

(i) by striking ''$100,000,000'' and inserting ''$110,000,000''; and

(ii) by inserting ''(including stormwater management)'' after ''wastewater assistance''.

(H) MONTGOMERY COUNTY AND CHRISTIAN COUNTY, ILLINOIS.—Section 219(f)(333) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3812) is amended—

(i) in the paragraph heading, by striking ''MONTGOMERY AND CHRISTIAN COUNTIES'' and inserting ''MONTGOMERY, CHRISTIAN, FAYETTE, SHELBY, JASPER, RICHLAND, CRAWFORD, AND LAWRENCE COUNTIES''; and

(ii) by striking ''Montgomery County and Christian County'' and inserting ''Montgomery County, Christian County, Fayette County, Shelby County, Jasper County, Richland County, Crawford County, and Lawrence County''.

(I) LOWELL, MASSACHUSETTS.—Section 219(f)(339) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3812) is amended by striking ''$20,000,000'' and inserting ''$30,000,000''.

(J) MICHIGAN.—Section 219(f)(157) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1262) is amended, in the paragraph heading, by striking ''COMBINED SEWER OVERFLOWS''.

(K) DESOTO COUNTY, MISSISSIPPI.—Section 219(f)(30) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 134 Stat. 2718) is amended by striking ''$130,000,000'' and inserting ''$144,000,000''.

(L) JACKSON, MISSISSIPPI.—Section 219(f)(167) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1263; 136 Stat. 3818) is amended by striking ''$125,000,000'' and inserting ''$139,000,000''.

(M) MADISON COUNTY, MISSISSIPPI.—Section 219(f)(351) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3813) is amended by striking ''$10,000,000'' and inserting ''$24,000,000''.

(N) MERIDIAN, MISSISSIPPI.—Section 219(f)(352) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3813) is amended by striking ''$10,000,000'' and inserting ''$24,000,000''.

(O) RANKIN COUNTY, MISSISSIPPI.—Section 219(f)(354) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3813) is amended by striking ''$10,000,000'' and inserting ''$24,000,000''.

(P) CINCINNATI, OHIO.—Section 219(f)(206) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1265) is amended by striking ''$1,000,000'' and inserting ''$9,000,000''.

(Q) MIDWEST CITY, OKLAHOMA.—Section 219(f)(231) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1266; 134 Stat. 2719) is amended by striking ''$5,000,000'' and inserting ''$10,000,000''.

(R) PHILADELPHIA, PENNSYLVANIA.—Section 219(f)(243) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 121 Stat. 1266) is amended—

(i) by striking ''$1,600,000'' and inserting ''$3,000,000''; and

(ii) by inserting ''water supply and'' before ''wastewater''.

(S) LAKES MARION AND MOULTRIE, SOUTH CAROLINA.—Section 219(f)(25) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 336; 136 Stat. 3818) is amended

by striking ''$165,000,000'' and inserting ''$232,000,000''.

(T) MILWAUKEE, WISCONSIN.—Section 219(f)(405) of the Water Resources Development Act of 1992 (106 Stat. 4835; 113 Stat. 334; 136 Stat. 3816) is amended by striking ''$4,500,000'' and inserting ''$10,500,000''.

(c) NON-FEDERAL SHARE.—Section 219 of the Water Resources Development Act of 1992 (106 Stat. 4835) is amended by striking subsection (b) and inserting the following:

''(b) NON-FEDERAL SHARE.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, the non-Federal share of the cost of a project for which assistance is provided under this section shall be not less than 25 percent.

''(2) ECONOMICALLY DISADVANTAGED COMMUNITIES.—The non-Federal share of the cost of a project for which assistance is provided under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.

''(3) ABILITY TO PAY.—

''(A) IN GENERAL.—The non-Federal share of the cost of a project for which assistance is provided under this section shall be subject to the ability of the non-Federal interest to pay.

''(B) DETERMINATION.—The ability of a non-Federal interest to pay shall be determined by the Secretary in accordance with procedures established by the Secretary.

''(C) DEADLINE.—Not later than 60 days after the date of enactment of the Thomas R. Carper Water Resources Development Act of 2024, the Secretary shall issue guidance on the procedures described in subparagraph (B).

''(4) CONGRESSIONAL NOTIFICATION.—

''(A) IN GENERAL.—The Secretary shall annually submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a written notification of determinations made by the Secretary of the ability of non-Federal interests to pay under this section.

''(B) CONTENTS.—In preparing the written notification under subparagraph (A), the Secretary shall include, for each determination made by the Secretary—

''(i) the name of the non-Federal interest that submitted to the Secretary a request for a determination under paragraph (3)(B);

''(ii) the name and location of the project; and

''(iii) the determination made by the Secretary and the reasons for the determination, including the adjusted share of the costs of the project of the non-Federal interest, if applicable.''.

SEC. 5303. PENNSYLVANIA ENVIRONMENTAL INFRASTRUCTURE.

Section 313 of the Water Resources Development Act of 1992 (106 Stat. 4845; 109 Stat. 407; 110 Stat. 3723; 113 Stat. 310; 117 Stat. 142; 121 Stat. 1146; 134 Stat. 2719; 136 Stat. 3821) is amended—

(1) in the section heading, by striking ''**SOUTH CENTRAL**'';

(2) by striking ''south central'' each place it appears;

(3) by striking subsections (c) and (h);

(4) by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively; and

(5) in paragraph (2)(A) of subsection (c) (as redesignated), by striking ''the SARCD Council and other''.

SEC. 5304. ACEQUIAS IRRIGATION SYSTEMS.

Section 1113 of the Water Resources Development Act of 1986 (100 Stat. 4232; 110 Stat. 3719; 136 Stat. 3782) is amended—

(1) in subsection (d)—

(A) by striking ''costs,'' and all that follows through ''except that'' and inserting ''costs, shall be as described in the second sentence of subsection (b) (as in effect on the day before the date of enactment of the Water Resources Development Act of 2022 (136 Stat. 3691)), except that''; and

(B) by striking ''measure benefitting'' and inserting ''measure (other than a reconnaissance study) benefitting''; and

(2) in subsection (e), by striking ''$80,000,000'' and inserting ''$100,000,000''.

SEC. 5305. OREGON ENVIRONMENTAL INFRASTRUCTURE.

(a) IN GENERAL.—Section 8359 of the Water Resources Development Act of 2022 (136 Stat. 3802) is amended—

(1) in the section heading, by striking ''**SOUTHWESTERN**'';

(2) in each of subsections (a) and (b), by striking ''southwestern'' each place it appears;

(3) in subsection (e)(1), by striking ''$50,000,000'' and inserting ''$90,000,000''; and

(4) by striking subsection (f).

(b) CLERICAL AMENDMENTS.—

(1) NDAA.—The table of contents in section 2(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (136 Stat. 2430) is amended by striking the item relating to section 8359 and inserting the following:

''Sec. 8359. Oregon.''.

(2) WRDA.—The table of contents in section 8001(b) of the Water Resources Development Act of 2022 (136 Stat. 3694) is amended by striking the item relating to section 8359 and inserting the following:

''Sec. 8359. Oregon.''.

SEC. 5306. KENTUCKY AND WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE.

(a) ESTABLISHMENT OF PROGRAM.—The Secretary shall establish a program to provide environmental assistance to non-Federal interests in Kentucky and West Virginia.

(b) FORM OF ASSISTANCE.—Assistance provided under this section may be in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in Kentucky and West Virginia, including projects for wastewater treatment and related facilities, water supply and related facilities, environmental restoration, and surface water resource protection and development.

(c) OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) LOCAL COOPERATION AGREEMENTS.—

(1) IN GENERAL.—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with such assistance.

(2) REQUIREMENTS.—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) Development by the Secretary, in consultation with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the cost of a project carried out under this section—

(i) shall be 75 percent; and

(ii) may be provided in the form of grants or reimbursements of project costs.

(B) CREDIT FOR INTEREST.—In case of a delay in the funding of the Federal share of a project that is the subject of a local cooperation agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the non-Federal share of the project cost.

(C) LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but such credit may not exceed 25 percent of total project costs.

(D) OPERATION AND MAINTENANCE.—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $75,000,000 to carry out this section, to be divided between the States described in subsection (a).

(2) CORPS OF ENGINEERS EXPENSES.—Not more than 10 percent of the amounts made available to carry out this section may be used by the Corps of Engineers to administer projects under this section.

SEC. 5307. LAKE CHAMPLAIN WATERSHED, VERMONT AND NEW YORK.

Section 542(e)(1)(A) of the Water Resources Development Act of 2000 (114 Stat. 2672) is amended by inserting '', or in the case of a critical restoration project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), 10 percent of the total costs of the project'' after ''project''.

SEC. 5308. OHIO AND NORTH DAKOTA.

Section 594(d)(3)(A) of the Water Resources Development Act of 1999 (113 Stat. 382) is amended—

(1) in the second sentence, by striking ''The Federal share may'' and inserting the following:

''(iii) FORM.—The Federal share may'';

(2) by striking the subparagraph designation and heading and all that follows through ''The Federal share of'' in the first sentence and inserting the following:

''(A) PROJECT COSTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Federal share of''; and

(3) by inserting after clause (i) (as so designated) the following:

''(ii) EXCEPTION.—The non-Federal share of the cost of a project under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.''.

SEC. 5309. SOUTHERN WEST VIRGINIA.

Section 340 of the Water Resources Development Act of 1992 (106 Stat. 4856; 136 Stat. 3807) is amended—

(1) in subsection (c)(3)—

(A) in the first sentence, by striking ''Total project costs'' and inserting the following:

''(A) IN GENERAL.—Except as provided in subparagraph (B), total project costs''; and

(B) by adding at the end the following:

''(B) EXCEPTION.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the total project costs under the applicable local cooperation

agreement entered into under this subsection shall be 90 percent.

''(C) FEDERAL SHARE.—The Federal share of the total project costs under this paragraph may be provided in the same form as described in section 571(e)(3)(A) of the Water Resources Development Act of 1999 (113 Stat. 371).'';

(2) by striking subsection (e);

(3) by redesignating subsections (f), (g), (h), and (i) as subsections (e), (f), (g), and (h), respectively; and

(4) in subsection (f) (as so redesignated), in the first sentence, by striking ''$140,000,000'' and inserting ''$170,000,000''.

SEC. 5310. NORTHERN WEST VIRGINIA.

Section 571 of the Water Resources Development Act of 1999 (113 Stat. 371; 121 Stat. 1257; 136 Stat. 3807) is amended—

(1) in subsection (e)(3)—

(A) in subparagraph (A), in the first sentence, by striking ''The Federal share'' and inserting ''Except as provided in subparagraph (B), the Federal share'';

(B) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (C), (D), (E), and (F), respectively; and

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

''(B) EXCEPTION.—In the case of a project benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)), the Federal share of the project costs under the applicable local cooperation agreement entered into under this subsection shall be 90 percent.'';

(2) by striking subsection (g);

(3) by redesignating subsections (h), (i), and (j) as sections (g), (h), and (i), respectively; and

(4) in subsection (g) (as so redesignated), by striking ''$120,000,000'' and inserting ''$150,000,000''.

SEC. 5311. OHIO, PENNSYLVANIA, AND WEST VIRGINIA.

(a) DEFINITIONS.—In this section:

(1) IMPAIRED WATER.—

(A) IN GENERAL.—The term ''impaired water'' means a stream of a watershed that is not, as of the date of an application under this section, achieving the designated use of the stream.

(B) INCLUSION.—The term ''impaired water'' includes any stream identified by a State under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

(2) RESTORATION.—

(A) IN GENERAL.—The term ''restoration'', with respect to impaired water, means the restoration of the impaired water to such an extent that the stream could achieve its designated use over the greatest practical number of stream-miles, as determined using, if available, State-designated or Tribal-designated criteria.

(B) INCLUSION.—The term ''restoration'' includes the removal of covered pollutants.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests for the restoration of impaired water impacted by acid mine drainage in Ohio, Pennsylvania, and West Virginia.

(c) FORM OF ASSISTANCE.—Assistance under this section may be in the form of technical assistance and design and construction assistance for water-related environmental infrastructure to address acid mine drainage, including projects for centralized water treatment and related facilities.

(d) PRIORITIZATION.—The Secretary shall prioritize assistance under this section to a project that—

(1) addresses acid mine drainage from multiple sources impacting impaired waters; or

(2) includes a centralized water treatment system to reduce the acid mine drainage load in impaired waters.

(e) PUBLIC OWNERSHIP REQUIREMENT.—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(f) COORDINATION.—The Secretary shall, to the maximum extent practicable, work with States, units of local government, and other relevant Federal agencies to secure any permits, variances, or approvals necessary to facilitate the completion of projects receiving assistance under this section.

(g) COST-SHARE.—The non-Federal share of the cost of a project carried out under this section shall be 25 percent, including provision of all land, easements, rights-of-way, and necessary relocations.

(h) AGREEMENTS.—Construction of a project under this section shall be initiated only after the non-Federal interest has entered into a binding agreement with the Secretary to pay—

(1) the non-Federal share of the costs of construction of a project carried out under this section; and

(2) 100 percent of any operation, maintenance, and replacement and rehabilitation costs of a project carried out under this section.

(i) CONTRIBUTED FUNDS.—The Secretary, with the consent of the non-Federal interest for a project carried out under this section, may receive or expend funds contributed by a nonprofit entity for the project.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000, to remain available until expended.

SEC. 5312. WESTERN RURAL WATER.

Section 595 of the Water Resources Development Act of 1999 (113 Stat. 383; 117 Stat. 1836) is amended—

(1) in subsection (a)—

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

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

''(1) NON-FEDERAL INTEREST.—The term 'non-Federal interest' includes an entity declared to be a political subdivision of the State of New Mexico.''; and

(2) in subsection (e)(3)(A)—

(A) in the second sentence, by striking ''The Federal share may'' and inserting the following:

''(iii) FORM.—The Federal share may'';

(B) by striking the subparagraph designation and heading and all that follows through ''The Federal share of'' in the first sentence and inserting the following:

''(A) PROJECT COSTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Federal share of''; and

(C) by inserting after clause (i) (as so designated) the following:

''(ii) EXCEPTION.—The non-Federal share of the cost of a project under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.''.

SEC. 5313. CONTINUING AUTHORITIES PROGRAMS.

(a) REMOVAL OF OBSTRUCTIONS; CLEARING CHANNELS.—Section 2 of the Act of August 28, 1937 (50 Stat. 877, chapter 877; 33 U.S.C. 701g), is amended—

(1) by striking ''$7,500,000'' and inserting ''$15,000,000'';

(2) by inserting ''for preventing and mitigating flood damages associated with ice jams,'' after ''other debris,''; and

(3) by striking ''$500,000'' and inserting ''$1,000,000''.

(b) EMERGENCY STREAMBANK AND SHORELINE PROTECTION.—Section 14 of the Flood Control Act of 1946 (33 U.S.C. 701r) is amended—

(1) by striking ''$25,000,000'' and inserting ''$40,000,000''; and

(2) by striking ''$10,000,000'' and inserting ''$15,000,000''.

(c) STORM AND HURRICANE RESTORATION AND IMPACT MINIMIZATION PROGRAM.—Section 3(c) of the Act of August 13, 1946 (60 Stat. 1056, chapter 960; 33 U.S.C. 426g(c)), is amended—

(1) in paragraph (1), by striking ''$37,500,000'' and inserting ''$45,000,000''; and

(2) in paragraph (2)(B), by striking ''$10,000,000'' and inserting ''$15,000,000''.

(d) SMALL FLOOD CONTROL PROJECTS.—Section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s) is amended—

(1) in the first sentence, by striking ''$68,750,000'' and inserting ''$85,000,000''; and

(2) in the third sentence, by striking ''$10,000,000'' and inserting ''$15,000,000''.

(e) AQUATIC ECOSYSTEM RESTORATION.—Section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) is amended—

(1) in subsection (a), by adding at the end the following:

''(4) DROUGHT RESILIENCE.—A project under this section may include measures that enhance drought resilience through the restoration of wetlands or the removal of invasive species.'';

(2) in subsection (d), by striking ''$10,000,000'' and inserting ''$15,000,000''; and

(3) in subsection (f), by striking ''$62,500,000'' and inserting ''$75,000,000''.

(f) PROJECT MODIFICATIONS FOR IMPROVEMENT OF ENVIRONMENT.—Section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a) is amended—

(1) in subsection (d), in the third sentence, by striking ''$10,000,000'' and inserting ''$15,000,000''; and

(2) in subsection (h), by striking ''$50,000,000'' and inserting ''$60,000,000''.

(g) SHORE DAMAGE PREVENTION OR MITIGATION.—Section 111(c) of the River and Harbor Act of 1968 (33 U.S.C. 426i(c)) is amended by striking ''$12,500,000'' and inserting ''$15,000,000''.

(h) SMALL RIVER AND HARBOR IMPROVEMENT PROJECTS.—Section 107(b) of the River and Harbor Act of 1960 (33 U.S.C. 577(b)) is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

(i) REGIONAL SEDIMENT MANAGEMENT.—Section 204(c)(1)(C) of the Water Resources Development Act of 1992 (33 U.S.C. 2326(c)(1)(C)) is amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SEC. 5314. SMALL PROJECT ASSISTANCE.

Section 165(b) of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260) is amended by striking ''2024'' each place it appears and inserting ''2029''.

SEC. 5315. GREAT LAKES AND MISSISSIPPI RIVER INTERBASIN PROJECT, BRANDON ROAD, WILL COUNTY, ILLINOIS.

After completion of construction of the project for ecosystem restoration, Great Lakes and Mississippi River Interbasin project, Brandon Road, Will County, Illinois, authorized by section 401(5) of the Water Resources Development Act of 2020 (134 Stat. 2740) and modified by section 402(a) of that Act (134 Stat. 2742) and section 8337 of the Water Resources Development Act of 2022 (136 Stat. 3793), the Federal share of operation and maintenance costs of the project shall be 90 percent.

SEC. 5316. MAMARONECK-SHELDRAKE RIVERS, NEW YORK.

The non-Federal share of the cost of features of the project for flood risk management, Mamaroneck-Sheldrake Rivers, New

York, authorized by section 1401(2) of the Water Resources Development Act of 2018 (132 Stat. 3837), benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.

SEC. 5317. LOWELL CREEK TUNNEL, ALASKA.

Section 5032(a)(2) of the Water Resources Development Act of 2007 (121 Stat. 1205; 134 Stat. 2719) is amended by striking ''20'' and inserting ''25''.

SEC. 5318. SELMA FLOOD RISK MANAGEMENT AND BANK STABILIZATION.

(a) REPAYMENT.—

(1) IN GENERAL.—The Secretary shall expedite the review of, and give due consideration to, the request from the City of Selma, Alabama, that the Secretary apply section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)) to the project for flood risk management, Selma Flood Risk Management and Bank Stabilization, Alabama, authorized by section 8401(2) of the Water Resources Development Act of 2022 (136 Stat. 3839).

(2) DURATION.—If the Secretary determines that the application of section 103(k) of the Water Resources Development Act of 1986 (33 U.S.C. 2213(k)) to the project described in paragraph (1) is justified, the Secretary shall, to the maximum extent practicable and consistent with that section, permit the City of Selma, Alabama, to repay the full non-Federal contribution with interest for that project during a period of 30 years that shall begin after the date of completion of that project.

(b) COST-SHARE.—The non-Federal share of the cost of the project for flood risk management, Selma Flood Risk Management and Bank Stabilization, Alabama, authorized by section 8401(2) of the Water Resources Development Act of 2022 (136 Stat. 3839), shall be 10 percent.

SEC. 5319. ILLINOIS RIVER BASIN RESTORATION.

Section 519(c)(2) of the Water Resources Development Act of 2000 (114 Stat. 2654; 121 Stat. 1221) is amended by striking ''2010'' and inserting ''2029''.

SEC. 5320. HAWAII ENVIRONMENTAL RESTORATION.

Section 444 of the Water Resources Development Act of 1996 (110 Stat. 3747; 113 Stat. 286) is amended—

(1) by striking ''and environmental restoration'' and inserting ''environmental restoration, and coastal storm risk management''; and

(2) by inserting ''Hawaii,'' after ''Guam,''.

SEC. 5321. CONNECTICUT RIVER BASIN INVASIVE SPECIES PARTNERSHIPS.

Section 104(g)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C. 610(g)(2)(A)) is amended by inserting ''the Connecticut River Basin,'' after ''the Ohio River Basin,''.

SEC. 5322. EXPENSES FOR CONTROL OF AQUATIC PLANT GROWTHS AND INVASIVE SPECIES.

Section 104(d)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C. 610(d)(2)(A)) is amended by striking ''50 percent'' and inserting ''35 percent''.

SEC. 5323. CORPS OF ENGINEERS ASIAN CARP PREVENTION PILOT PROGRAM.

Section 509(a)(2)(C)(ii) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended by striking ''2024'' and inserting ''2029''.

SEC. 5324. EXTENSION FOR CERTAIN INVASIVE SPECIES PROGRAMS.

Section 104(b)(2)(A) of the River and Harbor Act of 1958 (33 U.S.C. 610(b)(2)(A)) is amended—

(1) in clause (i), by striking ''each of fiscal years 2021 through 2024'' and inserting ''each of fiscal years 2025 through 2029''; and

(2) in clause (ii), by striking ''2028'' and inserting ''2029''.

SEC. 5325. STORM DAMAGE PREVENTION AND REDUCTION, COASTAL EROSION, RIVERINE EROSION, AND ICE AND GLACIAL DAMAGE, ALASKA.

(a) IN GENERAL.—Section 8315 of the Water Resources Development Act of 2022 (136 Stat. 3783) is amended—

(1) in the section heading, by inserting ''**RIVERINE EROSION,**'' after ''**COASTAL EROSION,**''; and

(2) in subsection (a), in the matter preceding paragraph (1), by inserting ''riverine erosion,'' after ''coastal erosion,''.

(b) CLERICAL AMENDMENTS.—

(1) The table of contents in section 2(b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (136 Stat. 2429) is amended by striking the item relating to section 8315 and inserting the following:

''Sec. 8315. Storm damage prevention and reduction, coastal erosion, riverine erosion, and ice and glacial damage, Alaska.''.

(2) The table of contents in section 8001(b) of the Water Resources Development Act of 2022 (136 Stat. 3693) is amended by striking the item relating to section 8315 and inserting the following:

''Sec. 8315. Storm damage prevention and reduction, coastal erosion, riverine erosion, and ice and glacial damage, Alaska.''.

SEC. 5326. REHABILITATION OF CORPS OF ENGINEERS CONSTRUCTED DAMS.

Section 1177 of the Water Resources Development Act of 2016 (33 U.S.C. 467f–2 note; Public Law 114–322) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) COST SHARING.—The non-Federal share of the cost of a project for rehabilitation of a dam under this section, including the cost of any required study, shall be the same share assigned to the non-Federal interest for the cost of initial construction of that dam, including provision of all land, easements, rights-of-way, and necessary relocations.'';

(2) in subsection (e)—

(A) by striking the subsection designation and heading and all that follows through ''The Secretary'' and inserting the following:

''(e) COST LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary''; and

(B) by adding at the end the following:

''(2) CERTAIN DAMS.—The Secretary shall not expend more than $100,000,000 under this section for the Waterbury Dam Spillway Project, Vermont.'';

(3) in subsection (f), by striking ''fiscal years 2017 through 2026'' and inserting ''fiscal years 2025 through 2029''; and

(4) by striking subsection (g).

SEC. 5327. EDIZ HOOK BEACH EROSION CONTROL PROJECT, PORT ANGELES, WASHINGTON.

The cost-share for operation and maintenance costs for the project for beach erosion control, Ediz Hook, Port Angeles, Washington, authorized by section 4 of the Water Resources Development Act of 1974 (88 Stat. 15), shall be in accordance with the cost-share described in section 101(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2211(b)(1)).

SEC. 5328. SENSE OF CONGRESS RELATING TO CERTAIN LOUISIANA HURRICANE AND COASTAL STORM DAMAGE RISK REDUCTION PROJECTS.

It is the sense of Congress that all efforts should be made to extend the scope of the project for hurricane and storm damage risk reduction, Morganza to the Gulf, Louisiana, authorized by section 7002(3) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1368), and the project for hurricane and storm damage risk reduction, Upper Barataria Basin, Louisiana, authorized by section 8401(3) of the Water Resources Development Act of 2022 (136 Stat. 3841), in order to connect the two projects and realize the benefits of continuous hurricane and coastal storm damage risk reduction from west of Houma in Gibson, Louisiana, to the connection with the Hurricane Storm Damage Risk Reduction System around New Orleans, Louisiana.

SEC. 5329. CHESAPEAKE BAY OYSTER RECOVERY PROGRAM.

Section 704(b)(1) of the Water Resources Development Act of 1986 (33 U.S.C. 2263 note; Public Law 99–662) is amended, in the second sentence, by striking ''$100,000,000'' and inserting ''$120,000,000''.

SEC. 5330. BOSQUE WILDLIFE RESTORATION PROJECT.

(a) IN GENERAL.—The Secretary shall establish a program to carry out appropriate planning, design, and construction measures for wildfire prevention and restoration in the Middle Rio Grande Bosque, including the removal of jetty jacks.

(b) COST SHARE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the non-Federal share of the cost of a project carried out under this section shall be in accordance with sections 103 and 105 of the Water Resources Development Act of 1986 (33 U.S.C. 2213, 2215).

(2) EXCEPTION.—The non-Federal share of the cost of a project carried out under this section benefitting an economically disadvantaged community (as defined pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)) shall be 10 percent.

(c) REPEAL.—Section 116 of the Energy and Water Development Appropriations Act, 2004 (117 Stat. 1836), is repealed.

(d) TREATMENT.—The program authorized under subsection (a) shall be considered a continuation of the program authorized by section 116 of the Energy and Water Development Appropriations Act, 2004 (117 Stat. 1836) (as in effect on the day before the date of enactment of this Act).

SEC. 5331. EXPANSION OF TEMPORARY RELOCATION ASSISTANCE PILOT PROGRAM.

Section 8154(g)(1) of the Water Resources Development Act of 2022 (136 Stat. 3735) is amended by adding at the end the following:

''(F) Project for hurricane and storm damage risk reduction, Norfolk, Virginia, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2738).''.

SEC. 5332. WILSON LOCK FLOATING GUIDE WALL.

On the request of the relevant Federal entity, the Secretary shall, to the maximum extent practicable, use all relevant authorities to expeditiously provide technical assistance, including engineering and design assistance, and cost estimation assistance to the relevant Federal entity in order to address the impacts to navigation along the Tennessee River at the Wilson Lock and Dam, Alabama.

SEC. 5333. DELAWARE INLAND BAYS AND DELAWARE BAY COAST COASTAL STORM RISK MANAGEMENT STUDY.

(a) DEFINITIONS.—In this section:

(1) ECONOMICALLY DISADVANTAGED COMMUNITY.—The term ''economically disadvantaged community'' has the meaning given the term pursuant to section 160 of the Water Resources Development Act of 2020 (33 U.S.C. 2201 note; Public Law 116–260)).

(2) STUDY.—The term ''study'' means the Delaware Inland Bays and Delaware Bay Coast Coastal Storm Risk Management

Study, authorized by the resolution of the Committee on Public Works and Transportation of the House of Representatives dated October 1, 1986, and the resolution of the Committee on Environment and Public Works of the Senate dated June 23, 1988.

(b) STUDY, PROJECTS, AND SEPARABLE ELEMENTS.—Notwithstanding any other provision of law, if the Secretary determines that the study will benefit 1 or more economically disadvantaged communities, the non-Federal share of the costs of carrying out the study, or project construction or a separable element of a project authorized based on the study, shall be 10 percent.

(c) COST SHARING AGREEMENT.—The Secretary shall seek to expedite any amendments to any existing cost-share agreement for the study in accordance with this section.

SEC. 5334. UPPER MISSISSIPPI RIVER PLAN.

Section 1103(e)(4) of the Water Resources Development Act of 1986 (33 U.S.C. 652(e)(4)) is amended by striking ''$15,000,000'' and inserting ''$25,000,000''.

SEC. 5335. REHABILITATION OF PUMP STATIONS.

Notwithstanding the requirements of section 133 of the Water Resources Development Act of 2020 (33 U.S.C. 2327a), for purposes of that section, each of the following shall be considered to be an eligible pump station (as defined in subsection (a) of that section) that meets the requirements described in subsection (b) of that section:

(1) The flood control pump station, Hockanum Road, Northampton, Massachusetts.

(2) Pointe Celeste Pump Station, Plaquemines Parish, Louisiana.

SEC. 5336. NAVIGATION ALONG THE TENNESSEE–TOMBIGBEE WATERWAY.

The Secretary shall, consistent with applicable statutory authorities—

(1) coordinate with the relevant stakeholders and communities in the State of Alabama and the State of Mississippi to address the dredging needs of the Tennessee–Tombigbee Waterway in those States; and

(2) ensure continued navigation at the locks and dams owned and operated by the Corps of Engineers located along the Tennessee–Tombigbee Waterway.

SEC. 5337. GARRISON DAM, NORTH DAKOTA.

The Secretary shall expedite the review of, and give due consideration to, the request from the relevant Federal power marketing administration that the Secretary apply section 1203 of the Water Resources Development Act of 1986 (33 U.S.C. 467n) to the project for dam safety at Garrison Dam, North Dakota.

SEC. 5338. SENSE OF CONGRESS RELATING TO MISSOURI RIVER PRIORITIES.

It is the sense of Congress that the Secretary should make publicly available, where appropriate, any data used and any decisions made by the Corps of Engineers relating to the operations of civil works projects within the Missouri River Basin in order to ensure transparency for the communities in that Basin.

SEC. 5339. SOIL MOISTURE AND SNOWPACK MONITORING.

Section 511(a)(3) of the Water Resources Development Act of 2020 (134 Stat. 2753) is amended by striking ''2025'' and inserting ''2029''.

SEC. 5340. CONTRACTS FOR WATER SUPPLY.

(a) COPAN LAKE, OKLAHOMA.—Section 8358(b)(2) of the Water Resources Development Act of 2022 (136 Stat. 3802) is amended by striking ''shall not pay more than 110 percent of the initial project investment cost per acre-foot of storage for the acre-feet of storage space sought under an agreement under paragraph (1)'' and inserting '', for the acre-feet of storage space being sought under an agreement under paragraph (1), shall pay 110 percent of the contractual rate per acre-foot of storage in the most recent agreement of the City for water supply storage space at the project''.

(b) STATE OF KANSAS.—

(1) IN GENERAL.—The Secretary shall amend the contracts described in paragraph (2) between the United States and the State of Kansas, relating to storage space for water supply, to change the method of calculation of the interest charges that began accruing on February 1, 1977, on the investment costs for the 198,350 acre-feet of future use storage space and on April 1, 1979, on 125,000 acre-feet of future use storage from compounding interest annually to charging simple interest annually on the principal amount, until—

(A) the State of Kansas informs the Secretary of the desire to convert the future use storage space to present use; and

(B) the principal amount plus the accumulated interest becomes payable pursuant to the terms of the contracts.

(2) CONTRACTS DESCRIBED.—The contracts referred to in paragraph (1) are the following contracts between the United States and the State of Kansas:

(A) Contract DACW41–74–C–0081, entered into on March 8, 1974, for the use by the State of Kansas of storage space for water supply in Milford Lake, Kansas.

(B) Contract DACW41–77–C–0003, entered into on December 10, 1976, for the use by the State of Kansas for water supply in Perry Lake, Kansas.

SEC. 5341. REND LAKE, CARLYLE LAKE, AND LAKE SHELBYVILLE, ILLINOIS.

(a) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the Governor of Illinois to terminate a contract described in subsection (c), the Secretary shall amend the contract to release to the United States all rights of the State of Illinois to utilize water storage space in the reservoir project to which the contract applies.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of an amendment described in subsection (a), the State of Illinois shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract for the reservoir project to which the contract applies.

(c) CONTRACTS.—Subsection (a) applies to the following contracts between the United States and the State of Illinois:

(1) Contract DACW43–88–C–0088, entered into on September 23, 1988, for utilization of storage space for water supply in Rend Lake, Illinois.

(2) Contract DA–23–065–CIVENG–65–493, entered into on April 28, 1965, for utilization of storage space for water supply in Rend Lake, Illinois.

(3) Contract DACW43–83–C–0008, entered into on July 6, 1983, for utilization of storage space in Carlyle Lake, Illinois.

(4) Contract DACW43–83–C–0009, entered into on July 6, 1983, for utilization of storage space in Lake Shelbyville, Illinois.

SEC. 5342. DELAWARE COASTAL SYSTEM PROGRAM.

(a) PURPOSE.—The purpose of this section is to provide for the collective planning and implementation of coastal storm risk management and hurricane and storm risk reduction projects in Delaware to provide greater efficiency and a more comprehensive approach to life safety and economic growth.

(b) DESIGNATION.—The following projects for coastal storm risk management and hurricane and storm risk reduction shall be known and designated as the ''Delaware Coastal System Program'' (referred to in this section as the ''Program''):

(1) Delaware Bay Coastline, Roosevelt Inlet and Lewes Beach, Delaware, authorized by section 101(a)(13) of the Water Resources Development Act of 1999 (113 Stat. 276).

(2) Delaware Coast, Bethany Beach and South Bethany, Delaware, authorized by section 101(a)(15) of the Water Resources Development Act of 1999 (113 Stat. 276).

(3) Delaware Coast from Cape Henlopen to Fenwick Island, Delaware, authorized by section 101(b)(11) of the Water Resources Development Act of 2000 (114 Stat. 2577).

(4) Rehoboth Beach and Dewey Beach, Delaware, authorized by section 101(b)(6) of the Water Resources Development Act of 1996 (110 Stat. 3667).

(5) Indian River Inlet, Delaware.

(6) The project for hurricane and storm damage risk reduction, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2736) and modified by section 8327(a) of the Water Resources Development Act of 2022 (136 Stat. 3788) and subsection (e).

(c) MANAGEMENT.—The Secretary shall manage the projects described in subsection (b) as components of a single, comprehensive system, recognizing the interdependence of the projects.

(d) COST-SHARE.—Notwithstanding any other provision of law, the Federal share of the cost of each of the projects described in paragraphs (1) through (4) of subsection (b) shall be 80 percent.

(e) BROADKILL BEACH, DELAWARE.—The project for hurricane and storm damage risk reduction, Delaware Beneficial Use of Dredged Material for the Delaware River, Delaware, authorized by section 401(3) of the Water Resources Development Act of 2020 (134 Stat. 2736) and modified by section 8327(a) of the Water Resources Development Act of 2022 (136 Stat. 3788), is modified to include the project for hurricane and storm damage reduction, Delaware Bay coastline, Delaware and New Jersey–Broadkill Beach, Delaware, authorized by section 101(a)(11) of the Water Resources Development Act of 1999 (113 Stat. 275).

SEC. 5343. MAINTENANCE OF PILE DIKE SYSTEM.

The Secretary shall continue to maintain the pile dike system constructed by the Corps of Engineers for the purpose of navigation along the Lower Columbia River and Willamette River, Washington, at Federal expense.

SEC. 5344. CONVEYANCES.

(a) GENERALLY APPLICABLE PROVISIONS.—

(1) SURVEY TO OBTAIN LEGAL DESCRIPTION.—The exact acreage and the legal description of any real property to be conveyed under this section shall be determined by a survey that is satisfactory to the Secretary.

(2) APPLICABILITY OF PROPERTY SCREENING PROVISIONS.—Section 2696 of title 10, United States Code, shall not apply to any conveyance under this section.

(3) COSTS OF CONVEYANCE.—An entity to which a conveyance is made under this section shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the conveyance.

(4) LIABILITY.—

(A) HOLD HARMLESS.—An entity to which a conveyance is made under this section shall hold the United States harmless from any liability with respect to activities carried out, on or after the date of the conveyance, on the real property conveyed.

(B) FEDERAL RESPONSIBILITY.—The United States shall remain responsible for any liability with respect to activities carried out

before the date of conveyance on the real property conveyed.

(5) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any conveyance under this section be subject to such additional terms and conditions as the Secretary considers necessary and appropriate to protect the interests of the United States.

(b) DILLARD ROAD, INDIANA.—

(1) CONVEYANCE AUTHORIZED.—The Secretary shall convey to the State of Indiana all right, title, and interest of the United States, together with any improvements on the land, in and to the property described in paragraph (2).

(2) PROPERTY.—The property to be conveyed under this subsection is the approximately 11.85 acres of land and road easements associated with Dillard Road, including improvements on that land, located in Patoka Township, Crawford County, Indiana.

(3) DEED.—The Secretary shall convey the property under this subsection by quitclaim deed under such terms and conditions as the Secretary determines appropriate to protect the interests of the United States.

(4) REVERSION.—If the Secretary determines that the property conveyed under this subsection is not used for a public purpose, all right, title, and interest in and to the property shall revert, at the discretion of the Secretary, to the United States.

(c) PORT OF SKAMANIA, WASHINGTON.—

(1) CONVEYANCE AUTHORIZED.—The Secretary shall convey to the Port of Skamania, Washington, all right, title, and interest of the United States, together with any improvements on the land, in and to the property described in paragraph (2).

(2) PROPERTY.—The property to be conveyed under this subsection is the approximately 1.6 acres of land designated as ''Lot I-2'', including any improvements on the land, located in North Bonneville, Washington, T. 2 N., R. 7 E., sec. 19, Willamette Meridian.

(3) CONSIDERATION.—The Port of Skamania, Washington, shall pay to the Secretary an amount that is not less than the fair market value of the property conveyed under this subsection, as determined by the Secretary.

SEC. 5345. EMERGENCY DROUGHT OPERATIONS PILOT PROGRAM.

(a) DEFINITION OF COVERED PROJECT.—In this section, the term ''covered project'' means a project—

(1) that is located in the State of California or the State of Arizona; and

(2)(A) of the Corps of Engineers for which water supply is an authorized purpose; or

(B) for which the Secretary develops a water control manual under section 7 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 890, chapter 665; 33 U.S.C. 709).

(b) EMERGENCY OPERATION DURING DROUGHT.—Consistent with other authorized project purposes and in coordination with the non-Federal interest, in operating a covered project during a drought emergency in the project area, the Secretary may carry out a pilot program to operate the covered project with water supply as the primary project purpose.

(c) UPDATES.—In carrying out this section, the Secretary may update the water control manual for a covered project to include drought operations and contingency plans.

(d) REQUIREMENTS.—In carrying out subsection (b), the Secretary shall ensure that—

(1) operations described in that subsection—

(A) are consistent with water management deviations and drought contingency plans in the water control manual for the covered project;

(B) impact only the flood pool managed by the Secretary; and

(C) shall not be carried out in the event of a forecast or anticipated flood or weather event that would require flood risk management to take precedence;

(2) to the maximum extent practicable, the Secretary uses forecast-informed reservoir operations; and

(3) the covered project returns to the operations that were in place prior to the use of the authority provided under that subsection at a time determined by the Secretary, in coordination with the non-Federal interest.

(e) CONTRIBUTED FUNDS.—The Secretary may receive and expend funds contributed by a non-Federal interest to carry out activities under this section.

(f) REPORT.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the pilot program carried out under this section.

(2) INCLUSIONS.—The Secretary shall include in the report under paragraph (1) a description of the activities of the Secretary that were carried out for each covered project and any lessons learned from carrying out those activities.

(g) LIMITATIONS.—Nothing in this section—

(1) affects, modifies, or changes the authorized purposes of a covered project;

(2) affects existing Corps of Engineers authorities, including authorities with respect to navigation, flood damage reduction, and environmental protection and restoration;

(3) affects the ability of the Corps of Engineers to provide for temporary deviations;

(4) affects the application of a cost-share requirement under section 101, 102, or 103 of the Water Resources Development Act of 1986 (33 U.S.C. 2211, 2212, 2213);

(5) supersedes or modifies any written agreement between the Federal Government and a non-Federal interest that is in effect on the date of enactment of this Act;

(6) supersedes or modifies any amendment to an existing multistate water control plan for the Colorado River Basin, if applicable;

(7) affects any water right in existence on the date of enactment of this Act;

(8) preempts or affects any State water law or interstate compact governing water;

(9) affects existing water supply agreements between the Secretary and the non-Federal interest; or

(10) affects any obligation to comply with the provisions of any Federal or State environmental law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

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

(C) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 5346. REHABILITATION OF EXISTING LEVEES.

Section 3017(e) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 3303a note; Public Law 113–121) is amended by striking ''2028'' and inserting ''2029''.

SEC. 5347. NON-FEDERAL IMPLEMENTATION PILOT PROGRAM.

(a) IN GENERAL.—Section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) is amended—

(1) in paragraph (3)(A)(i)—

(A) in the matter preceding subclause (I), by striking ''20'' and inserting ''30''; and

(B) in subclause (III), by striking ''5'' and inserting ''15''; and

(2) in paragraph (8), by striking ''each of fiscal years 2019 through 2026'' and inserting ''each of fiscal years 2025 through 2029''.

(b) LOUISIANA COASTAL AREA RESTORATION PROJECTS.—

(1) IN GENERAL.—In carrying out the pilot program under section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121), the Secretary may include in the pilot program a project authorized to be implemented under, or in accordance with, title VII of the Water Resources Development Act of 2007 (121 Stat. 1270).

(2) ELIGIBILITY.—In the case of a project described in paragraph (1) for which the non-Federal interest has initiated construction in accordance with authorities governing the provision of in-kind contributions for the project, the Secretary shall take into account the value of any in-kind contributions provided by the non-Federal interest for the project prior to the date of execution of the project partnership agreement under section 1043(b) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2201 note; Public Law 113–121) for purposes of determining the non-Federal share of the costs to complete construction of the project.

SEC. 5348. HARMFUL ALGAL BLOOM DEMONSTRATION PROGRAM.

Section 128(c) of the Water Resources Development Act of 2020 (33 U.S.C. 610 note; Public Law 116–260) is amended—

(1) in paragraph (13), by striking ''and'' at the end;

(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) Lake Elsinore, California; and

''(16) Willamette River, Oregon.''.

SEC. 5349. SENSE OF CONGRESS RELATING TO MOBILE HARBOR, ALABAMA.

It is sense of Congress that the Secretary should, consistent with applicable statutory authorities, coordinate with relevant stakeholders in the State of Alabama to address the dredging and dredging material placement needs associated with the project for navigation, Mobile Harbor, Alabama, authorized by section 201 of the Flood Control Act of 1965 (42 U.S.C. 1962d–5) and modified by section 309 of the Water Resources Development Act of 2020 (134 Stat. 2704).

SEC. 5350. SENSE OF CONGRESS RELATING TO PORT OF PORTLAND, OREGON.

It is sense of Congress that—

(1) the Port of Portland, Oregon, is the sole dredging operator of the federally authorized navigation channel in the Columbia River, which was authorized by section 101 of the River and Harbors Act of 1962 (76 Stat. 1177);

(2) the Corps of Engineers should continue to provide operation and maintenance support for the Port of Portland, Oregon, including for dredging equipment;

(3) the pipeline dredge of the Port of Portland, known as the ''Dredge Oregon'', was built in 1965, 58 years ago, while the average age of a dredging vessel in the United States is 25 years; and

(4) Congress commits to ensuring continued dredging for the Port of Portland.

SEC. 5351. CHATTAHOOCHEE RIVER PROGRAM.

Section 8144 of the Water Resources Development Act of 2022 (136 Stat. 3724) is amended—

(1) by striking ''comprehensive plan'' each place it appears and inserting ''plans'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''COMPREHENSIVE PLAN'' and inserting ''IMPLEMENTATION PLANS''; and

(B) in paragraph (1)—

(i) by striking ''2 years'' and inserting ''4 years''; and

(ii) by striking ''a comprehensive Chattahoochee River Basin restoration plan to guide the implementation of projects'' and inserting ''plans to guide implementation of Chattahoochee River Basin restoration projects''; and

(3) in subsection (j), by striking ''3 years'' and inserting ''5 years''.

SEC. 5352. ADDITIONAL PROJECTS FOR UNDERSERVED COMMUNITY HARBORS.

Section 8132 of the Water Resources Development Act of 2022 (33 U.S.C. 2238e) is amended—

(1) in subsection (a), by inserting ''and for purposes of contributing to ecosystem restoration'' before the period at the end; and

(2) in subsection (h)(1), by striking ''2026'' and inserting ''2029''.

SEC. 5353. WINOOSKI RIVER TRIBUTARY WATERSHED.

Section 212(e)(2) of the Water Resources Development Act of 1999 (33 U.S.C. 2332(e)(2)) is amended by adding at the end the following:

''(L) Winooski River tributary watershed, Vermont.''.

SEC. 5354. WACO LAKE, TEXAS.

The Secretary shall, to the maximum extent practicable, expedite the review of, and give due consideration to, the request from the City of Waco, Texas, that the Secretary apply section 147 of the Water Resources Development Act of 2020 (33 U.S.C. 701q–1) to the embankment adjacent to Waco Lake in Waco, Texas.

SEC. 5355. SEMINOLE TRIBAL CLAIM EXTENSION.

Section 349 of the Water Resources Development Act of 2020 (134 Stat. 2716) is amended in the matter preceding paragraph (1) by striking ''2022'' and inserting ''2027''.

SEC. 5356. COASTAL EROSION PROJECT, BARROW, ALASKA.

For purposes of implementing the coastal erosion project, Barrow, Alaska, the Secretary may consider the North Slope Borough to be in compliance with section 402(a) of the Water Resources Development Act of 1986 (33 U.S.C. 701b–12(a)) on adoption by the North Slope Borough Assembly of a floodplain management plan to reduce the impacts of future flood events in the immediate floodplain area of the project if that plan—

(1) is approved by the relevant Federal agency; and

(2) was developed in consultation with the relevant Federal agency and the Secretary.

SEC. 5357. COLEBROOK RIVER RESERVOIR, CONNECTICUT.

(a) CONTRACT TERMINATION REQUEST.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Secretary receives a request from the Metropolitan District of Hartford County, Connecticut, to terminate the contract described in paragraph (2), the Secretary shall offer to amend the contract to release to the United States all rights of the Metropolitan District of Hartford, Connecticut, to utilize water storage space in the reservoir project to which the contract applies.

(2) CONTRACT DESCRIBED.—The contract referred to in paragraph (1) and subsection (b) is the contract between the United States and the Metropolitan District of Hartford County, Connecticut, numbered DA-19-016-CIVENG-65-203, with respect to the Colebrook River Reservoir in Connecticut.

(b) RELIEF OF CERTAIN OBLIGATIONS.—On execution of the amendment described in subsection (a)(1), the Metropolitan District of Hartford County, Connecticut, shall be relieved of the obligation to pay the percentage of the annual operation and maintenance expense, the percentage of major replacement cost, and the percentage of major rehabilitation cost allocated to the water supply storage specified in the contract described in subsection (a)(2) for the reservoir project to which the contract applies.

SEC. 5358. SENSE OF CONGRESS RELATING TO SHALLOW DRAFT DREDGING IN THE CHESAPEAKE BAY.

It is the sense of Congress that—

(1) shallow draft dredging in the Chesapeake Bay is critical for tourism, recreation, and the fishing industry and that additional dredging is needed; and

(2) the Secretary should, to the maximum extent practicable, use existing statutory authorities to address the dredging needs at small harbors and channels in the Chesapeake Bay.

SEC. 5359. REPLACEMENT OF CAPE COD CANAL BRIDGES.

(a) AUTHORITY.—The Secretary is authorized to allow the Commonwealth of Massachusetts to construct the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts.

(b) REQUIREMENTS.—

(1) IN GENERAL.—The authority provided under subsection (a) shall be—

(A) carried out in accordance with a memorandum of understanding entered into by the Secretary and the Commonwealth of Massachusetts;

(B) subject to the same legal and technical requirements as if the construction of the replacement of the bridges were carried about by the Secretary, and any other conditions that the Secretary determines to be appropriate; and

(C) on the condition that the bridges shall be conveyed to the Commonwealth of Massachusetts on completion of the replacement of the bridges pursuant to section 109 of the River and Harbor Act of 1950 (33 U.S.C. 534).

(c) CONDITIONS.—Before carrying out the construction of the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, under this section, the Commonwealth of Massachusetts shall—

(1) obtain any permit or approval required in connection with that replacement under Federal or State law; and

(2) ensure that the environmental impact statement or environmental assessment, as appropriate, for that replacement is complete.

(d) REIMBURSEMENT.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3) and subsection (e), the Secretary is authorized to reimburse the Commonwealth of Massachusetts for the Corps of Engineers contribution of the construction costs for the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, or a portion of the replacement of the bridges, except that the total reimbursement for the replacement of the bridges shall not exceed $250,000,000.

(2) AVAILABILITY OF APPROPRIATIONS.—The total amount of reimbursement described in paragraph (1)—

(A) shall be subject to the availability of appropriations; and

(B) shall not be derived from the previous funding provided to the Secretary under title I of division D of the Consolidated Appropriations Act, 2024 (Public Law 118–42), for the Corps of Engineers for the purpose of replacing the Bourne Bridge and Sagamore Bridge, Massachusetts.

(3) CERTIFICATION.—Prior to providing a reimbursement under this subsection, the Secretary shall certify that the Commonwealth of Massachusetts has carried out the construction of the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, or a portion of the replacement of the bridges in accordance with—

(A) all applicable permits and approvals; and

(B) this section.

(e) TOTAL FUNDING.—The total amount of funding expended by the Secretary for the construction of the replacement of the Bourne Bridge and the Sagamore Bridge, Massachusetts, shall not exceed $600,000,000.

SEC. 5360. UPPER ST. ANTHONY FALLS LOCK AND DAM, MINNEAPOLIS, MINNESOTA.

Section 356(f) of the Water Resources Development Act of 2020 (134 Stat. 2724) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

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

''(4) CONSIDERATIONS.—In carrying out paragraph (1), as expeditiously as possible and to the maximum extent practicable, the Secretary shall take all possible measures to reduce the physical footprint required for easements described in subparagraph (A) of that paragraph, including an examination of the use of crane barges on the Mississippi River.''.

SEC. 5361. FLEXIBILITIES FOR CERTAIN HURRICANE AND STORM DAMAGE RISK REDUCTION PROJECTS.

(a) FINDINGS.—Congress finds that—

(1) the Corps of Engineers incorrectly applied the nationwide statutory requirements and the policies of the agency related to easements for communities within the boundaries of the Jacksonville District;

(2) this incorrect application created inconsistencies, confusion, and challenges with carrying out 18 critical hurricane and storm damage risk reduction projects in Florida, and in order to remedy the situation, the Assistant Secretary of the Army for Civil Works issued a memorandum that provided flexibilities for the easements of those projects; and

(3) those projects need additional assistance going forward, and as such, this section provides additional flexibilities and allows the projects to transition, on the date of their expiration, to the nationwide policies and statutory requirements for easements of the Corps of Engineers.

(b) FLEXIBILITIES PROVIDED.—Notwithstanding any other provision of law, but maintaining any existing easement agreement or executed project partnership agreement for a project described in subsection (c), the Secretary may proceed to construction of a project described in that subsection with an easement of not less than 25 years, in lieu of the perpetual beach storm damage reduction easement standard estate if—

(1) the project complies with all other applicable laws and Corps of Engineers policies during the term of the easement, including the guarantee of a public beach, public access, public use, and access for any work necessary and incident to the construction of the project, periodic nourishment, and operation, maintenance, repair, replacement, and rehabilitation of the project; and

(2) the non-Federal interest agrees to pay the costs of acquiring easements for periodic nourishment of the project after the expiration of the initial easements, for which the non-Federal interest may not receive credit toward the non-Federal share of the costs of the project.

(c) PROJECTS DESCRIBED.—A project referred to in subsection (b) is any of the following projects for hurricane and storm damage risk reduction:

(1) Brevard County, Canaveral Harbor, Florida – North Reach.

(2) Brevard County, Canaveral Harbor, Florida – South Reach.

(3) Broward County, Florida – Segment II.

(4) Lee County, Florida – Captiva.

(5) Lee County, Florida – Gasparilla.

(6) Manatee County, Florida.

(7) Martin County, Florida.

(8) Nassau County, Florida.

(9) Palm Beach County, Florida – Jupiter/Carlin Segment.

(10) Palm Beach County, Florida – Mid Town.

(11) Palm Beach County, Florida – Ocean Ridge.

(12) Pinellas County, Florida – Long Key.
(13) Pinellas County, Florida – Sand Key Segment.
(14) Pinellas County, Florida – Treasure Island.
(15) Sarasota County, Florida – Venice Beach.
(16) St. Johns County, Florida – St. Augustine Beach.
(17) St. Johns County, Florida – Vilano Segment.
(18) St. Lucie County, Florida – Hutchinson Island.

(d) PROHIBITION.—The Secretary shall not carry out an additional economic justification for a project described in subsection (c) on the basis that the project has easements for a period of less than 50 years pursuant to this section.

(e) WRITTEN NOTICE.—Not less than 5 years before the date of expiration of an easement for a project described in subsection (c), the Secretary shall provide to the non-Federal interest for the project written notice that if the easement expires and is not extended under subsection (f)—

(1) the Secretary will not be able—

(A) to renourish the project under the existing project authorization; or

(B) to restore the project to pre-storm conditions under section 5 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n); and

(2) the non-Federal interest or the applicable State will have the responsibility to renourish or restore the project.

(f) EXTENSION.—With respect to a project described in subsection (c), before the expiration of an easement that has a term of less than 50 years and is subject to subsection (b), the Secretary may allow the non-Federal interest for the project to extend the easement, subject to the condition that the easement and any extensions do not exceed 50 years in total.

(g) TEMPORARY EASEMENTS.—In the case of a project described in subsection (c) that received funding under section 5 of the Act of August 18, 1941 (commonly known as the ''Flood Control Act of 1941'') (55 Stat. 650, chapter 377; 33 U.S.C. 701n), made available by a supplemental appropriations Act, or is eligible to receive such funding as a result of storm damage incurred during fiscal year 2022, 2023, 2024, 2025, or 2026, the project may use 1 or more temporary easements, subject to the conditions that—

(1) the easement lasts for the duration of the applicable renourishment agreement; and

(2) the work shall be carried out by not later than 2 years after the date of enactment of this Act.

(h) TERMINATION.—The authority provided under this section shall terminate, with respect to a project described in subsection (c), on the date on which the operations and maintenance activities for that project expire.

TITLE LIV—PROJECT AUTHORIZATIONS

SEC. 5401. PROJECT AUTHORIZATIONS.

The following projects for water resources development and conservation and other purposes, as identified in the reports titled ''Report to Congress on Future Water Resources Development'' submitted to Congress pursuant to section 7001 of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2282d) or otherwise reviewed by Congress, are authorized to be carried out by the Secretary substantially in accordance with the plans, and subject to the conditions, described in the respective reports or decision documents designated in this section:

(1) NAVIGATION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. MD	Baltimore Harbor Anchorages and Channels, Sea Girt Loop	June 22, 2023	Federal: $47,956,500 Non-Federal: $15,985,500 Total: $63,942,000
2. CA	Oakland Harbor Turning Basins Widening	May 30, 2024	Federal: $408,164,600 Non-Federal: $200,780,400 Total: $608,945,000
3. AK	Akutan Harbor Navigational Improvements	July 17, 2024	Federal: $68,100,000 Non-Federal: $1,700,000 Total: $69,800,000

(2) FLOOD RISK MANAGEMENT.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. KS	Manhattan Levees	May 6, 2024	Federal: $29,455,000 Non-Federal: $15,860,000 Total: $45,315,000

(3) HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. RI	Rhode Island Coastline Storm Risk Management	September 28, 2023	Federal: $188,353,750 Non-Federal: $101,421,250 Total: $289,775,000

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
2. FL	St. Johns County, Ponte Vedra Beach, Coastal Storm Risk Management	April 18, 2024	Federal: $49,223,000 Non-Federal: $89,097,000 Total: $138,320,000
3. LA	St. Tammany Parish, Louisiana Coastal Storm and Flood Risk Management	May 28, 2024	Federal: $3,653,346,450 Non-Federal: $2,240,881,550 Total: $5,894,229,000
4. DC	Metropolitan Washington, District of Columbia, Coastal Storm Risk Management	June 17, 2024	Federal: $9,899,500 Non-Federal: $5,330,500 Total: $15,230,000

(4) NAVIGATION AND HURRICANE AND STORM DAMAGE RISK REDUCTION.—

A. State	B. Name	C. Date of Report of Chief of Engineers	D. Estimated Costs
1. TX	Gulf Intracoastal Waterway, Brazoria and Matagorda Counties	June 2, 2023	Federal: $204,244,000 Inland Waterways Trust Fund: $109,977,000 Total: $314,221,000

(5) FLOOD RISK MANAGEMENT AND AQUATIC ECOSYSTEM RESTORATION.—

A. State	B. Name	C. Date of Decision Document	D. Estimated Costs
1. MS	Memphis Metropolitan Stormwater–North DeSoto County	December 18, 2023	Federal: $44,295,000 Non-Federal: $23,851,000 Total: $68,146,000

(6) MODIFICATIONS AND OTHER PROJECTS.—

A. State	B. Name	C. Date of Report or Decision Document	D. Estimated Costs
1. NY	South Shore Staten Island, Fort Wadsworth to Oakwood Beach Coastal Storm Risk Management	February 6, 2024	Federal: $1,730,973,900 Non-Federal: $363,228,100 Total: $2,094,202,000
2. MO	University City Branch, River Des Peres	February 9, 2024	Federal: $9,094,000 Non-Federal: $4,897,000 Total: $13,990,000
3. AZ	Tres Rios, Arizona Ecosystem Restoration Project	May 28, 2024	Federal: $213,433,000 Non-Federal: $118,629,000 Total: $332,062,000

SEC. 5402. FACILITY INVESTMENT.

(a) IN GENERAL.—Subject to subsection (b), using amounts available in the revolving fund established by the first section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576), and not otherwise obligated, the Secretary may—

(1) design and construct an Operations and Maintenance Building in Galveston, Texas, described in the prospectus submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on May 22, 2024, pursuant to subsection (c) of that section of that Act (33 U.S.C. 576(c)), substantially in accordance with the prospectus;

(2) design and construct a warehouse facility at the Longview Lake Project, Lee's Summit, Missouri, described in the prospectus submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on May 22, 2024, pursuant to subsection (c) of that section of that Act (33 U.S.C. 576(c)), substantially in accordance with the prospectus;

(3) design and construct facilities, including a joint administration building, a maintenance building, and a covered boat house, at the Corpus Christi Resident Office (Construction) and the Corpus Christi Regulatory Field Office, Naval Air Station, Corpus Christi, Texas, described in the prospectus submitted to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on June 6, 2024, pursuant to subsection (c) of that section of that Act (33 U.S.C. 576(c)), substantially in accordance with the prospectus; and

(4) carry out such construction and infrastructure improvements as are required to support the facilities described in paragraphs (1) through (3), including any necessary demolition of the existing infrastructure.

(b) REQUIREMENT.—In carrying out subsection (a), the Secretary shall ensure that the revolving fund established by the first section of the Civil Functions Appropriations Act, 1954 (33 U.S.C. 576), is appropriately reimbursed from funds appropriated for Corps of Engineers programs that benefit from the facilities constructed under this section.

SA 3018. Mrs. FISCHER (for herself and Mr. TESTER) 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 II, add the following:

SEC. 249. PROHIBITION ON RESEARCH OR DEVELOPMENT OF CELL CULTURE AND OTHER NOVEL METHODS USED FOR THE PRODUCTION OF CULTIVATED MEAT.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act may be used for the research or development of cell culture or any other novel method used for the production of cultivated meat for human consumption.

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report assessing the state of research in artificially-produced, cell cultured cultivated meat.

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

(A) Articulation of the requirements, if any, from the military services or combat support agencies for cultivated meat for human consumption in the near-term (1–3 years) and mid-term (4–5 years).

(B) Analysis of the state of maturity of the research in the cultivated meat market, including the ability of current research to satisfy any of the requirements articulated under subparagraph (A), including an assessment of the research of key allies and adversaries in cultivated meat production.

(C) Any other matters the Secretary determines to be appropriate.

SA 3019. 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 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 3020. Mr. THUNE 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. ___. ASSESSMENT OF TECHNICAL COLLECTION CAPABILITIES OF THE PEOPLE'S REPUBLIC OF CHINA AND THE RUSSIAN FEDERATION LOCATED IN CUBA AND STRATEGY TO COUNTER SUCH CAPABILITIES.

(a) ASSESSMENT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act , the Director of National Intelligence shall, in consultation with the Secretary of Defense, submit to the appropriate committees of Congress an assessment of the technical collection capabilities of the People's Republic of China and the Russian Federation located in Cuba.

(2) ELEMENTS.—The assessment required by paragraph (1) shall include the following:

(A) An assessment of current technical capabilities and potential expansion of such technical capabilities.

(B) An assessment of the counterintelligence risks associated with such technical capabilities, including risks to operations at United States Naval Station, Guantanamo Bay, Cuba.

(3) FORM.—The assessment required by paragraph (1) may be submitted in classified form.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Director of National Intelligence, submit to the appropriate committees of Congress a strategy to counter the technical collection capabilities of the People's Republic of China and the Russian Federation located in Cuba.

(2) FORM.—The strategy required by paragraph (1) may be submitted in classified form.

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

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

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

SA 3021. Mr. SCHUMER proposed an amendment to the bill S. 2073, to amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Kids Online Safety and Privacy Act''.

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

TITLE I—KEEPING KIDS SAFE ONLINE

Subtitle A—Kids Online Safety

SEC. 101. DEFINITIONS.

In this subtitle:

(1) CHILD.—The term ''child'' means an individual who is under the age of 13.

(2) COMPULSIVE USAGE.—The term ''compulsive usage'' means any response stimulated by external factors that causes an individual to engage in repetitive behavior reasonably likely to cause psychological distress.

(3) COVERED PLATFORM.—

(A) IN GENERAL.—The term ''covered platform'' means an online platform, online video game, messaging application, or video streaming service that connects to the internet and that is used, or is reasonably likely to be used, by a minor.

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

(i) an entity acting in its capacity as a provider of—

(I) a common carrier service subject to the Communications Act of 1934 (47 U.S.C. 151 et seq.) and all Acts amendatory thereof and supplementary thereto;

(II) a broadband internet access service (as such term is defined for purposes of section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation);

(III) an email service;

(IV) a teleconferencing or video conferencing service that allows reception and transmission of audio or video signals for real-time communication, provided that—

(aa) the service is not an online platform, including a social media service or social network; and

(bb) the real-time communication is initiated by using a unique link or identifier to facilitate access; or

(V) a wireless messaging service, including such a service provided through short messaging service or multimedia messaging service protocols, that is not a component of, or linked to, an online platform and where the predominant or exclusive function is direct messaging consisting of the transmission of text, photos or videos that are sent by electronic means, where messages are transmitted from the sender to a recipient, and are not posted within an online platform or publicly;

(ii) an organization not organized to carry on business for its own profit or that of its members;

(iii) any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education;

(iv) a library (as defined in section 213(1) of the Library Services and Technology Act (20 U.S.C. 9122(1)));

(v) a news or sports coverage website or app where—

(I) the inclusion of video content on the website or app is related to the website or app's own gathering, reporting, or publishing of news content or sports coverage; and

(II) the website or app is not otherwise an online platform;

(vi) a product or service that primarily functions as business-to-business software, a cloud storage, file sharing, or file collaboration service, provided that the product or service is not an online platform; or

(vii) a virtual private network or similar service that exists solely to route internet traffic between locations.

(4) DESIGN FEATURE.—The term ''design feature'' means any feature or component of a covered platform that will encourage or increase the frequency, time spent, or activity of minors on the covered platform. Design features include but are not limited to—

(A) infinite scrolling or auto play;

(B) rewards for time spent on the platform;

(C) notifications;

(D) personalized recommendation systems;

(E) in-game purchases; or

(F) appearance altering filters.

(5) GEOLOCATION.—The term ''geolocation'' has the meaning given the term ''geolocation information'' in section 1302 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501), as added by section 201(a).

(6) KNOW OR KNOWS.—The term ''know'' or ''knows'' means to have actual knowledge or knowledge fairly implied on the basis of objective circumstances.

(7) MENTAL HEALTH DISORDER.—The term ''mental health disorder'' has the meaning given the term ''mental disorder'' in the Diagnostic and Statistical Manual of Mental Health Disorders, 5th Edition (or the most current successor edition).

(8) MICROTRANSACTION.—

(A) IN GENERAL.—The term ''microtransaction'' means a purchase made in an online video game (including a purchase made using a virtual currency that is purchasable or redeemable using cash or credit or that is included as part of a paid subscription service).

(B) INCLUSIONS.—Such term includes a purchase involving surprise mechanics, new characters, or in-game items.

(C) EXCLUSIONS.—Such term does not include—

(i) a purchase made in an online video game using a virtual currency that is earned through gameplay and is not otherwise purchasable or redeemable using cash or credit or included as part of a paid subscription service; or

(ii) a purchase of additional levels within the game or an overall expansion of the game.

(9) MINOR.—The term ''minor'' means an individual who is under the age of 17.

(10) ONLINE PLATFORM.—The term ''online platform'' means any public-facing website, online service, online application, or mobile application that predominantly provides a community forum for user generated content, such as sharing videos, images, games, audio files, or other content, including a social media service, social network, or virtual reality environment.

(11) ONLINE VIDEO GAME.—The term ''online video game'' means a video game, including an educational video game, that connects to the internet and that allows a user to—

(A) create and upload content other than content that is incidental to gameplay, such as character or level designs created by the user, preselected phrases, or short interactions with other users;

(B) engage in microtransactions within the game; or

(C) communicate with other users.

(12) PARENT.—The term ''parent'' has the meaning given that term in section 1302 of the Children's Online Privacy Protection Act (15 U.S.C. 6501).

(13) PERSONAL DATA.—The term ''personal data'' has the same meaning as the term ''personal information'' as defined in section 1302 of the Children's Online Privacy Protection Act (15 U.S.C. 6501).

(14) PERSONALIZED RECOMMENDATION SYSTEM.—The term ''personalized recommendation system'' means a fully or partially automated system used to suggest, promote, or rank content, including other users, hashtags, or posts, based on the personal data of users. A recommendation system that suggests, promotes, or ranks content based solely on the user's language, city or town, or age shall not be considered a personalized recommendation system.

(15) SEXUAL EXPLOITATION AND ABUSE.—The term ''sexual exploitation and abuse'' means any of the following:

(A) Coercion and enticement, as described in section 2422 of title 18, United States Code.

(B) Child sexual abuse material, as described in sections 2251, 2252, 2252A, and 2260 of title 18, United States Code.

(C) Trafficking for the production of images, as described in section 2251A of title 18, United States Code.

(D) Sex trafficking of children, as described in section 1591 of title 18, United States Code.

(16) USER.—The term ''user'' means, with respect to a covered platform, an individual who registers an account or creates a profile on the covered platform.

SEC. 102. DUTY OF CARE.

(a) PREVENTION OF HARM TO MINORS.—A covered platform shall exercise reasonable care in the creation and implementation of any design feature to prevent and mitigate the following harms to minors:

(1) Consistent with evidence-informed medical information, the following mental health disorders: anxiety, depression, eating disorders, substance use disorders, and suicidal behaviors.

(2) Patterns of use that indicate or encourage addiction-like behaviors by minors.

(3) Physical violence, online bullying, and harassment of the minor.

(4) Sexual exploitation and abuse of minors.

(5) Promotion and marketing of narcotic drugs (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), tobacco products, gambling, or alcohol.

(6) Predatory, unfair, or deceptive marketing practices, or other financial harms.

(b) LIMITATION.—Nothing in subsection (a) shall be construed to require a covered platform to prevent or preclude any minor from—

(1) deliberately and independently searching for, or specifically requesting, content; or

(2) accessing resources and information regarding the prevention or mitigation of the harms described in subsection (a).

SEC. 103. SAFEGUARDS FOR MINORS.

(a) SAFEGUARDS FOR MINORS.—

(1) SAFEGUARDS.—A covered platform shall provide a user or visitor that the covered platform knows is a minor with readily-accessible and easy-to-use safeguards to, as applicable—

(A) limit the ability of other users or visitors to communicate with the minor;

(B) prevent other users or visitors, whether registered or not, from viewing the minor's personal data collected by or shared on the covered platform, in particular restricting public access to personal data;

(C) limit design features that encourage or increase the frequency, time spent, or activity of minors on the covered platform, such as infinite scrolling, auto playing, rewards for time spent on the platform, notifications, and other design features that result in compulsive usage of the covered platform by the minor;

(D) control personalized recommendation systems, including the ability for a minor to have at least 1 of the following options—

(i) opt out of such personalized recommendation systems, while still allowing the display of content based on a chronological format; or

(ii) limit types or categories of recommendations from such systems; and

(E) restrict the sharing of the geolocation of the minor and provide notice regarding the tracking of the minor's geolocation.

(2) OPTION.—A covered platform shall provide a user that the covered platform knows is a minor with a readily-accessible and easy-to-use option to limit the amount of time spent by the minor on the covered platform.

(3) DEFAULT SAFEGUARD SETTINGS FOR MINORS.—A covered platform shall provide that, in the case of a user or visitor that the platform knows is a minor, the default setting for any safeguard described under paragraph (1) shall be the option available on the platform that provides the most protective level of control that is offered by the platform over privacy and safety for that user or visitor.

(b) PARENTAL TOOLS.—

(1) TOOLS.—A covered platform shall provide readily-accessible and easy-to-use settings for parents to support a user that the platform knows is a minor with respect to the user's use of the platform.

(2) REQUIREMENTS.—The parental tools provided by a covered platform shall include—

(A) the ability to manage a minor's privacy and account settings, including the safeguards and options established under subsection (a), in a manner that allows parents to—

(i) view the privacy and account settings; and

(ii) in the case of a user that the platform knows is a child, change and control the privacy and account settings;

(B) the ability to restrict purchases and financial transactions by the minor, where applicable; and

(C) the ability to view metrics of total time spent on the covered platform and restrict time spent on the covered platform by the minor.

(3) NOTICE TO MINORS.—A covered platform shall provide clear and conspicuous notice to a user when the tools described in this subsection are in effect and what settings or controls have been applied.

(4) DEFAULT TOOLS.—A covered platform shall provide that, in the case of a user that the platform knows is a child, the tools required under paragraph (1) shall be enabled by default.

(5) APPLICATION TO EXISTING ACCOUNTS.—If, prior to the effective date of this subsection, a covered platform provided a parent of a user that the platform knows is a child with notice and the ability to enable the parental tools described under this subsection in a manner that would otherwise comply with this subsection, and the parent opted out of enabling such tools, the covered platform is not required to enable such tools with respect to such user by default when this subsection takes effect.

(c) REPORTING MECHANISM.—

(1) REPORTS SUBMITTED BY PARENTS, MINORS, AND SCHOOLS.—A covered platform shall provide—

(A) a readily-accessible and easy-to-use means to submit reports to the covered platform of harms to a minor;

(B) an electronic point of contact specific to matters involving harms to a minor; and

(C) confirmation of the receipt of such a report and, within the applicable time period described in paragraph (2), a substantive response to the individual that submitted the report.

(2) TIMING.—A covered platform shall establish an internal process to receive and substantively respond to such reports in a reasonable and timely manner, but in no case later than—

(A) 10 days after the receipt of a report, if, for the most recent calendar year, the platform averaged more than 10,000,000 active users on a monthly basis in the United States;

(B) 21 days after the receipt of a report, if, for the most recent calendar year, the platform averaged less than 10,000,000 active users on a monthly basis in the United States; and

(C) notwithstanding subparagraphs (A) and (B), if the report involves an imminent threat to the safety of a minor, as promptly as needed to address the reported threat to safety.

(d) ADVERTISING OF ILLEGAL PRODUCTS.—A covered platform shall not facilitate the advertising of narcotic drugs (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), tobacco products, gambling, or alcohol to an individual that the covered platform knows is a minor.

(e) RULES OF APPLICATION.—

(1) ACCESSIBILITY.—With respect to safeguards and parental tools described under subsections (a) and (b), a covered platform shall provide—

(A) information and control options in a clear and conspicuous manner that takes into consideration the differing ages, capacities, and developmental needs of the minors most likely to access the covered platform and does not encourage minors or parents to weaken or disable safeguards or parental tools;

(B) readily-accessible and easy-to-use controls to enable or disable safeguards or parental tools, as appropriate; and

(C) information and control options in the same language, form, and manner as the covered platform provides the product or service used by minors and their parents.

(2) DARK PATTERNS PROHIBITION.—It shall be unlawful for any covered platform to design, modify, or manipulate a user interface of a covered platform with the purpose or substantial effect of subverting or impairing user autonomy, decision-making, or choice with respect to safeguards or parental tools required under this section.

(3) TIMING CONSIDERATIONS.—

(A) NO INTERRUPTION TO GAMEPLAY.—Subsections (a)(1)(C) and (b)(3) shall not require an online video game to interrupt the natural sequence of game play, such as progressing through game levels or finishing a competition.

(B) APPLICATION OF CHANGES TO OFFLINE DEVICES OR ACCOUNTS.—If a user's device or user account does not have access to the internet at the time of a change to parental tools, a covered platform shall apply changes the next time the device or user is connected to the internet.

(4) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

(A) prevent a covered platform from taking reasonable measures to—

(i) block, detect, or prevent the distribution of unlawful, obscene, or other harmful material to minors as described in section 102(a); or

(ii) block or filter spam, prevent criminal activity, or protect the security of a platform or service;

(B) require the disclosure of a minor's browsing behavior, search history, messages, contact list, or other content or metadata of their communications;

(C) prevent a covered platform from using a personalized recommendation system to display content to a minor if the system only uses information on—

(i) the language spoken by the minor;

(ii) the city the minor is located in; or

(iii) the minor's age; or

(D) prevent an online video game from disclosing a username or other user identification for the purpose of competitive gameplay or to allow for the reporting of users.

(f) DEVICE OR CONSOLE CONTROLS.—

(1) IN GENERAL.—Nothing in this section shall be construed to prohibit a covered platform from integrating its products or service with, or duplicate controls or tools provided by, third-party systems, including operating systems or gaming consoles, to meet the requirements imposed under subsections (a) and (b) relating to safeguards for minors and parental tools, provided that—

(A) the controls or tools meet such requirements; and

(B) the minor or parent is provided sufficient notice of the integration and use of the parental tools.

(2) PRESERVATION OF PROTECTIONS.—In the event of a conflict between the controls or

tools of a third-party system, including operating systems or gaming consoles, and a covered platform, the covered platform is not required to override the controls or tools of a third-party system if it would undermine the protections for minors from the safeguards or parental tools imposed under subsections (a) and (b).

SEC. 104. DISCLOSURE.

(a) NOTICE.—

(1) REGISTRATION OR PURCHASE.—Prior to registration or purchase of a covered platform by an individual that the platform knows is a minor, the platform shall provide clear, conspicuous, and easy-to-understand—

(A) notice of the policies and practices of the covered platform with respect to safeguards for minors required under section 103;

(B) information about how to access the safeguards and parental tools required under section 103; and

(C) notice about whether the covered platform uses or makes available to minors a product, service, or design feature, including any personalized recommendation system, that poses any heightened risk of harm to minors.

(2) NOTIFICATION.—

(A) NOTICE AND ACKNOWLEDGMENT.—In the case of an individual that a covered platform knows is a child, the platform shall additionally provide information about the parental tools and safeguards required under section 103 to a parent of the child and obtain verifiable consent (as defined in section 1302(9) of the Children's Online Privacy Protection Act (15 U.S.C. 6501(9))) from the parent prior to the initial use of the covered platform by the child.

(B) REASONABLE EFFORT.—A covered platform shall be deemed to have satisfied the requirement described in subparagraph (A) if the covered platform is in compliance with the requirements of the Children's Online Privacy Protection Act (15 U.S.C. 6501 et seq.) to use reasonable efforts (taking into consideration available technology) to provide a parent with the information described in subparagraph (A) and to obtain verifiable consent as required.

(3) CONSOLIDATED NOTICES.—For purposes of this subtitle, a covered platform may consolidate the process for providing information under this subsection and obtaining verifiable consent or the consent of the minor involved (as applicable) as required under this subsection with its obligations to provide relevant notice and obtain verifiable consent under the Children's Online Privacy Protection Act (15 U.S.C. 6501 et seq.).

(4) GUIDANCE.—The Federal Trade Commission may issue guidance to assist covered platforms in complying with the specific notice requirements of this subsection.

(b) PERSONALIZED RECOMMENDATION SYSTEM.—A covered platform that operates a personalized recommendation system shall set out in its terms and conditions, in a clear, conspicuous, and easy-to-understand manner—

(1) an overview of how such personalized recommendation system is used by the covered platform to provide information to minors, including how such systems use the personal data of minors; and

(2) information about options for minors or their parents to opt out of or control the personalized recommendation system (as applicable).

(c) ADVERTISING AND MARKETING INFORMATION AND LABELS.—

(1) INFORMATION AND LABELS.—A covered platform shall provide clear, conspicuous, and easy-to-understand labels and information, which can be provided through a link to another web page or disclosure, to minors on advertisements regarding—

(A) the name of the product, service, or brand and the subject matter of an advertisement; and

(B) whether particular media displayed to the minor is an advertisement or marketing material, including disclosure of endorsements of products, services, or brands made for commercial consideration by other users of the platform.

(2) GUIDANCE.—The Federal Trade Commission may issue guidance to assist covered platforms in complying with the requirements of this subsection, including guidance about the minimum level of information and labels for the disclosures required under paragraph (1).

(d) RESOURCES FOR PARENTS AND MINORS.—A covered platform shall provide to minors and parents clear, conspicuous, easy-to-understand, and comprehensive information in a prominent location, which may include a link to a web page, regarding—

(1) its policies and practices with respect to safeguards for minors required under section 103; and

(2) how to access the safeguards and tools required under section 103.

(e) RESOURCES IN ADDITIONAL LANGUAGES.—A covered platform shall ensure, to the extent practicable, that the disclosures required by this section are made available in the same language, form, and manner as the covered platform provides any product or service used by minors and their parents.

SEC. 105. TRANSPARENCY.

(a) IN GENERAL.—Subject to subsection (b), not less frequently than once a year, a covered platform shall issue a public report describing the reasonably foreseeable risks of harms to minors and assessing the prevention and mitigation measures taken to address such risk based on an independent, third-party audit conducted through reasonable inspection of the covered platform.

(b) SCOPE OF APPLICATION.—The requirements of this section shall apply to a covered platform if—

(1) for the most recent calendar year, the platform averaged more than 10,000,000 active users on a monthly basis in the United States; and

(2) the platform predominantly provides a community forum for user-generated content and discussion, including sharing videos, images, games, audio files, discussion in a virtual setting, or other content, such as acting as a social media platform, virtual reality environment, or a social network service.

(c) CONTENT.—

(1) TRANSPARENCY.—The public reports required of a covered platform under this section shall include—

(A) an assessment of the extent to which the platform is likely to be accessed by minors;

(B) a description of the commercial interests of the covered platform in use by minors;

(C) an accounting, based on the data held by the covered platform, of—

(i) the number of users using the covered platform that the platform knows to be minors in the United States;

(ii) the median and mean amounts of time spent on the platform by users known to be minors in the United States who have accessed the platform during the reporting year on a daily, weekly, and monthly basis; and

(iii) the amount of content being accessed by users that the platform knows to be minors in the United States that is in English, and the top 5 non-English languages used by users accessing the platform in the United States;

(D) an accounting of total reports received regarding, and the prevalence (which can be based on scientifically valid sampling methods using the content available to the covered platform in the normal course of business) of content related to, the harms described in section 102(a), disaggregated by category of harm and language, including English and the top 5 non-English languages used by users accessing the platform from the United States (as identified under subparagraph (C)(iii)); and

(E) a description of any material breaches of parental tools or assurances regarding minors, representations regarding the use of the personal data of minors, and other matters regarding non-compliance with this subtitle.

(2) REASONABLY FORESEEABLE RISK OF HARM TO MINORS.—The public reports required of a covered platform under this section shall include—

(A) an assessment of the reasonably foreseeable risk of harms to minors posed by the covered platform, specifically identifying those physical, mental, developmental, or financial harms described in section 102(a);

(B) a description of whether and how the covered platform uses design features that encourage or increase the frequency, time spent, or activity of minors on the covered platform, such as infinite scrolling, auto playing, rewards for time spent on the platform, notifications, and other design features that result in compulsive usage of the covered platform by the minor;

(C) a description of whether, how, and for what purpose the platform collects or processes categories of personal data that may cause reasonably foreseeable risk of harms to minors;

(D) an evaluation of the efficacy of safeguards for minors and parental tools under section 103, and any issues in delivering such safeguards and the associated parental tools;

(E) an evaluation of any other relevant matters of public concern over risk of harms to minors associated with the use of the covered platform; and

(F) an assessment of differences in risk of harm to minors across different English and non-English languages and efficacy of safeguards in those languages.

(3) MITIGATION.—The public reports required of a covered platform under this section shall include, for English and the top 5 non-English languages used by users accessing the platform from the United States (as identified under paragraph (2)(C)(iii)))—

(A) a description of the safeguards and parental tools available to minors and parents on the covered platform;

(B) a description of interventions by the covered platform when it had or has reason to believe that harms to minors could occur;

(C) a description of the prevention and mitigation measures intended to be taken in response to the known and emerging risks identified in its assessment of reasonably foreseeable risks of harms to minors, including steps taken to—

(i) prevent harms to minors, including adapting or removing design features or addressing through parental tools;

(ii) provide the most protective level of control over privacy and safety by default; and

(iii) adapt recommendation systems to mitigate reasonably foreseeable risk of harms to minors, as described in section 102(a);

(D) a description of internal processes for handling reports and automated detection mechanisms for harms to minors, including the rate, timeliness, and effectiveness of responses under the requirement of section 103(c);

(E) the status of implementing prevention and mitigation measures identified in prior assessments; and

(F) a description of the additional measures to be taken by the covered platform to address the circumvention of safeguards for minors and parental tools.

(d) REASONABLE INSPECTION.—In conducting an inspection of the reasonably foreseeable risk of harm to minors under this section, an independent, third-party auditor shall—

(1) take into consideration the function of personalized recommendation systems;

(2) consult parents and youth experts, including youth and families with relevant past or current experience, public health and mental health nonprofit organizations, health and development organizations, and civil society with respect to the prevention of harms to minors;

(3) conduct research based on experiences of minors that use the covered platform, including reports under section 103(c) and information provided by law enforcement;

(4) take account of research, including research regarding design features, marketing, or product integrity, industry best practices, or outside research;

(5) consider indicia or inferences of age of users, in addition to any self-declared information about the age of users; and

(6) take into consideration differences in risk of reasonably foreseeable harms and effectiveness of safeguards across English and non-English languages.

(e) COOPERATION WITH INDEPENDENT, THIRD-PARTY AUDIT.—To facilitate the report required by subsection (c), a covered platform shall—

(1) provide or otherwise make available to the independent third-party conducting the audit all information and material in its possession, custody, or control that is relevant to the audit;

(2) provide or otherwise make available to the independent third-party conducting the audit access to all network, systems, and assets relevant to the audit; and

(3) disclose all relevant facts to the independent third-party conducting the audit, and not misrepresent in any manner, expressly or by implication, any relevant fact.

(f) PRIVACY SAFEGUARDS.—

(1) IN GENERAL.—In issuing the public reports required under this section, a covered platform shall take steps to safeguard the privacy of its users, including ensuring that data is presented in a de-identified, aggregated format such that it is not reasonably linkable to any user.

(2) RULE OF CONSTRUCTION.—This section shall not be construed to require the disclosure of information that will lead to material vulnerabilities for the privacy of users or the security of a covered platform's service or create a significant risk of the violation of Federal or State law.

(3) DEFINITION OF DE-IDENTIFIED.—As used in this subsection, the term ''de-identified'' means data that does not identify and is not linked or reasonably linkable to a device that is linked or reasonably linkable to an individual, regardless of whether the information is aggregated

(g) LOCATION.—The public reports required under this section should be posted by a covered platform on an easy to find location on a publicly-available website.

SEC. 106. RESEARCH ON SOCIAL MEDIA AND MINORS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(2) NATIONAL ACADEMY.—The term ''National Academy'' means the National Academy of Sciences.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(b) RESEARCH ON SOCIAL MEDIA HARMS.—Not later than 12 months after the date of enactment of this Act, the Commission shall seek to enter into a contract with the National Academy, under which the National Academy shall conduct no less than 5 scientific, comprehensive studies and reports on the risk of harms to minors by use of social media and other online platforms, including in English and non-English languages.

(c) MATTERS TO BE ADDRESSED.—In contracting with the National Academy, the Commission, in consultation with the Secretary, shall seek to commission separate studies and reports, using the Commission's authority under section 6(b) of the Federal Trade Commission Act (15 U.S.C. 46(b)), on the relationship between social media and other online platforms as defined in this subtitle on the following matters:

(1) Anxiety, depression, eating disorders, and suicidal behaviors.

(2) Substance use disorders and the use of narcotic drugs, tobacco products, gambling, or alcohol by minors.

(3) Sexual exploitation and abuse.

(4) Addiction-like use of social media and design factors that lead to unhealthy and harmful overuse of social media.

(d) ADDITIONAL STUDY.—Not earlier than 4 years after enactment, the Commission shall seek to enter into a contract with the National Academy under which the National Academy shall conduct an additional study and report covering the matters described in subsection (c) for the purposes of providing additional information, considering new research, and other matters.

(e) CONTENT OF REPORTS.— The comprehensive studies and reports conducted pursuant to this section shall seek to evaluate impacts and advance understanding, knowledge, and remedies regarding the harms to minors posed by social media and other online platforms, and may include recommendations related to public policy.

(f) ACTIVE STUDIES.—If the National Academy is engaged in any active studies on the matters described in subsection (c) at the time that it enters into a contract with the Commission to conduct a study under this section, it may base the study to be conducted under this section on the active study, so long as it otherwise incorporates the requirements of this section.

(g) COLLABORATION.—In designing and conducting the studies under this section, the Commission, the Secretary, and the National Academy shall consult with the Surgeon General and the Kids Online Safety Council.

(h) ACCESS TO DATA.—

(1) FACT-FINDING AUTHORITY.—The Commission may issue orders under section 6(b) of the Federal Trade Commission Act (15 U.S.C. 46(b)) to require covered platforms to provide reports, data, or answers in writing as necessary to conduct the studies required under this section.

(2) SCOPE.—In exercising its authority under paragraph (1), the Commission may issue orders to no more than 5 covered platforms per study under this section.

(3) CONFIDENTIAL ACCESS.—Notwithstanding section 6(f) or 21 of the Federal Trade Commission Act (15 U.S.C. 46, 57b–2), the Commission shall enter in agreements with the National Academy to share appropriate information received from a covered platform pursuant to an order under such subsection (b) for a comprehensive study under this section in a confidential and secure manner, and to prohibit the disclosure or sharing of such information by the National Academy. Nothing in this paragraph shall be construed to preclude the disclosure of any such information if authorized or required by any other law.

SEC. 107. MARKET RESEARCH.

(a) MARKET RESEARCH BY COVERED PLATFORMS.—The Federal Trade Commission, in consultation with the Secretary of Commerce, shall issue guidance for covered platforms seeking to conduct market- and product-focused research on minors. Such guidance shall include—

(1) a standard consent form that provides minors and their parents a clear, conspicuous, and easy-to-understand explanation of the scope and purpose of the research to be conducted that is available in English and the top 5 non-English languages used in the United States;

(2) information on how to obtain informed consent from the parent of a minor prior to conducting such market- and product-focused research; and

(3) recommendations for research practices for studies that may include minors, disaggregated by the age ranges of 0-5, 6-9, 10-12, and 13-16.

(b) TIMING.—The Federal Trade Commission shall issue such guidance not later than 18 months after the date of enactment of this Act. In doing so, they shall seek input from members of the public and the representatives of the Kids Online Safety Council established under section 111.

SEC. 108. AGE VERIFICATION STUDY AND REPORT.

(a) STUDY.—The Secretary of Commerce, in coordination with the Federal Communications Commission and the Federal Trade Commission, shall conduct a study evaluating the most technologically feasible methods and options for developing systems to verify age at the device or operating system level.

(b) CONTENTS.—Such study shall consider —

(1) the benefits of creating a device or operating system level age verification system;

(2) what information may need to be collected to create this type of age verification system;

(3) the accuracy of such systems and their impact or steps to improve accessibility, including for individuals with disabilities;

(4) how such a system or systems could verify age while mitigating risks to user privacy and data security and safeguarding minors' personal data, emphasizing minimizing the amount of data collected and processed by covered platforms and age verification providers for such a system;

(5) the technical feasibility, including the need for potential hardware and software changes, including for devices currently in commerce and owned by consumers; and

(6) the impact of different age verification systems on competition, particularly the risk of different age verification systems creating barriers to entry for small companies.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the agencies described in subsection (a) shall submit a report containing the results of the study conducted under such subsection to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SEC. 109. GUIDANCE.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Federal Trade Commission, in consultation with the Kids Online Safety Council established under section 111, shall issue guidance to—

(1) provide information and examples for covered platforms and auditors regarding the following, with consideration given to differences across English and non-English languages—

(A) identifying design features that encourage or increase the frequency, time

spent, or activity of minors on the covered platform;

(B) safeguarding minors against the possible misuse of parental tools;

(C) best practices in providing minors and parents the most protective level of control over privacy and safety;

(D) using indicia or inferences of age of users for assessing use of the covered platform by minors;

(E) methods for evaluating the efficacy of safeguards set forth in this subtitle; and

(F) providing additional parental tool options that allow parents to address the harms described in section 102(a); and

(2) outline conduct that does not have the purpose or substantial effect of subverting or impairing user autonomy, decision-making, or choice, or of causing, increasing, or encouraging compulsive usage for a minor, such as—

(A) de minimis user interface changes derived from testing consumer preferences, including different styles, layouts, or text, where such changes are not done with the purpose of weakening or disabling safeguards or parental tools;

(B) algorithms or data outputs outside the control of a covered platform; and

(C) establishing default settings that provide enhanced privacy protection to users or otherwise enhance their autonomy and decision-making ability.

(b) GUIDANCE ON KNOWLEDGE STANDARD.—Not later than 18 months after the date of enactment of this Act, the Federal Trade Commission shall issue guidance to provide information, including best practices and examples, for covered platforms to understand how the Commission would determine whether a covered platform ''had knowledge fairly implied on the basis of objective circumstances'' for purposes of this subtitle.

(c) LIMITATION ON FEDERAL TRADE COMMISSION GUIDANCE.—

(1) EFFECT OF GUIDANCE.—No guidance issued by the Federal Trade Commission with respect to this subtitle shall—

(A) confer any rights on any person, State, or locality; or

(B) operate to bind the Federal Trade Commission or any court, person, State, or locality to the approach recommended in such guidance.

(2) USE IN ENFORCEMENT ACTIONS.—In any enforcement action brought pursuant to this subtitle, the Federal Trade Commission or a State attorney general, as applicable—

(A) shall allege a violation of a provision of this subtitle; and

(B) may not base such enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with guidance issued by the Federal Trade Commission with respect to this subtitle, unless the practices are alleged to violate a provision of this subtitle.

For purposes of enforcing this subtitle, State attorneys general shall take into account any guidance issued by the Commission under subsection (b).

SEC. 110. ENFORCEMENT.

(a) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR AND DECEPTIVE ACTS OR PRACTICES.—A violation of this subtitle shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF THE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission (referred to in this section as the ''Commission'') shall enforce this subtitle in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this subtitle.

(B) PRIVILEGES AND IMMUNITIES.—Any person that violates this subtitle shall be subject to the penalties, and entitled to the privileges and immunities, provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(3) AUTHORITY PRESERVED.—Nothing in this subtitle shall be construed to limit the authority of the Commission under any other provision of law.

(b) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(1) IN GENERAL.—

(A) CIVIL ACTIONS.—In any case in which the attorney general of a State has reason to believe that a covered platform has violated or is violating section 103, 104, or 105, the State, as parens patriae, may bring a civil action on behalf of the residents of the State in a district court of the United States or a State court of appropriate jurisdiction to—

(i) enjoin any practice that violates section 103, 104, or 105;

(ii) enforce compliance with section 103, 104, or 105;

(iii) on behalf of residents of the State, obtain damages, restitution, or other compensation, each of which shall be distributed in accordance with State law; or

(iv) obtain such other relief as the court may consider to be appropriate.

(B) NOTICE.—

(i) IN GENERAL.—Before filing an action under subparagraph (A), the attorney general of the State involved shall provide to the Commission—

(I) written notice of that action; and

(II) a copy of the complaint for that action.

(ii) EXEMPTION.—

(I) IN GENERAL.—Clause (i) shall not apply with respect to the filing of an action by an attorney general of a State under this paragraph if the attorney general of the State determines that it is not feasible to provide the notice described in that clause before the filing of the action.

(II) NOTIFICATION.—In an action described in subclause (I), the attorney general of a State shall provide notice and a copy of the complaint to the Commission at the same time as the attorney general files the action.

(2) INTERVENTION.—

(A) IN GENERAL.—On receiving notice under paragraph (1)(B), the Commission shall have the right to intervene in the action that is the subject of the notice.

(B) EFFECT OF INTERVENTION.—If the Commission intervenes in an action under paragraph (1), it shall have the right—

(i) to be heard with respect to any matter that arises in that action; and

(ii) to file a petition for appeal.

(3) CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1), nothing in this subtitle shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—

(A) conduct investigations;

(B) administer oaths or affirmations; or

(C) compel the attendance of witnesses or the production of documentary and other evidence.

(4) ACTIONS BY THE COMMISSION.—In any case in which an action is instituted by or on behalf of the Commission for violation of this subtitle, no State may, during the pendency of that action, institute a separate action under paragraph (1) against any defendant named in the complaint in the action instituted by or on behalf of the Commission for that violation.

(5) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) a State court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1) in a district court of the United States, process may be served wherever defendant—

(i) is an inhabitant; or

(ii) may be found.

(6) LIMITATION.—A violation of section 102 shall not form the basis of liability in any action brought by the attorney general of a State under a State law.

SEC. 111. KIDS ONLINE SAFETY COUNCIL.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of Commerce shall establish and convene the Kids Online Safety Council for the purpose of providing advice on matters related to this subtitle.

(b) PARTICIPATION.—The Kids Online Safety Council shall include diverse participation from—

(1) academic experts, health professionals, and members of civil society with expertise in mental health, substance use disorders, and the prevention of harms to minors;

(2) representatives in academia and civil society with specific expertise in privacy, free expression, access to information, and civil liberties;

(3) parents and youth representation;

(4) representatives of covered platforms;

(5) representatives of the National Telecommunications and Information Administration, the National Institute of Standards and Technology, the Federal Trade Commission, the Department of Justice, and the Department of Health and Human Services;

(6) State attorneys general or their designees acting in State or local government;

(7) educators; and

(8) representatives of communities of socially disadvantaged individuals (as defined in section 8 of the Small Business Act (15 U.S.C. 637)).

(c) ACTIVITIES.—The matters to be addressed by the Kids Online Safety Council shall include—

(1) identifying emerging or current risks of harms to minors associated with online platforms;

(2) recommending measures and methods for assessing, preventing, and mitigating harms to minors online;

(3) recommending methods and themes for conducting research regarding online harms to minors, including in English and non-English languages; and

(4) recommending best practices and clear, consensus-based technical standards for transparency reports and audits, as required under this subtitle, including methods, criteria, and scope to promote overall accountability.

(d) NON-APPLICABILITY OF FACA.—The Kids Online Safety Council shall not be subject to chapter 10 of title 5, United States Code (commonly referred to as the ''Federal Advisory Committee Act'').

SEC. 112. EFFECTIVE DATE.

Except as otherwise provided in this subtitle, this subtitle shall take effect on the date that is 18 months after the date of enactment of this Act.

SEC. 113. RULES OF CONSTRUCTION AND OTHER MATTERS.

(a) RELATIONSHIP TO OTHER LAWS.—Nothing in this subtitle shall be construed to—

(1) preempt section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974'') or other Federal or State laws governing student privacy;

(2) preempt the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501 et seq.) or any rule or regulation promulgated under such Act;

(3) authorize any action that would conflict with section 18(h) of the Federal Trade Commission Act (15 U.S.C. 57a(h)); or

(4) expand or limit the scope of section 230 of the Communications Act of 1934 (commonly known as ''section 230 of the Communications Decency Act of 1996'') (47 U.S.C. 230).

(b) DETERMINATION OF ''FAIRLY IMPLIED ON THE BASIS OF OBJECTIVE CIRCUMSTANCES''.—For purposes of enforcing this subtitle, in making a determination as to whether covered platform has knowledge fairly implied on the basis of objective circumstances that a specific user is a minor, the Federal Trade Commission or a State attorney general shall rely on competent and reliable evidence, taking into account the totality of the circumstances, including whether a reasonable and prudent person under the circumstances would have known that the user is a minor.

(c) PROTECTIONS FOR PRIVACY.—Nothing in this subtitle, including a determination described in subsection (b), shall be construed to require—

(1) the affirmative collection of any personal data with respect to the age of users that a covered platform is not already collecting in the normal course of business; or

(2) a covered platform to implement an age gating or age verification functionality.

(d) COMPLIANCE.—Nothing in this subtitle shall be construed to restrict a covered platform's ability to—

(1) cooperate with law enforcement agencies regarding activity that the covered platform reasonably and in good faith believes may violate Federal, State, or local laws, rules, or regulations;

(2) comply with a lawful civil, criminal, or regulatory inquiry, subpoena, or summons by Federal, State, local, or other government authorities; or

(3) investigate, establish, exercise, respond to, or defend against legal claims.

(e) APPLICATION TO VIDEO STREAMING SERVICES.—A video streaming service shall be deemed to be in compliance with this subtitle if it predominantly consists of news, sports, entertainment, or other video programming content that is preselected by the provider and not user-generated, and—

(1) any chat, comment, or interactive functionality is provided incidental to, directly related to, or dependent on provision of such content;

(2) if such video streaming service requires account owner registration and is not predominantly news or sports, the service includes the capability—

(A) to limit a minor's access to the service, which may utilize a system of age-rating;

(B) to limit the automatic playing of on-demand content selected by a personalized recommendation system for an individual that the service knows is a minor;

(C) for a parent to manage a minor's privacy and account settings, and restrict purchases and financial transactions by a minor, where applicable;

(D) to provide an electronic point of contact specific to matters described in this paragraph;

(E) to offer a clear, conspicuous, and easy-to-understand notice of its policies and practices with respect to the capabilities described in this paragraph; and

(F) when providing on-demand content, to employ measures that safeguard against serving advertising for narcotic drugs (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), tobacco products, gambling, or alcohol directly to the account or profile of an individual that the service knows is a minor.

Subtitle B—Filter Bubble Transparency

SEC. 120. DEFINITIONS.

In this subtitle:

(1) ALGORITHMIC RANKING SYSTEM.—The term ''algorithmic ranking system'' means a computational process, including one derived from algorithmic decision-making, machine learning, statistical analysis, or other data processing or artificial intelligence techniques, used to determine the selection, order, relative prioritization, or relative prominence of content from a set of information that is provided to a user on an online platform, including the ranking of search results, the provision of content recommendations, the display of social media posts, or any other method of automated content selection.

(2) APPROXIMATE GEOLOCATION INFORMATION.—The term ''approximate geolocation information'' means information that identifies the location of an individual, but with a precision of less than 5 miles.

(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.

(4) CONNECTED DEVICE.—The term ''connected device'' means an electronic device that—

(A) is capable of connecting to the internet, either directly or indirectly through a network, to communicate information at the direction of an individual;

(B) has computer processing capabilities for collecting, sending, receiving, or analyzing data; and

(C) is primarily designed for or marketed to consumers.

(5) INPUT-TRANSPARENT ALGORITHM.—

(A) IN GENERAL.—The term ''input-transparent algorithm'' means an algorithmic ranking system that does not use the user-specific data of a user to determine the selection, order, relative prioritization, or relative prominence of information that is furnished to such user on an online platform, unless the user-specific data is expressly provided to the platform by the user for such purpose.

(B) DATA EXPRESSLY PROVIDED TO THE PLATFORM.—For purposes of subparagraph (A), user-specific data that is provided by a user for the express purpose of determining the selection, order, relative prioritization, or relative prominence of information that is furnished to such user on an online platform—

(i) shall include user-supplied search terms, filters, speech patterns (if provided for the purpose of enabling the platform to accept spoken input or selecting the language in which the user interacts with the platform), saved preferences, the resumption of a previous search, and the current precise geolocation information that is supplied by the user;

(ii) shall include the user's current approximate geolocation information;

(iii) shall include data submitted to the platform by the user that expresses the user's desire to receive particular information, such as the social media profiles the user follows, the video channels the user subscribes to, or other content or sources of content on the platform the user has selected;

(iv) shall not include the history of the user's connected device, including the user's history of web searches and browsing, previous geographical locations, physical activity, device interaction, and financial transactions; and

(v) shall not include inferences about the user or the user's connected device, without regard to whether such inferences are based on data described in clause (i) or (iii).

(6) ONLINE PLATFORM.—The term ''online platform'' means any public-facing website, online service, online application, or mobile application that predominantly provides a community forum for user-generated content, such as sharing videos, images, games, audio files, or other content, including a social media service, social network, or virtual reality environment.

(7) OPAQUE ALGORITHM.—

(A) IN GENERAL.—The term ''opaque algorithm'' means an algorithmic ranking system that determines the selection, order, relative prioritization, or relative prominence of information that is furnished to such user on an online platform based, in whole or part, on user-specific data that was not expressly provided by the user to the platform for such purpose.

(B) EXCEPTION FOR AGE-APPROPRIATE CONTENT FILTERS.—Such term shall not include an algorithmic ranking system used by an online platform if—

(i) the only user-specific data (including inferences about the user) that the system uses is information relating to the age of the user; and

(ii) such information is only used to restrict a user's access to content on the basis that the individual is not old enough to access such content.

(8) PRECISE GEOLOCATION INFORMATION.—The term ''precise geolocation information'' means geolocation information that identifies an individual's location to within a range of 5 miles or less.

(9) USER-SPECIFIC DATA.—The term ''user-specific data'' means information relating to an individual or a specific connected device that would not necessarily be true of every individual or device.

SEC. 121. REQUIREMENT TO ALLOW USERS TO SEE UNMANIPULATED CONTENT ON INTERNET PLATFORMS.

(a) IN GENERAL.—Beginning on the date that is 1 year after the date of enactment of this Act, it shall be unlawful for any person to operate an online platform that uses an opaque algorithm unless the person complies with the requirements of subsection (b).

(b) OPAQUE ALGORITHM REQUIREMENTS.—

(1) IN GENERAL.—The requirements of this subsection with respect to a person that operates an online platform that uses an opaque algorithm are the following:

(A) The person provides users of the platform with the following notices:

(i) Notice that the platform uses an opaque algorithm that uses user-specific data to select the content the user sees. Such notice shall be presented in a clear and conspicuous manner on the platform whenever the user interacts with an opaque algorithm for the first time, and may be a one-time notice that can be dismissed by the user.

(ii) Notice, to be included in the terms and conditions of the online platform, in a clear, accessible, and easily comprehensible manner that is to be updated whenever the online platform makes a material change, of—

(I) the most salient features, inputs, and parameters used by the algorithm;

(II) how any user-specific data used by the algorithm is collected or inferred about a user of the platform, and the categories of such data;

(III) any options that the online platform makes available for a user of the platform to opt out or exercise options under subparagraph (B), modify the profile of the user or to influence the features, inputs, or parameters used by the algorithm; and

(IV) any quantities, such as time spent using a product or specific measures of engagement or social interaction, that the algorithm is designed to optimize, as well as a general description of the relative importance of each quantity for such ranking.

(B) The online platform enables users to easily switch between the opaque algorithm and an input-transparent algorithm in their use of the platform.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require an online platform to disclose any information, including data or algorithms—

(A) relating to a trade secret or other protected intellectual property;

(B) that is confidential business information; or

(C) that is privileged.

(3) PROHIBITION ON DIFFERENTIAL PRICING.—An online platform shall not deny, charge different prices or rates for, or condition the provision of a service or product to a user based on the user's election to use an input-transparent algorithm in their use of the platform, as provided under paragraph (1)(B).

(c) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of this section by an operator of an online platform shall be treated as a violation of a rule defining an unfair or deceptive act or practice prescribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(d) RULE OF CONSTRUCTION TO PRESERVE PERSONALIZED BLOCKS.—Nothing in this section shall be construed to limit or prohibit an online platform's ability to, at the direction of an individual user or group of users, restrict another user from searching for, finding, accessing, or interacting with such user's or group's account, content, data, or online community.

Subtitle C—Relationship to State Laws; Severability

SEC. 130. RELATIONSHIP TO STATE LAWS.

The provisions of this title shall preempt any State law, rule, or regulation only to the extent that such State law, rule, or regulation conflicts with a provision of this title. Nothing in this title shall be construed to prohibit a State from enacting a law, rule, or regulation that provides greater protection to minors than the protection provided by the provisions of this title.

SEC. 131. SEVERABILITY.

If any provision of this title, or an amendment made by this title, is determined to be unenforceable or invalid, the remaining provisions of this title and the amendments made by this title shall not be affected.

TITLE II—CHILDREN AND TEEN'S ONLINE PRIVACY

SEC. 201. ONLINE COLLECTION, USE, DISCLOSURE, AND DELETION OF PERSONAL INFORMATION OF CHILDREN AND TEENS.

(a) DEFINITIONS.—Section 1302 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) OPERATOR.—The term 'operator'—

''(A) means any person—

''(i) who, for commercial purposes, in interstate or foreign commerce operates or provides a website on the internet, an online service, an online application, or a mobile application; and

''(ii) who—

''(I) collects or maintains, either directly or through a service provider, personal information from or about the users of that website, service, or application;

''(II) allows another person to collect personal information directly from users of that website, service, or application (in which case, the operator is deemed to have collected the information); or

''(III) allows users of that website, service, or application to publicly disclose personal information (in which case, the operator is deemed to have collected the information); and

''(B) does not include any nonprofit entity that would otherwise be exempt from coverage under section 5 of the Federal Trade Commission Act (15 U.S.C. 45).'';

(2) in paragraph (4)—

(A) by amending subparagraph (A) to read as follows:

''(A) the release of personal information collected from a child or teen by an operator for any purpose, except where the personal information is provided to a person other than an operator who—

''(i) provides support for the internal operations of the website, online service, online application, or mobile application of the operator, excluding any activity relating to individual-specific advertising to children or teens; and

''(ii) does not disclose or use that personal information for any other purpose; and''; and

(B) in subparagraph (B)—

(i) by inserting ''or teen'' after ''child'' each place the term appears;

(ii) by striking ''website or online service'' and inserting ''website, online service, online application, or mobile application''; and

(iii) by striking ''actual knowledge'' and inserting ''actual knowledge or knowledge fairly implied on the basis of objective circumstances'';

(3) by striking paragraph (8) and inserting the following:

''(8) PERSONAL INFORMATION.—

''(A) IN GENERAL.—The term 'personal information' means individually identifiable information about an individual collected online, including—

''(i) a first and last name;

''(ii) a home or other physical address including street name and name of a city or town;

''(iii) an e-mail address;

''(iv) a telephone number;

''(v) a Social Security number;

''(vi) any other identifier that the Commission determines permits the physical or online contacting of a specific individual;

''(vii) a persistent identifier that can be used to recognize a specific child or teen over time and across different websites, online services, online applications, or mobile applications, including but not limited to a customer number held in a cookie, an Internet Protocol (IP) address, a processor or device serial number, or unique device identifier, but excluding an identifier that is used by an operator solely for providing support for the internal operations of the website, online service, online application, or mobile application;

''(viii) a photograph, video, or audio file where such file contains a specific child's or teen's image or voice;

''(ix) geolocation information;

''(x) information generated from the measurement or technological processing of an individual's biological, physical, or physiological characteristics that is used to identify an individual, including—

''(I) fingerprints;

''(II) voice prints;

''(III) iris or retina imagery scans;

''(IV) facial templates;

''(V) deoxyribonucleic acid (DNA) information; or

''(VI) gait; or

''(xi) information linked or reasonably linkable to a child or teen or the parents of that child or teen (including any unique identifier) that an operator collects online from the child or teen and combines with an identifier described in this subparagraph.

''(B) EXCLUSION.—The term 'personal information' shall not include an audio file that contains a child's or teen's voice so long as the operator—

''(i) does not request information via voice that would otherwise be considered personal information under this paragraph;

''(ii) provides clear notice of its collection and use of the audio file and its deletion policy in its privacy policy;

''(iii) only uses the voice within the audio file solely as a replacement for written words, to perform a task, or engage with a website, online service, online application, or mobile application, such as to perform a search or fulfill a verbal instruction or request; and

''(iv) only maintains the audio file long enough to complete the stated purpose and then immediately deletes the audio file and does not make any other use of the audio file prior to deletion.

''(C) SUPPORT FOR THE INTERNAL OPERATIONS OF A WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION.—

''(i) IN GENERAL.—For purposes of subparagraph (A)(vii), the term 'support for the internal operations of a website, online service, online application, or mobile application' means those activities necessary to—

''(I) maintain or analyze the functioning of the website, online service, online application, or mobile application;

''(II) perform network communications;

''(III) authenticate users of, or personalize the content on, the website, online service, online application, or mobile application;

''(IV) serve contextual advertising, provided that any persistent identifier is only used as necessary for technical purposes to serve the contextual advertisement, or cap the frequency of advertising;

''(V) protect the security or integrity of the user, website, online service, online application, or mobile application;

''(VI) ensure legal or regulatory compliance, or

''(VII) fulfill a request of a child or teen as permitted by subparagraphs (A) through (C) of section 1303(b)(2).

''(ii) CONDITION.—Except as specifically permitted under clause (i), information collected for the activities listed in clause (i) cannot be used or disclosed to contact a specific individual, including through individual-specific advertising to children or teens, to amass a profile on a specific individual, in connection with processes that encourage or prompt use of a website or online service, or for any other purpose.'';

(4) by amending paragraph (9) to read as follows:

''(9) VERIFIABLE CONSENT.—The term 'verifiable consent' means any reasonable effort (taking into consideration available technology), including a request for authorization for future collection, use, and disclosure described in the notice, to ensure that, in the case of a child, a parent of the child, or, in the case of a teen, the teen—

''(A) receives direct notice of the personal information collection, use, and disclosure practices of the operator; and

''(B) before the personal information of the child or teen is collected, freely and unambiguously authorizes—

''(i) the collection, use, and disclosure, as applicable, of that personal information; and

''(ii) any subsequent use of that personal information.'';

(5) in paragraph (10)—

(A) in the paragraph header, by striking ''WEBSITE OR ONLINE SERVICE DIRECTED TO CHILDREN'' and inserting ''WEBSITE, ONLINE SERVICE, ONLINE APPLICATION, OR MOBILE APPLICATION DIRECTED TO CHILDREN'';

(B) by striking ''website or online service'' each place it appears and inserting ''website, online service, online application, or mobile application''; and

(C) by adding at the end the following new subparagraph:

''(C) RULE OF CONSTRUCTION.—In considering whether a website, online service, online application, or mobile application, or portion thereof, is directed to children, the Commission shall apply a totality of circumstances test and will also consider competent and reliable empirical evidence regarding audience composition and evidence regarding the intended audience of the website, online service, online application, or mobile application.''; and

(6) by adding at the end the following:

''(13) CONNECTED DEVICE.—The term 'connected device' means a device that is capable of connecting to the internet, directly or indirectly, or to another connected device.

''(14) ONLINE APPLICATION.—The term 'online application'—

''(A) means an internet-connected software program; and

''(B) includes a service or application offered via a connected device.

''(15) MOBILE APPLICATION.—The term 'mobile application'—

''(A) means a software program that runs on the operating system of—

''(i) a cellular telephone;

''(ii) a tablet computer; or

''(iii) a similar portable computing device that transmits data over a wireless connection; and

''(B) includes a service or application offered via a connected device.

''(16) GEOLOCATION INFORMATION.—The term 'geolocation information' means information sufficient to identify a street name and name of a city or town.

''(17) TEEN.—The term 'teen' means an individual who has attained age 13 and is under the age of 17.

''(18) INDIVIDUAL-SPECIFIC ADVERTISING TO CHILDREN OR TEENS.—

''(A) IN GENERAL.—The term 'individual-specific advertising to children or teens' means advertising or any other effort to market a product or service that is directed to a specific child or teen or a connected device that is linked or reasonably linkable to a child or teen based on—

''(i) the personal information from—

''(I) the child or teen; or

''(II) a group of children or teens who are similar in sex, age, household income level, race, or ethnicity to the specific child or teen to whom the product or service is marketed;

''(ii) profiling of a child or teen or group of children or teens; or

''(iii) a unique identifier of the connected device.

''(B) EXCLUSIONS.—The term 'individual-specific advertising to children or teens' shall not include—

''(i) advertising or marketing to an individual or the device of an individual in response to the individual's specific request for information or feedback, such as a child's or teen's current search query;

''(ii) contextual advertising, such as when an advertisement is displayed based on the content of the website, online service, online application, mobile application, or connected device in which the advertisement appears and does not vary based on personal information related to the viewer; or

''(iii) processing personal information solely for measuring or reporting advertising or content performance, reach, or frequency, including independent measurement.

''(C) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to prohibit an operator with actual knowledge or knowledge fairly implied on the basis of objective circumstances that a user is under the age of 17 from delivering advertising or marketing that is age-appropriate and intended for a child or teen audience, so long as the operator does not use any personal information other than whether the user is under the age of 17.''.

(b) ONLINE COLLECTION, USE, DISCLOSURE, AND DELETION OF PERSONAL INFORMATION OF CHILDREN AND TEENS.—Section 1303 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6502) is amended—

(1) by striking the heading and inserting the following: ''**ONLINE COLLECTION, USE, DISCLOSURE, AND DELETION OF PERSONAL INFORMATION OF CHILDREN AND TEENS.**'';

(2) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—It is unlawful for an operator of a website, online service, online application, or mobile application directed to children or for any operator of a website, online service, online application, or mobile application with actual knowledge or knowledge fairly implied on the basis of objective circumstances that a user is a child or teen—

''(A) to collect personal information from a child or teen in a manner that violates the regulations prescribed under subsection (b);

''(B) except as provided in subparagraphs (B) and (C) of section 1302(18), to collect, use, disclose to third parties, or maintain personal information of a child or teen for purposes of individual-specific advertising to children or teens (or to allow another person to collect, use, disclose, or maintain such information for such purpose);

''(C) to collect the personal information of a child or teen except when the collection of the personal information is—

''(i) consistent with the context of a particular transaction or service or the relationship of the child or teen with the operator, including collection necessary to fulfill a transaction or provide a product or service requested by the child or teen; or

''(ii) required or specifically authorized by Federal or State law; or

''(D) to store or transfer the personal information of a child or teen outside of the United States unless the operator provides direct notice to the parent of the child, in the case of a child, or to the teen, in the case of a teen, that the child's or teen's personal information is being stored or transferred outside of the United States; or

''(E) to retain the personal information of a child or teen for longer than is reasonably necessary to fulfill a transaction or provide a service requested by the child or teen except as required or specifically authorized by Federal or State law.''; and

(B) in paragraph (2)—

(i) in the header, by striking ''PARENT'' and inserting '' 'PARENT OR TEEN' ''

(ii) by striking ''Notwithstanding paragraph (1)'' and inserting ''Notwithstanding paragraph (1)(A)'';

(iii) by striking ''of such a website or online service''; and

(iv) by striking ''subsection (b)(1)(B)(iii) to the parent of a child'' and inserting ''subsection (b)(1)(B)(iv) to the parent of a child or under subsection (b)(1)(C)(iv) to a teen'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''operator of any website'' and all that follows through ''from a child'' and inserting ''operator of a website, online service, online application, or mobile application directed to children or that has actual knowledge or knowledge fairly implied on the basis of objective circumstances that a user is a child or teen'';

(II) in clause (i)—

(aa) by striking ''notice on the website'' and inserting ''clear and conspicuous notice on the website'';

(bb) by inserting ''or teens'' after ''children'';

(cc) by striking '', and the operator's'' and inserting '', the operator's''; and

(dd) by striking ''; and'' and inserting '', the rights and opportunities available to the parent of the child or teen under subparagraphs (B) and (C), and the procedures or mechanisms the operator uses to ensure that personal information is not collected from children or teens except in accordance with the regulations promulgated under this paragraph;'';

(III) in clause (ii)—

(aa) by striking ''parental'';

(bb) by inserting ''or teens'' after ''children'';

(cc) by striking the semicolon at the end and inserting ''; and''; and

(IV) by inserting after clause (ii) the following new clause:

''(iii) to obtain verifiable consent from a parent of a child or from a teen before using or disclosing personal information of the child or teen for any purpose that is a material change from the original purposes and disclosure practices specified to the parent of the child or the teen under clause (i);'';

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''website or online service'' and inserting ''operator'';

(II) in clause (i), by inserting ''and the method by which the operator obtained the personal information, and the purposes for which the operator collects, uses, discloses, and retains the personal information'' before the semicolon;

(III) in clause (ii)—

(aa) by inserting ''to delete personal information collected from the child or content or information submitted by the child to a website, online service, online application, or mobile application and'' after ''the opportunity at any time''; and

(bb) by striking ''; and'' and inserting a semicolon;

(IV) by redesignating clause (iii) as clause (iv) and inserting after clause (ii) the following new clause:

''(iii) the opportunity to challenge the accuracy of the personal information and, if the parent of the child establishes the inaccuracy of the personal information, to have the inaccurate personal information corrected;''; and

(V) in clause (iv), as so redesignated, by inserting '', if such information is available to the operator at the time the parent makes the request'' before the semicolon;

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(iv) by inserting after subparagraph (B) the following new subparagraph:

''(C) require the operator to provide, upon the request of a teen under this subparagraph who has provided personal information to the operator, upon proper identification of that teen—

''(i) a description of the specific types of personal information collected from the teen by the operator, the method by which the operator obtained the personal information, and the purposes for which the operator collects, uses, discloses, and retains the personal information;

''(ii) the opportunity at any time to delete personal information collected from the teen or content or information submitted by the teen to a website, online service, online application, or mobile application and to refuse to permit the operator's further use or maintenance in retrievable form, or online collection, of personal information from the teen;

''(iii) the opportunity to challenge the accuracy of the personal information and, if the teen establishes the inaccuracy of the personal information, to have the inaccurate personal information corrected; and

''(iv) a means that is reasonable under the circumstances for the teen to obtain any personal information collected from the teen, if such information is available to the operator at the time the teen makes the request;'';

(v) in subparagraph (D), as so redesignated—

(I) by striking ''a child's'' and inserting ''a child's or teen's''; and

(II) by inserting ''or teen'' after ''the child''; and

(vi) by amending subparagraph (E), as so redesignated, to read as follows:

''(E) require the operator to establish, implement, and maintain reasonable security practices to protect the confidentiality, integrity, and accessibility of personal information of children or teens collected by the operator, and to protect such personal information against unauthorized access.'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''verifiable parental consent'' and inserting ''verifiable consent'';

(ii) in subparagraph (A)—

(I) by inserting ''or teen'' after ''collected from a child'';

(II) by inserting ''or teen'' after ''request from the child''; and

(III) by inserting ''or teen or to contact another child or teen'' after ''to recontact the child'';

(iii) in subparagraph (B)—

(I) by striking ''parent or child'' and inserting ''parent or teen''; and

(II) by striking ''parental consent'' each place the term appears and inserting ''verifiable consent'';

(iv) in subparagraph (C)—

(I) in the matter preceding clause (i), by inserting ''or teen'' after ''child'' each place the term appears;

(II) in clause (i)—

(aa) by inserting ''or teen'' after ''child'' each place the term appears; and

(bb) by inserting ''or teen, as applicable,'' after ''parent'' each place the term appears; and

(III) in clause (ii)—

(aa) by striking ''without notice to the parent'' and inserting ''without notice to the parent or teen, as applicable,''; and

(bb) by inserting ''or teen'' after ''child'' each place the term appears; and

(v) in subparagraph (D)—

(I) in the matter preceding clause (i), by inserting ''or teen'' after ''child'' each place the term appears;

(II) in clause (ii), by inserting ''or teen'' after ''child''; and

(III) in the flush text following clause (iii)—

(aa) by inserting ''or teen, as applicable,'' after ''parent'' each place the term appears; and

(bb) by inserting ''or teen'' after ''child'';

(C) by redesignating paragraph (3) as paragraph (4) and inserting after paragraph (2) the following new paragraph:

''(3) APPLICATION TO OPERATORS ACTING UNDER AGREEMENTS WITH EDUCATIONAL AGENCIES OR INSTITUTIONS.—The regulations may provide that verifiable consent under paragraph (1)(A)(ii) is not required for an operator that is acting under a written agreement with an educational agency or institution (as defined in section 444 of the General Education Provisions Act (commonly known as the 'Family Educational Rights and Privacy Act of 1974') (20 U.S.C. 1232g(a)(3)) that, at a minimum, requires the—

''(A) operator to—

''(i) limit its collection, use, and disclosure of the personal information from a child or teen to solely educational purposes and for no other commercial purposes;

''(ii) provide the educational agency or institution with a notice of the specific types of personal information the operator will collect from the child or teen, the method by which the operator will obtain the personal information, and the purposes for which the operator will collect, use, disclose, and retain the personal information;

''(iii) provide the educational agency or institution with a link to the operator's online notice of information practices as required under subsection (b)(1)(A)(i); and

''(iv) provide the educational agency or institution, upon request, with a means to review the personal information collected from a child or teen, to prevent further use or maintenance or future collection of personal information from a child or teen, and to delete personal information collected from a child or teen or content or information submitted by a child or teen to the operator's website, online service, online application, or mobile application;

''(B) representative of the educational agency or institution to acknowledge and agree that they have authority to authorize the collection, use, and disclosure of personal information from children or teens on behalf of the educational agency or institution, along with such authorization, their name, and title at the educational agency or institution; and

''(C) educational agency or institution to—

''(i) provide on its website a notice that identifies the operator with which it has entered into a written agreement under this subsection and provides a link to the operator's online notice of information practices as required under paragraph (1)(A)(i);

''(ii) provide the operator's notice regarding its information practices, as required under subparagraph (A)(ii), upon request, to a parent, in the case of a child, or a parent or teen, in the case of a teen; and

''(iii) upon the request of a parent, in the case of a child, or a parent or teen, in the case of a teen, request the operator provide a means to review the personal information from the child or teen and provide the parent, in the case of a child, or parent or teen, in the case of the teen, a means to review the personal information.'';

(D) by amending paragraph (4), as so redesignated, to read as follows:

''(4) TERMINATION OF SERVICE.—The regulations shall permit the operator of a website, online service, online application, or mobile application to terminate service provided to a child whose parent has refused, or a teen who has refused, under the regulations prescribed under paragraphs (1)(B)(ii) and (1)(C)(ii), to permit the operator's further use or maintenance in retrievable form, or future online collection of, personal information from that child or teen.''; and

(E) by adding at the end the following new paragraphs:

''(5) CONTINUATION OF SERVICE.—The regulations shall prohibit an operator from discontinuing service provided to a child or teen on the basis of a request by the parent of the child or by the teen, under the regulations prescribed under subparagraph (B) or (C) of paragraph (1), respectively, to delete personal information collected from the child or teen, to the extent that the operator is capable of providing such service without such information.

''(6) RULE OF CONSTRUCTION.—A request made pursuant to subparagraph (B) or (C) of paragraph (1) to delete or correct personal information of a child or teen shall not be construed—

''(A) to limit the authority of a law enforcement agency to obtain any content or information from an operator pursuant to a lawfully executed warrant or an order of a court of competent jurisdiction;

''(B) to require an operator or third party delete or correct information that—

''(i) any other provision of Federal or State law requires the operator or third party to maintain; or

''(ii) was submitted to the website, online service, online application, or mobile application of the operator by any person other than the user who is attempting to erase or otherwise eliminate the content or information, including content or information submitted by the user that was republished or resubmitted by another person; or

''(C) to prohibit an operator from—

''(i) retaining a record of the deletion request and the minimum information necessary for the purposes of ensuring compliance with a request made pursuant to subparagraph (B) or (C);

''(ii) preventing, detecting, protecting against, or responding to security incidents, identity theft, or fraud, or reporting those responsible for such actions;

''(iii) protecting the integrity or security of a website, online service, online application or mobile application; or

''(iv) ensuring that the child's or teen's information remains deleted.

''(7) COMMON VERIFIABLE CONSENT MECHANISM.—

''(A) IN GENERAL.—

''(i) FEASIBILITY OF MECHANISM.—The Commission shall assess the feasibility, with notice and public comment, of allowing operators the option to use a common verifiable consent mechanism that fully meets the requirements of this title.

''(ii) REQUIREMENTS.—The feasibility assessment described in clause (i) shall consider whether a single operator could use a common verifiable consent mechanism to obtain verifiable consent, as required under this title, from a parent of a child or from a teen on behalf of multiple, listed operators that provide a joint or related service.

''(B) REPORT.—Not later than 1 year after the date of enactment of this paragraph, the Commission shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives with the findings of the assessment required by subparagraph (A).

''(C) REGULATIONS.—If the Commission finds that the use of a common verifiable consent mechanism is feasible and would meet the requirements of this title, the Commission shall issue regulations to permit the use of a common verifiable consent mechanism in accordance with the findings outlined in such report.'';

(4) in subsection (c), by striking ''a regulation prescribed under subsection (a)'' and inserting ''subparagraph (B), (C), (D), or (E) of subsection (a)(1), or of a regulation prescribed under subsection (b),''; and

(5) by striking subsection (d) and inserting the following:

''(d) RELATIONSHIP TO STATE LAW.—The provisions of this title shall preempt any State law, rule, or regulation only to the extent that such State law, rule, or regulation conflicts with a provision of this title. Nothing in this title shall be construed to prohibit any State from enacting a law, rule, or regulation that provides greater protection to children or teens than the provisions of this title.''.

(c) SAFE HARBORS.—Section 1304 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6503) is amended—

(1) in subsection (b)(1), by inserting ''and teens'' after ''children''; and

(2) by adding at the end the following:

''(d) PUBLICATION.—

''(1) IN GENERAL.—Subject to the restrictions described in paragraph (2), the Commission shall publish on the internet website of the Commission any report or documentation required by regulation to be submitted to the Commission to carry out this section.

''(2) RESTRICTIONS ON PUBLICATION.—The restrictions described in section 6(f) and section 21 of the Federal Trade Commission Act (15 U.S.C. 46(f), 57b–2) applicable to the disclosure of information obtained by the Commission shall apply in same manner to the disclosure under this subsection of information obtained by the Commission from a report or documentation described in paragraph (1).''.

(d) ACTIONS BY STATES.—Section 1305 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6504) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by inserting ''section 1303(a)(1) or'' before ''any regulation''; and

(B) in subparagraph (B), by inserting ''section 1303(a)(1) or'' before ''the regulation''; and

(2) in subsection (d)—

(A) by inserting ''section 1303(a)(1) or'' before ''any regulation''; and

(B) by inserting ''section 1303(a)(1) or'' before ''that regulation''.

(e) ADMINISTRATION AND APPLICABILITY OF ACT.—Section 1306 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6505) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking '', in the case of'' and all that follows through ''the Board of Directors of the Federal Deposit Insurance Corporation;'' and inserting the following: ''by the appropriate Federal banking agency, with respect to any insured depository institution (as those terms are defined in section 3 of that Act (12 U.S.C. 1813));''; and

(B) by striking paragraph (2) and redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(2) in subsection (d)—

(A) by inserting ''section 1303(a)(1) or'' before ''a rule''; and

(B) by striking ''such rule'' and inserting ''section 1303(a)(1) or a rule of the Commission under section 1303''; and

(3) by adding at the end the following new subsections:

''(f) DETERMINATION OF WHETHER AN OPERATOR HAS KNOWLEDGE FAIRLY IMPLIED ON THE BASIS OF OBJECTIVE CIRCUMSTANCES.—

''(1) RULE OF CONSTRUCTION.—For purposes of enforcing this title or a regulation promulgated under this title, in making a determination as to whether an operator has knowledge fairly implied on the basis of objective circumstances that a specific user is a child or teen, the Commission or State attorneys general shall rely on competent and reliable evidence, taking into account the totality of the circumstances, including whether a reasonable and prudent person under the circumstances would have known that the user is a child or teen. Nothing in this title, including a determination described in the preceding sentence, shall be construed to require an operator to—

''(A) affirmatively collect any personal information with respect to the age of a child or teen that an operator is not already collecting in the normal course of business; or

''(B) implement an age gating or age verification functionality.

''(2) COMMISSION GUIDANCE.—

''(A) IN GENERAL.—Within 180 days of enactment, the Commission shall issue guidance to provide information, including best practices and examples for operators to understand the Commission's determination of whether an operator has knowledge fairly implied on the basis of objective circumstances that a user is a child or teen.

''(B) LIMITATION.—No guidance issued by the Commission with respect to this title shall confer any rights on any person, State, or locality, nor shall operate to bind the Commission or any person to the approach recommended in such guidance. In any enforcement action brought pursuant to this title, the Commission or State attorney general, as applicable, shall allege a specific violation of a provision of this title. The Commission or State attorney general, as applicable, may not base an enforcement action on, or execute a consent order based on, practices that are alleged to be inconsistent with any such guidance, unless the practices allegedly violate this title. For purposes of enforcing this title or a regulation promulgated under this title, State attorneys general shall take into account any guidance issued by the Commission under subparagraph (A).

''(g) ADDITIONAL REQUIREMENT.—Any regulations issued under this title shall include a description and analysis of the impact of proposed and final Rules on small entities per the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 et seq.).''.

SEC. 202. STUDY AND REPORTS OF MOBILE AND ONLINE APPLICATION OVERSIGHT AND ENFORCEMENT.

(a) OVERSIGHT REPORT.—Not later than 3 years after the date of enactment of this Act, the Federal Trade Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the processes of platforms that offer mobile and online applications for ensuring that, of those applications that are websites, online services, online applications, or mobile applications directed to children, the applications operate in accordance with—

(1) this title, the amendments made by this title, and rules promulgated under this title; and

(2) rules promulgated by the Commission under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) relating to unfair or deceptive acts or practices in marketing.

(b) ENFORCEMENT REPORT.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Federal Trade Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that addresses, at a minimum—

(1) the number of actions brought by the Commission during the reporting year to enforce the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501) (referred to in this subsection as the ''Act'') and the outcome of each such action;

(2) the total number of investigations or inquiries into potential violations of the Act; during the reporting year;

(3) the total number of open investigations or inquiries into potential violations of the Act as of the time the report is submitted;

(4) the number and nature of complaints received by the Commission relating to an allegation of a violation of the Act during the reporting year; and

(5) policy or legislative recommendations to strengthen online protections for children and teens.

SEC. 203. GAO STUDY.

(a) STUDY.—The Comptroller General of the United States (in this section referred to as the ''Comptroller General'') shall conduct a study on the privacy of teens who use financial technology products. Such study shall—

(1) identify the type of financial technology products that teens are using;

(2) identify the potential risks to teens' privacy from using such financial technology products; and

(3) determine whether existing laws are sufficient to address such risks to teens' privacy.

(b) REPORT.—Not later than 1 year after the date of enactment of this section, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 204. SEVERABILITY.

If any provision of this title, or an amendment made by this title, is determined to be unenforceable or invalid, the remaining provisions of this title and the amendments made by this title shall not be affected.

TITLE III—ELIMINATING USELESS REPORTS

SEC. 301. SUNSETS FOR AGENCY REPORTS.

(a) IN GENERAL.—Section 1125 of title 31, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by striking subsections (a) and (b) and inserting the following:

''(a) DEFINITIONS.—In this section:

''(1) BUDGET JUSTIFICATION MATERIALS.—The term 'budget justification materials' has the meaning given the term in section 3(b)(2) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note; Public Law 109–282).

''(2) PLAN OR REPORT.—The term 'plan or report' means any plan or report submitted to Congress, any committee of Congress, or subcommittee thereof, by not less than 1 agency—

''(A) in accordance with Federal law; or

''(B) at the direction or request of a congressional report.

''(3) RECURRING PLAN OR REPORT.—The term 'recurring plan or report' means a plan or report submitted on a recurring basis.

''(4) RELEVANT CONGRESSIONAL COMMITTEE.—The term 'relevant congressional committee'—

''(A) means a congressional committee to which a recurring plan or report is required to be submitted; and

''(B) does not include any plan or report that is required to be submitted solely to the Committee on Armed Services of the House of Representatives or the Senate.

''(b) AGENCY IDENTIFICATION OF UNNECESSARY REPORTS.—

''(1) IN GENERAL.—The head of each agency shall include in the budget justification materials of the agency the following:

''(A) Subject to paragraphs (2) and (3), the following:

''(i) A list of each recurring plan or report submitted by the agency.

''(ii) An identification of whether the recurring plan or report listed in clause (i) was

included in the most recent report issued by the Clerk of the House of Representatives concerning the reports that any agency is required by law or directed or requested by a committee report to make to Congress, any committee of Congress, or subcommittee thereof.

''(iii) If applicable, the unique alphanumeric identifier for the recurring plan or report as required by section 7243(b)(1)(C)(vii) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

''(iv) The identification of any recurring plan or report the head of the agency determines to be outdated or duplicative.

''(B) With respect to each recurring plan or report identified in subparagraph (A)(iv), the following:

''(i) A recommendation on whether to sunset, modify, consolidate, or reduce the frequency of the submission of the recurring plan or report.

''(ii) A citation to each provision of law or directive or request in a congressional report that requires or requests the submission of the recurring plan or report.

''(iii) A list of the relevant congressional committees for the recurring plan or report.

''(C) A justification explaining, with respect to each recommendation described in subparagraph (B)(i) relating to a recurring plan or report—

''(i) why the head of the agency made the recommendation, which may include an estimate of the resources expended by the agency to prepare and submit the recurring plan or report; and

''(ii) the understanding of the head of the agency of the purpose of the recurring plan or report.

''(2) AGENCY CONSULTATION.—

''(A) IN GENERAL.—In preparing the list required under paragraph (1)(A), if, in submitting a recurring plan or report, an agency is required to coordinate or consult with another agency or entity, the head of the agency submitting the recurring plan or report shall consult with the head of each agency or entity with whom consultation or coordination is required.

''(B) INCLUSION IN LIST.—If, after a consultation under subparagraph (A), the head of each agency or entity consulted under that subparagraph agrees that a recurring plan or report is outdated or duplicative, the head of the agency required to submit the recurring plan or report shall—

''(i) include the recurring plan or report in the list described in paragraph (1)(A); and

''(ii) identify each agency or entity with which the head of the agency is required to coordinate or consult in submitting the recurring plan or report.

''(C) DISAGREEMENT.—If the head of any agency or entity consulted under subparagraph (A) does not agree that a recurring plan or report is outdated or duplicative, the head of the agency required to submit the recurring plan or report shall not include the recurring plan or report in the list described in paragraph (1)(A).

''(3) GOVERNMENT-WIDE OR MULTI-AGENCY PLAN AND REPORT SUBMISSIONS.—With respect to a recurring plan or report required to be submitted by not less than 2 agencies, the Director of the Office of Management and Budget shall—

''(A) determine whether the requirement to submit the recurring plan or report is outdated or duplicative; and

''(B) make recommendations to Congress accordingly.

''(4) PLAN AND REPORT SUBMISSIONS CONFORMITY TO THE ACCESS TO CONGRESSIONALLY MANDATED REPORTS ACT.—With respect to an agency recommendation, citation, or justification made under subparagraph (B) or (C) of paragraph (1) or a recommendation by the Director of the Office of Management and Budget under paragraph (3), the agency or Director, as applicable, shall also provide this information to the Director of the Government Publishing Office in conformity with the agency submission requirements under section 7244(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; chapter 41 of title 44 note) in conformity with guidance issued by the Director of the Office of Management and Budget under section 7244(b) of such Act.

''(c) RULE OF CONSTRUCTION ON AGENCY REQUIREMENTS.—Nothing in this section shall be construed to exempt the head of an agency from a requirement to submit a recurring plan or report.''; and

(3) in subsection (d), as so redesignated, by striking ''in the budget of the United States Government, as provided by section 1105(a)(37)'' and inserting ''in the budget justification materials of each agency''.

(b) BUDGET CONTENTS.—Section 1105(a) of title 31, United States Code, is amended by striking paragraph (39).

(c) CONFORMITY TO THE ACCESS TO CONGRESSIONALLY MANDATED REPORTS ACT.—

(1) AMENDMENT.—Subsections (a) and (b) of section 7244 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; chapter 41 of title 44, United States Code, note), are amended to read as follows:

''(a) SUBMISSION OF ELECTRONIC COPIES OF REPORTS.—Not earlier than 30 days or later than 60 days after the date on which a congressionally mandated report is submitted to either House of Congress or to any committee of Congress or subcommittee thereof, the head of the Federal agency submitting the congressionally mandated report shall submit to the Director the information required under subparagraphs (A) through (D) of section 7243(b)(1) with respect to the congressionally mandated report. Notwithstanding section 7246, nothing in this subtitle shall relieve a Federal agency of any other requirement to publish the congressionally mandated report on the online portal of the Federal agency or otherwise submit the congressionally mandated report to Congress or specific committees of Congress, or subcommittees thereof.

''(b) GUIDANCE.—Not later than 180 days after the date of the enactment of this subsection and periodically thereafter as appropriate, the Director of the Office of Management and Budget, in consultation with the Director, shall issue guidance to agencies on the implementation of this subtitle as well as the requirements of section 1125(b) of title 31, United States Code.''.

(2) UPDATED OMB GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue updated guidance to agencies to ensure that the requirements under subsections (a) and (b) of section 1125 of title 31, United States Code, as amended by this Act, for agency submissions of recommendations and justifications for plans and reports to sunset, modify, consolidate, or reduce the frequency of the submission of are also submitted as a separate attachment in conformity with the agency submission requirements of electronic copies of reports submitted by agencies under section 7244(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; chapter 41 of title 44, United States Code, note) for publication on the online portal established under section 7243 of such Act.

SA 3022. Mr. SCHUMER proposed an amendment to amendment SA 3021 proposed by Mr. SCHUMER to the bill S. 2073, to amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 3023. Mr. SCHUMER proposed an amendment to the bill S. 2073, to amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 2 days after the date of enactment of this Act.

SA 3024. Mr. SCHUMER proposed an amendment to amendment SA 3023 proposed by Mr. SCHUMER to the bill S. 2073, to amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes; as follows:

On page 1, line 3, strike ''2 days'' and insert ''3 days''.

SA 3025. Mr. SCHUMER proposed an amendment to amendment SA 3024 proposed by Mr. SCHUMER to the amendment SA 3023 proposed by Mr. SCHUMER to the bill S. 2073, to amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes; as follows:

On page 1, line ', strike ''3 days'' and insert ''4 days''.

SA 3026. Mr. MULLIN 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 E of title VIII, add the following:

SEC. 891. MEDICAL FACILITIES JANITORIAL SERVICES CLASSIFICATION AND CAP ENHANCEMENT.

(a) SHORT TITLE.—This section may be cited as the ''Medical Facilities Janitorial Services Classification and Cap Enhancement Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) The COVID–19 pandemic has brought unprecedented challenges to healthcare facilities, necessitating enhanced cleaning and sanitation protocols to ensure the safety of patients, healthcare workers, and the general public.

(2) Medical facilities, including hospitals, have been required to implement stringent

cleaning measures, such as frequent disinfection of high-touch surfaces, regular deep cleaning of patient rooms, and the use of specialized equipment and chemicals to prevent the spread of infectious diseases.

(3) These heightened cleaning requirements have led to a significant increase in the demand for janitorial services in medical facilities, a sector referred to as ''Medical Facilities Janitorial''.

(4) The increased demand for janitorial services in medical facilities has resulted in substantial cost escalations. Janitorial service providers have had to invest in additional staff, specialized training, and equipment to meet the rigorous cleaning standards, leading to rising operational expenses.

(5) The cost disparity between providing janitorial services to medical facilities and ''General Janitorial'' services for other commercial spaces has continued to grow during the pandemic.

(6) The cost difference can be attributed to the distinct and heightened cleaning requirements in medical facilities, including the need for specialized cleaning equipment, highly trained personnel, and the use of specific disinfectants and sanitization methods.

(7) Office environments, by contrast, have experienced a decrease in demand due to remote work, resulting in reduced janitorial costs.

(8) Currently, both ''Medical Facilities Janitorial'' services and ''General Janitorial'' services fall under the same North American Industry Classification System (NAICS) code, failing to accurately differentiate between the distinct cleaning requirements and cost structures of these two sectors.

(9) The current NAICS code classification system does not adequately reflect the increased cost burden faced by janitorial service providers operating within healthcare facilities.

(10) Addressing the issue of NAICS code classification is crucial to ensuring that the unique challenges and financial burdens faced by janitorial service providers in medical facilities are accurately accounted for and properly addressed.

(b) PURPOSE.—To address the continued disparity in cost, it is the intent of Congress break out a code for janitorial services of medical facilities from all other janitorial services included in the current NAICS code.

(c) DEFINITIONS.—In this section

(1) NAICS.—The term ''NAICS'' means the North American Industry Classification System, a standard for classifying business establishments by their primary economic activity.

(2) MEDICAL FACILITIES JANITORIAL SERVICES.—The term ''medical facilities janitorial services'' means the cleaning and maintenance services provided specifically within medical facilities, including hospitals, clinics, laboratories, and other healthcare facilities.

(d) SEPARATE NAICS CODE FOR ''MEDICAL FACILITIES JANITORIAL'' SERVICES.—The Office of Management and Budget shall create a separate NAICS code from the 561720 code specifically for ''Medical Facilities Janitorial'' services within the NAICS. The new NAICS code shall accurately capture the unique nature and requirements of cleaning and maintenance services within medical facilities.

(e) HIGHER CAP FOR ''MEDICAL FACILITIES JANITORIAL'' SERVICES.—The Small Business Administration shall establish a higher cap for the ''Medical Facilities Janitorial'' NAICS code, in recognition of the increased costs, regulatory compliance requirements, sanitation standards, and specialized equipment and training associated with medical facilities janitorial services. The cap for the ''Medical Facilities Janitorial'' NAICS code shall be set at twice the amount currently assigned to NAICS code 5720, the general janitorial services NAICS code.

(f) USE OF ''MEDICAL FACILITIES JANITORIAL'' NAICS CODE IN CONTRACT AWARDS.—

(1) IN GENERAL.—Contracting officers at Federal agencies shall be required to use the ''Medical Facilities Janitorial'' NAICS code established under section (d) when awarding contracts for medical facilities janitorial services.

(2) DETERMINATIONS NOT TO USE NAICS CODE.—

(A) WRITTEN EXPLANATION REQUIRED.—Contracting officers who determine that the use of the ''Medical Facilities Janitorial'' NAICS code is not appropriate for such a contract shall provide a written explanation justifying the use of an alternative NAICS code.

(B) REVIEW OF DETERMINATIONS.—A determination and written explanation described in subparagraph (A) shall be subject to review and signoff by the head of the contracting agency or a designated senior official within the agency. The head of the contracting agency or designated senior official shall review the written explanation and assess whether the use of an alternative NAICS code is justified based on the specific circumstances of the contract.

(C) CONSISTENCY.—The review process required under this paragraph shall ensure proper justification and oversight to maintain consistency and accuracy in the classification and awarding of contracts for medical facilities janitorial services.

(g) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and apply to contracts awarded on or after such date.

SA 3027. Mr. BENNET (for himself, Mrs. BLACKBURN, Mr. COONS, and Mr. TILLIS) 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, add the following:

SEC. _____. EXPANSION OF ADVANCED MANUFACTURING INVESTMENT CREDIT.

(a) IN GENERAL.—Paragraph (3) of section 48D(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(3) ADVANCED MANUFACTURING FACILITY.—The term 'advanced manufacturing facility' means a facility for which the primary purpose is the manufacturing of—

''(A) semiconductors,

''(B) semiconductor manufacturing equipment, or

''(C) materials integral to the manufacturing of semiconductors or semiconductor manufacturing equipment.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property the construction of which begins after December 31, 2024.

SA 3028. Mr. PETERS 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 II, insert the following:

SEC. _____. LARGE AND MEDIUM FIXED-WING UNMANNED AIRCRAFT AND UNMANNED AIRCRAFT SYSTEM PILOT PROGRAM.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary shall, in coordination with the Administrator of the Federal Aviation Administration, carry out a pilot program to assess the feasibility and advisability of conducting flights of large and medium unmanned aircraft and unmanned aircraft systems in high- or medium-density complex airspace environments.

(b) LOCATIONS.—

(1) IN GENERAL.—The Secretary shall carry out a pilot program under subsection (a) in the United States.

(2) INSTALLATIONS.—In carrying out the pilot program required by subsection (a), the Secretary may select 5 installations of the Air Force or the Air National Guard from which unmanned aircraft and unmanned aircraft systems participating in the pilot program may depart, arrive, and be housed.

(c) TESTING.—In carrying out the pilot program required by subsection (a), the Secretary shall test large and medium unmanned aircraft and unmanned aircraft systems operations and advanced air mobility airspace integration, flight verification, and validation.

(d) USE OF AIRCRAFT.—In carrying out the pilot program required by subsection (a), the Secretary may use large and medium unmanned aircraft and unmanned aircraft systems procured by the Department of Defense.

(e) COORDINATION WITH OTHER AGENCY HEADS.—In carrying out the pilot program required by subsection (a), the Secretary may coordinate with the heads of other Executive agencies to conduct joint large and medium unmanned aircraft and unmanned aircraft system operations using the unmanned aircraft and unmanned aircraft systems and facilities of the respective Executive agency at the pilot program locations selected by the Secretary for purposes of the pilot program, subject to the approval of those heads of other Executive agencies.

(f) ANNUAL BRIEFING.—Not later than one year after the date of the enactment of this Act, and annually thereafter for 4 years, the Secretary and the Administrator of the Federal Aviation Administration shall jointly provide a briefing to the appropriate committees of Congress on the activities carried out under this section.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the existing authorities of the Administrator of the Federal Aviation Administration related to unmanned aircraft system integration or the safety and efficiency of the national airspace system.

(h) TERMINATION.— The requirement to carry out the pilot program authorized by subsection (a) shall terminate 6 years after the date of the enactment of this Act.

(i) DEFINITIONS.—In this section:

(1) The term ''advanced air mobility'' has the meaning given the term in section 2(i) of the Advanced Air Mobility Coordination and Leadership Act (Public Law 117–203; 49 U.S.C. 40101 note).

(2) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

(3) The term ''Department'' means the Department of Defense.

(4) The term ''Secretary'' means the Secretary of Defense.

(5) The terms ''unmanned aircraft'' and ''unmanned aircraft system'' have the meanings given those terms in section 44801 of title 49, United States Code.

SA 3029. Mr. BROWN 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:

§ _____. Flexibilities for Federal employees who are spouses of a member of the Armed Forces or the Foreign Service

(a) IN GENERAL.—Subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''§ 6329e. Permanent change of station leave

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency'—

''(A) means each agency, office, or other establishment in the executive, legislative, or judicial branch of the Federal Government; and

''(B) includes—

''(i) each nonappropriated fund instrumentality of the United States, including each instrumentality described in section 2105(c) of title 5, United States Code;

''(ii) the United States Postal Service; and

''(iii) the Postal Regulatory Commission.

''(2) ARMED FORCES.—The term 'Armed Forces' has the meaning given the term 'armed forces' in section 2101.

''(3) COVERED INDIVIDUAL.—The term 'covered individual' means an individual who—

''(A) is the spouse of—

''(i) a member of the Armed Forces; or

''(ii) a member of the Foreign Service;

''(B) is an employee; and

''(C) relocates because the spouse of the individual, as described in subparagraph (A), is subject to a permanent change of station.

''(4) EMPLOYEE.—The term 'employee' includes—

''(A) an individual employed on a temporary or term basis; and

''(B) an employee of the United States Postal Service or the Postal Regulatory Commission.

''(5) MEMBER OF THE FOREIGN SERVICE.—The term 'member of the Foreign Service'—

''(A) means an individual described in section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903); and

''(B) includes an individual serving in an agency other than the Department of State that is utilizing the Foreign Service personnel system in accordance with section 202 of the Foreign Service Act of 1980 (22 U.S.C. 3922).

''(6) PAID LEAVE.—The term 'paid leave' means, with respect to an employee, leave without loss of or reduction in—

''(A) pay;

''(B) leave to which the employee is otherwise entitled under law; or

''(C) credit for time or service.

''(7) PERMANENT CHANGE OF STATION.—The term 'permanent change of station' means, with respect to a member of the Armed Forces or a member of the Foreign Service—

''(A) a permanent change of duty station; or

''(B) a change in homeport of a vessel, ship-based squadron or staff, or mobile unit.

''(b) PERMANENT CHANGE OF STATION LEAVE.—

''(1) ENTITLEMENT TO LEAVE.—

''(A) IN GENERAL.—A covered individual shall be entitled to 40 hours of paid leave because of the permanent change of station of the spouse of the covered individual.

''(B) DISCRETION TO GRANT ADDITIONAL LEAVE.—In accordance with agency policy, the head of the agency employing a covered individual may grant leave to the covered individual that is—

''(i) in addition to the leave to which the covered individual is entitled under subparagraph (A); and

''(ii) for the purpose described in subparagraph (A).

''(2) SCHEDULE.—A covered individual may take leave under paragraph (1) intermittently or on a reduced leave schedule.

''(3) NOTICE.—A covered individual taking leave under paragraph (1) shall provide the agency employing the covered individual with such notice regarding the taking of that leave as is reasonable and practicable.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end the following:

''6329e. Permanent change of station leave.''.

SA 3030. Mr. BROWN 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 III, add the following:

SEC. 302. INCREASE OF AMOUNTS AVAILABLE FOR THE AIR FORCE FOR OPERATION AND MAINTENANCE.

(a) IN GENERAL.—The amount authorized to be appropriated in section 301 for operation and maintenance for the Air Force, as specified in the corresponding funding table in section 4301, is hereby increased by $20,000,000.

(b) OFFSET.—The amount authorized to be appropriated in section 201 for research, development, test, and evaluation defense-wide, as specified in the corresponding funding table in section 4201, is hereby decreased by $20,000,000, with the amount of such decrease to be derived from amounts available for the Strategic Environmental Research Program.

SA 3031. Mr. BROWN 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 III, add the following:

SEC. 324. PUBLIC AVAILABILITY OF CERTAIN INFORMATION RELATING TO DEPARTMENT OF DEFENSE PFAS CLEANUP ACTIVITIES.

(a) IN GENERAL.—The Secretary of Defense shall make publicly available on the website required under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2701 note) timely and regularly updated information on the status and schedule of the cleanup activities at installations where the Secretary has obligated amounts for environmental restoration activities to address the release of perfluoroalkyl and polyfluoroalkyl substances (in this section referred to as ''PFAS'').

(b) SPECIFIC INFORMATION.—Not later than one year after the date of the enactment of this Act, the Secretary shall ensure that the following information is available on the website specified in subsection (a) for each installation described in such subsection:

(1) A schedule of future off-site drinking water sampling efforts and results of off-site drinking water sampling for PFAS.

(2) The number of off-site private drinking water wells in which the Secretary has detected PFAS attributable to activities of the Department of Defense that is more than a Federal drinking water standard.

(3) A description of measures undertaken or planned to mitigate the migration of PFAS-affected groundwater from the installation at levels that are more than Federal drinking water standards, including a schedule for the implementation of such measures.

(4) The number of off-site private drinking water wells for which alternative drinking water or treatment has been provided to prevent the consumption of PFAS-affected water at levels that are more than Federal drinking water standards.

(5) The location of or link to the administrative record or information repository containing site-related environmental restoration documents for the installation, such as work plans, environmental reports, regulator comments, decision documents, and public comments.

(6) The location of the restoration advisory board document repository for the installation or a link to the community outreach website of the restoration advisory board where documents such as public comments and records of community engagement meetings and briefings are available.

(7) An estimate of the cost to complete and schedule of the remediation of PFAS at the installation.

SA 3032. Mr. BROWN 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 E of title VII, add the following:

SEC. 750. PILOT PROGRAM ON ACTIVITIES UNDER THE PRE-SEPARATION TRANSITION PROCESS OF MEMBERS OF THE ARMED FORCES FOR A REDUCTION IN SUICIDE AMONG VETERANS.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly carry out a pilot program to assess the feasibility and advisability of providing the module described in subsection (b) and services under subsection (c) as part of the pre-separation transition process for members of the Armed Forces as a means of reducing the incidence of suicide among veterans.

(b) MODULE.—

(1) IN GENERAL.—The module described in this subsection shall include the following:

(A) An in-person meeting between a cohort of members of the Armed Forces participating in the pilot program and a social

worker or nurse in which the social worker or nurse—

(i) educates the cohort on resources for and specific potential risks confronting such members after discharge or release from the Armed Forces, including—

(I) loss of community or a support system;

(II) isolation from family, friends, or society;

(III) identity crisis in the transition from military to civilian life;

(IV) vulnerability viewed as a weakness;

(V) need for empathy;

(VI) self-medication and addiction;

(VII) importance of sleep and exercise;

(VIII) homelessness;

(IX) risk factors contributing to attempts of suicide and deaths by suicide; and

(X) safe storage of firearms as part of suicide prevention lethal means safety efforts;

(ii) educates the cohort on—

(I) the signs and symptoms of suicide risk and physical, psychological, or neurological issues, such as post-traumatic stress disorder, traumatic brain injury, chronic pain, sleep disorders, substance use disorders, adverse childhood experiences, depression, bipolar disorder, and socio-ecological concerns, such as homelessness, unemployment, and relationship strain;

(II) the potential risks for members of the Armed Forces from such issues after discharge or release from the Armed Forces; and

(III) the resources and treatment options available to such members for such issues through the Department of Veterans Affairs, the Department of Defense, and non-profit organizations;

(iii) educates the cohort about the resources available to victims of military sexual trauma through the Department of Veterans Affairs; and

(iv) educates the cohort about the manner in which members might experience challenges during the transition from military to civilian life, and the resources available to them through the Department of Veterans Affairs, the Department of Defense, and other organizations.

(B) The provision to each member of the cohort of contact information for a counseling or other appropriate facility of the Department of Veterans Affairs in the locality in which such member intends to reside after discharge or release.

(C) The submittal by each member of the cohort to the Department of Veterans Affairs (including both the Veterans Health Administration and the Veterans Benefits Administration) of their medical records in connection with service in the Armed Forces, whether or not such members intend to file a claim with the Department for benefits with respect to any service-connected disability.

(2) COMPOSITION OF COHORT.—Each cohort participating in the module described in this subsection shall be comprised of not fewer than 50 individuals.

(c) SERVICES.—In carrying out the pilot program, the Secretary of Defense and the Secretary of Veterans Affairs shall provide to each individual participating in the pilot program the following services:

(1) During the transition process and prior to discharge or release from the Armed Forces, a one-on-one meeting with a social worker or nurse of the Department of Veterans Affairs who will—

(A) conduct an assessment of the individual regarding eligibility to receive health care or counseling services from the Department of Veterans Affairs;

(B) for those eligible, or likely to be eligible, to receive health care or counseling services from the Department of Veterans Affairs—

(i) identify and provide contact information for an appropriate facility of the Department of Veterans Affairs in the locality in which such individual intends to reside after discharge or release;

(ii) facilitate registration or enrollment in the system of patient enrollment of the Department of Veterans Affairs under section 1705(a) of title 38, United States Code, if applicable;

(iii) educate the individual about care, benefits, and services available to the individual through the Veterans Health Administration; and

(iv) coordinate health care based on the health care needs of the individual, if applicable, to include establishing an initial appointment, at the election of the individual, to occur not later than 90 days after the date of discharge or release of the member from the Armed Forces.

(2) For each individual determined ineligible for care and services from the Department of Veterans Affairs during the transition process, the Secretary of Defense shall conduct an assessment of the individual to determine the needs of the individual and appropriate follow-up, which shall be identified and documented in the appropriate records of the Department of Defense.

(3) During the appointment scheduled pursuant to paragraph (1)(B)(iv), the Secretary of Veterans Affairs shall conduct an assessment of the individual to determine the needs of the individual and appropriate follow-up, which shall be identified and documented in the appropriate records of the Department of Veterans Affairs.

(d) LOCATIONS.—

(1) MODULE AND MEETING.—The module under subsection (b) and the one-on-one meeting under subsection (c)(1) shall be carried out at not fewer than 10 locations of the Department of Defense that serve not fewer than 300 members of the Armed Forces annually that are jointly selected by the Secretary of Defense and the Secretary of Veterans Affairs for purposes of the pilot program.

(2) ASSESSMENT AND APPOINTMENT.—The assessment under subsection (c)(2) and the appointment under subsection (c)(3) may occur at any location determined appropriate by the Secretary of Defense or the Secretary of Veterans Affairs, as the case may be.

(3) MEMBERS SERVED.—The locations selected under paragraph (1) shall, to the extent practicable, be locations that, whether individually or in aggregate, serve all the Armed Forces and both the regular and reserve components of the Armed Forces.

(e) SELECTION AND COMMENCEMENT.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly select the locations of the pilot program under subsection (d)(1) and commence carrying out activities under the pilot program by not later than September 30, 2024.

(f) DURATION.—The duration of the pilot program shall be five years.

(g) REPORTS.—

(1) IN GENERAL.—Not later than one year after the commencement of the pilot program, and annually thereafter during the duration of the pilot program, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the activities under the pilot program.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) The demographic information of the members and former members of the Armed Forces who participated in the pilot program during the one-year period ending on the date of such report.

(B) A description of the activities under the pilot program during such period.

(C) An assessment of the benefits of the activities under the pilot program during such period to members and former members of the Armed Forces.

(D) An assessment of whether the activities under the pilot program as of the date of such report have met the targeted outcomes of the pilot program among members and former members who participated in the pilot program within one year of discharge or release from the Armed Forces.

(E) Such recommendations as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate regarding the feasibility and advisability of expansion of the pilot program, extension of the pilot program, or both.

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

(1) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

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

SA 3033. Mr. BROWN 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. ___. PROHIBITION ON IMPORTATION OF ELECTRIC VEHICLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

The importation of electric vehicles manufactured in the People's Republic of China, or by an entity organized under the laws of or otherwise subject to the jurisdiction of the People's Republic of China, is prohibited.

SA 3034. Mr. BROWN 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 E of title I, add the following:

SEC. 144. BRIEFING ON SUPPLY CHAIN COMPLIANCE IN THE F–35 AIRCRAFT PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the F–35 aircraft program, as one of the premier acquisition programs of the Department of Defense, should be a leader in demonstrating compliance with acquisition policies and statutes and should not be regularly requesting and issuing waivers for the use of noncompliant materials sourced from the People's Republic of China.

(b) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Program Executive Officer of the F–35 Joint Program Office shall brief the congressional defense committees on the compliance of the F–35 aircraft program with chapter 385 of title 10, United States Code.

(2) ELEMENTS.—The briefing required by paragraph (1) shall include the following:

(A) A description of all noncompliant materials found in the F–35 aircraft program since the inception of the program.

(B) A description of efforts to qualify compliant suppliers and encourage domestic suppliers to participate in the F–35 aircraft program, including any plans for investments in domestic suppliers through the Office of Industrial Base Policy to address requirements for materials used in the program that were previously subject to a waiver.

SA 3035. Mr. MARKEY (for himself, Mr. SANDERS, Ms. WARREN, and Mr. HEINRICH) 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 B of title XV, add the following:

SEC. 1526. STATEMENT OF POLICY WITH RESPECT TO NUCLEAR WEAPONS.

It is the policy of the United States to maintain a human ''in the loop'' for all actions critical to informing and executing decisions by the President with respect to nuclear weapon employment.

SA 3036. Mr. MARKEY 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 B of title XV, add the following:

SEC. 1526. REPORT ON DANGERS POSED BY NUCLEAR REACTORS IN AREAS THAT MIGHT EXPERIENCE ARMED CONFLICT.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator for Nuclear Security shall jointly submit to the appropriate committees of Congress a report assessing the following:

(1) The dangers posed to the national security of the United States, to the interests of allies and partners of the United States, and to the safety and security of civilian populations, by nuclear reactors and nuclear power plants in existence as of such date of enactment or scheduled to be completed during the 10-year period beginning on such date of enactment and located in the following areas:

(A) Regions that have experienced armed conflict in the 25 years preceding such date of enactment.

(B) Areas that are contested or likely to experience armed conflict during the life span of those reactors and plants.

(C) Areas that would be involved in any of the following hypothetical conflicts:

(i) An attack by the Russian Federation on the eastern European countries of Estonia, Latvia, Belarus, Lithuania, or Poland.

(ii) A conflict between India and Pakistan.

(iii) A conflict over Taiwan.

(iv) An attack by North Korea on South Korea.

(2) Steps the United States or allies and partners of the United States can take to prevent, prepare for, and mitigate the risks to the national security of the United States, to the interests of allies and partners of the United States, and to the safety and security of civilian populations, posed by nuclear reactors and power plants in places that may experience armed conflict.

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

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

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Environment and Public Works of the Senate; and

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

SA 3037. Mr. MARKEY 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 B of title XV, add the following:

SEC. 1526. HASTENING ARMS LIMITATIONS TALKS ACT OF 2024.

(a) SHORT TITLE.—This section may be cited as the ''Hastening Arms Limitations Talks Act of 2024'' or the ''HALT Act of 2024''.

(b) FINDINGS.—Congress makes the following findings:

(1) The use of nuclear weapons poses an existential threat to humanity, a fact that led President Ronald Reagan and Soviet Premier Mikhail Gorbachev to declare in a joint statement in 1987 that a ''nuclear war cannot be won and must never be fought'', a sentiment affirmed by the People's Republic of China, France, the Russian Federation, the United Kingdom, and the United States in January 2022.

(2) On June 12, 1982, an estimated 1,000,000 people attended the largest peace rally in United States history, in support of a movement to freeze and reverse the nuclear arms race, a movement that helped to create the political will necessary for the negotiation of several bilateral arms control treaties between the United States and former Soviet Union, and then the Russian Federation. Those treaties contributed to strategic stability through mutual and verifiable reciprocal nuclear weapons reductions.

(3) Since the advent of nuclear weapons in 1945, millions of people around the world have stood up to demand meaningful, immediate international action to halt, reduce, and eliminate the threats posed by nuclear weapons, nuclear weapons testing, and nuclear war, to humankind and the planet.

(4) In 1970, the Treaty on the Non-Proliferation of Nuclear Weapons done at Washington, London, and Moscow July 1, 1968 (21 UST 483) (commonly referred to as the ''Nuclear Non-Proliferation Treaty'' or the ''NPT''), entered into force, which includes a binding obligation on the 5 nuclear-weapon states (commonly referred to as the ''P5''), among other things, ''to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race . . . and to nuclear disarmament''.

(5) Bipartisan United States global leadership has curbed the growth in the number of countries possessing nuclear weapons and has slowed overall vertical proliferation among countries already possessing nuclear weapons, as is highlighted by a more than 90 percent reduction in the United States nuclear weapons stockpile from its Cold War height of 31,255 in 1967.

(6) The United States testing of nuclear weapons is no longer necessary as a result of the following major technical developments since the Senate's consideration of the Comprehensive Nuclear-Test-Ban Treaty (commonly referred to as the ''CTBT'') in 1999:

(A) The verification architecture of the Comprehensive Nuclear Test-Ban-Treaty Organization (commonly referred to as the ''CTBTO'')—

(i) has made significant advancements, as seen through its network of 300 International Monitoring Stations and its International Data Centre, which together provide for the near instantaneous detection of nuclear explosives tests, including all 6 such tests conducted by North Korea between 2006 and 2017; and

(ii) is operational 24 hours a day, 7 days a week.

(B) Since the United States signed the CTBT, confidence has grown in the science-based Stockpile Stewardship and Management Plan of the Department of Energy, which forms the basis of annual certifications to the President regarding the continual safety, security, and effectiveness of the United States nuclear deterrent in the absence of nuclear testing, leading former Secretary of Energy Ernest Moniz to remark in 2015 that ''lab directors today now state that they certainly understand much more about how nuclear weapons work than during the period of nuclear testing''.

(7) Despite the progress made to reduce the number and role of, and risks posed by, nuclear weapons, and to halt the Cold War-era nuclear arms race, tensions between countries that possess nuclear weapons are on the rise, key nuclear risk reduction treaties are under threat, significant stockpiles of weapons-usable fissile material remain, and a qualitative global nuclear arms race is now underway with each of the countries that possess nuclear weapons spending tens of billions of dollars each year to maintain and improve their arsenals.

(8) The Russian Federation is pursuing the development of destabilizing types of nuclear weapons that are not presently covered under any existing arms control treaty or agreement and the People's Republic of China, India, Pakistan, and the Democratic People's Republic of Korea have each taken concerning steps to diversify their more modest sized, but nonetheless very deadly, nuclear arsenals.

(9) President Joseph R. Biden's 2022 Nuclear Posture Review was right to label the nuclear-armed sea-launched cruise missile as ''no longer necessary'', as that missile, if deployed, would have the effect of lowering the threshold for nuclear weapons use.

(10) On February 3, 2021, President Joseph R. Biden preserved binding and verifiable limits on the deployed and non-deployed strategic forces of the largest two nuclear weapons powers through the five-year extension of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed April 8, 2010, and entered into force February 5, 2011 (commonly referred to as the ''New START Treaty'').

(11) In 2013, the report on a nuclear weapons employment strategy of the United States submitted under section 492 of title 10, United States Code, determined that it is possible to ensure the security of the United States and allies and partners of the United

States and maintain a strong and credible strategic deterrent while safely pursuing up to a ⅓ reduction in deployed nuclear weapons from the level established in the New START Treaty.

(12) On January 12, 2017, then-Vice President Biden stated, ''[G]iven our non-nuclear capabilities and the nature of today's threats—it's hard to envision a plausible scenario in which the first use of nuclear weapons by the United States would be necessary. Or make sense.''.

(13) In light of moves by the United States and other countries to increase their reliance on nuclear weapons, a global nuclear freeze would seek to halt the new nuclear arms race by seeking conclusion of a comprehensive and verifiable freeze on the testing, deployment, and production of nuclear weapons and delivery vehicles for such weapons.

(14) The reckless and repeated nuclear threats by Russian President Vladimir Putin since the February 2022 invasion of Ukraine by the Russian Federation underscore the need for a global nuclear freeze.

(c) STATEMENT OF POLICY.—The following is the policy of the United States:

(1) The United States should build upon its decades long, bipartisan efforts to reduce the number and salience of nuclear weapons by leading international negotiations on specific arms-reduction measures as part of a 21st century global nuclear freeze movement.

(2) Building on the 2021 extension of the New START Treaty, the United States should engage with all other countries that possess nuclear weapons to seek to negotiate and conclude future multilateral arms control, disarmament, and risk reduction agreements, which should contain some or all of the following provisions:

(A) An agreement by the United States and the Russian Federation on a resumption of on-site inspections and verification measures per the New START Treaty and a follow-on treaty or agreement to the New START Treaty that may lower the central limits of the Treaty and cover new kinds of strategic delivery vehicles or non-strategic nuclear weapons.

(B) An agreement on a verifiable freeze on the testing, production, and further deployment of all nuclear weapons and delivery vehicles for such weapons.

(C) An agreement that establishes a verifiable numerical ceiling on the deployed shorter-range and intermediate-range and strategic delivery systems (as defined by the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate- Range and Shorter-Range Missiles signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the ''Intermediate-Range Nuclear Forces Treaty''), and the New START Treaty, respectively) and the nuclear warheads associated with such systems belonging to the P5, and to the extent possible, all countries that possess nuclear weapons, at August 2, 2019, levels.

(D) An agreement by each country to adopt a policy of no first use of nuclear weapons or provide transparency into its nuclear declaratory policy.

(E) An agreement on a proactive United Nations Security Council resolution that expands access by the International Atomic Energy Agency to any country found by the Board of Governors of that Agency to be noncompliant with its obligations under the NPT.

(F) An agreement to refrain from configuring nuclear forces in a ''launch on warning'' or ''launch under warning'' nuclear posture, which may prompt a nuclear armed country to launch a ballistic missile attack in response to detection by an early-warning satellite or sensor of a suspected incoming ballistic missile.

(G) An agreement not to target or interfere in the nuclear command, control, and communications (commonly referred to as ''NC3'') infrastructure of another country through a kinetic attack or a cyberattack.

(H) An agreement on transparency measures or verifiable limits, or both, on hypersonic cruise missiles and glide vehicles that are fired from sea-based, ground, and air platforms.

(I) An agreement to provide a baseline and continuous exchanges detailing the aggregate number of active nuclear weapons and associated systems possessed by each country.

(3) The United States should rejuvenate efforts in the United Nations Conference on Disarmament toward the negotiation of a verifiable Fissile Material Treaty or Fissile Material Cutoff Treaty, or move negotiations to another international body or fora, such as a meeting of the P5. Successful conclusion of such a treaty would verifiably prevent any country's production of highly enriched uranium and plutonium for use in nuclear weapons.

(4) The United States should convene a series of head-of-state level summits on nuclear disarmament modeled on the Nuclear Security Summits process, which saw the elimination of the equivalent of 3,000 nuclear weapons.

(5) The President should seek ratification by the Senate of the CTBT and mobilize all countries covered by Annex 2 of the CTBT to pursue similar action to hasten entry into force of the CTBT. The entry into force of the CTBT, for which ratification by the United States will provide critical momentum, will activate the CTBT's onsite inspection provision to investigate allegations that any country that is a party to the CTBT has conducted a nuclear test of any yield.

(6) The President should make the accession of North Korea to the CTBT a component of any final agreement in fulfilling the pledges the Government of North Korea made in Singapore, as North Korea is reportedly the only country to have conducted a nuclear explosive test since 1998.

(7) The United States should—

(A) refrain from developing any new designs for nuclear warheads or bombs, but especially designs that could add a level of technical uncertainty into the United States stockpile and thus renew calls to resume nuclear explosive testing in order to test that new design; and

(B) seek reciprocal commitments from other countries that possess nuclear weapons.

(d) PROHIBITION ON USE OF FUNDS FOR NUCLEAR TEST EXPLOSIONS.—

(1) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter, or authorized to be appropriated or otherwise made available for any fiscal year before fiscal year 2024 and available for obligation as of the date of the enactment of this Act, may be obligated or expended to conduct or make preparations for any explosive nuclear weapons test that produces any yield until such time as—

(A) the President submits to Congress an addendum to the report required by section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) that details any change to the condition of the United States nuclear weapons stockpile from the report submitted under that section in the preceding year; and

(B) there is enacted into law a joint resolution of Congress that approves the test.

(2) RULE OF CONSTRUCTION.—Paragraph (1) does not limit nuclear stockpile stewardship activities that are consistent with the zero-yield standard and other requirements under law.

SA 3038. Mr. MARKEY 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 B of title XV, add the following:

SEC. 1526. RESTRICTION ON FIRST-USE NUCLEAR STRIKES.

(a) FINDINGS.—Congress finds the following:

(1) The Constitution gives Congress the sole power to declare war.

(2) The framers of the Constitution understood that the monumental decision to go to war, which can result in massive death and the destruction of civilized society, must be made by the representatives of the people and not by a single person.

(3) As stated by section 2(c) of the War Powers Resolution (Public Law 93–148; 50 U.S.C. 1541), ''the constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces''.

(4) Nuclear weapons are uniquely powerful weapons that have the capability to instantly kill millions of people, create long-term health and environmental consequences throughout the world, directly undermine global peace, and put the United States at existential risk from retaliatory nuclear strikes.

(5) A first-use nuclear strike carried out by the United States would constitute a major act of war.

(6) A first-use nuclear strike conducted absent a declaration of war by Congress would violate the Constitution.

(7) The President has the sole authority to authorize the use of nuclear weapons, an order which military officers of the United States must carry out in accordance with their obligations under the Uniform Code of Military Justice.

(8) Given its exclusive power under the Constitution to declare war, Congress must provide meaningful checks and balances to the President's sole authority to authorize the use of a nuclear weapon.

(b) DECLARATION OF POLICY.—It is the policy of the United States that no first-use nuclear strike should be conducted absent a declaration of war by Congress.

(c) PROHIBITION.—No Federal funds may be obligated or expended to conduct a first-use nuclear strike unless such strike is conducted pursuant to a war declared by Congress that expressly authorizes such strike.

(d) FIRST-USE NUCLEAR STRIKE DEFINED.—In this section, the term ''first-use nuclear strike'' means an attack using nuclear weapons against an enemy that is conducted without the Secretary of Defense and the Chairman of the Joint Chiefs of Staff first confirming to the President that there has been a nuclear strike against the United States, its territories, or its allies (as specified in section 3(b)(2) of the Arms Export Control Act (22 U.S.C. 2753(b)(2))).

SA 3039. Mr. MARKEY 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:

SECTION 1291. COUNTERING SAUDI ARABIA'S PURSUIT OF WEAPONS OF MASS DESTRUCTION.

(a) SHORT TITLES.—This section may be cited as the ''Stopping Activities Underpinning Development In Weapons of Mass Destruction Act'' or the ''SAUDI WMD Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) The People's Republic of China (referred to in this section as ''China''), became a full-participant of the Nuclear Suppliers Group in 2004, committing it to apply a strong presumption of denial in exporting nuclear-related items that a foreign country could divert to a nuclear weapons program.

(2) China also committed to the United States, in November 2000, to abide by the foundational principles of the 1987 Missile Technology Control Regime (referred to in this section as ''MTCR'') to not ''assist, in any way, any country in the development of ballistic missiles that can be used to deliver nuclear weapons (i.e., missiles capable of delivering a payload of at least 500 kilograms to a distance of at least 300 kilometers)''.

(3) In the 1980s, China secretly sold the Kingdom of Saudi Arabia (referred to in this section as ''Saudi Arabia'') conventionally armed DF–3A ballistic missiles, and in 2007, reportedly sold Saudi Arabia dual-use capable DF–21 medium-range ballistic missiles of a 300 kilometer, 500 kilogram range and payload threshold which should have triggered a denial of sale under the MTCR.

(4) The 2020 Department of State Report on the Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments found that China ''continued to supply MTCR-controlled goods to missile programs of proliferation concern in 2019'' and that the United States imposed sanctions on nine Chinese entities for covered missile transfers to Iran.

(5) A June 5, 2019, press report indicated that China allegedly provided assistance to Saudi Arabia in the development of a ballistic missile facility, which if confirmed, would violate the purpose of the MTCR and run contrary to the longstanding United States policy priority to prevent weapons of mass destruction proliferation in the Middle East.

(6) The Arms Export and Control Act of 1976 (Public Law 93–329) requires the President to sanction any foreign person or government who knowingly ''exports, transfers, or otherwise engages in the trade of any MTCR equipment or technology'' to a country that does not adhere to the MTCR.

(7) China concluded 2 nuclear cooperation agreements with Saudi Arabia in 2012 and 2017, respectively, which may facilitate China's bid to build 2 reactors in Saudi Arabia to generate 2.9 Gigawatt-electric (GWe) of electricity.

(8) On August 4, 2020, a press report revealed the alleged existence of a previously undisclosed uranium yellowcake extraction facility in Saudi Arabia allegedly constructed with the assistance of China, which if confirmed, would indicate significant progress by Saudi Arabia in developing the early stages of the nuclear fuel cycle that precede uranium enrichment.

(9) Saudi Arabia's outdated Small Quantities Protocol and its lack of an in force Additional Protocol to its International Atomic Energy Agency (IAEA) Comprehensive Safeguards Agreement severely curtails IAEA inspections, which has led the Agency to call upon Saudi Arabia to either rescind or update its Small Quantities Protocol.

(10) On January 19, 2021, in response to a question about Saudi Arabia's reported ballistic missile cooperation with China, incoming Secretary of State Antony J. Blinken stated that ''we want to make sure that to the best of our ability all of our partners and allies are living up to their obligations under various nonproliferation and arms control agreements and, certainly, in the case of Saudi Arabia that is something we will want to look at''.

(11) On March 15, 2018, the Crown Prince of Saudi Arabia, Mohammad bin-Salman, stated that ''if Iran developed a nuclear bomb, we would follow suit as soon as possible,'' raising questions about whether a Saudi Arabian nuclear program would remain exclusively peaceful, particularly in the absence of robust international IAEA safeguards.

(12) An August 9, 2019, study by the United Nations High Commissioner for Human Rights found that the Saudi Arabia-led military coalition airstrikes in Yemen and its restrictions on the flow of humanitarian assistance to the country, both of which have disproportionately impacted civilians, may be violations of international humanitarian law.

(c) DEFINITIONS.—In this section:

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

(A) the Select Committee on Intelligence of the Senate;

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

(C) the Permanent Select Committee on Intelligence of the House of Representatives; and

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

(2) FOREIGN PERSON; PERSON.—The terms ''foreign person'' and '' 'person' '' mean—

(A) a natural person that is an alien;

(B) a corporation, business association, partnership, society, trust, or any other nongovernmental entity, organization, or group, that is organized under the laws of a foreign country or has its principal place of business in a foreign country;

(C) any foreign governmental entity operating as a business enterprise; and

(D) any successor, subunit, or subsidiary of any entity described in subparagraph (B) or (C).

(3) MIDDLE EAST AND NORTH AFRICA.—The term ''Middle East and North Africa'' means those countries that are included in the Area of Responsibility of the Assistant Secretary of State for Near Eastern Affairs.

(d) DETERMINATION OF POSSIBLE MTCR TRANSFERS TO SAUDI ARABIA.—

(1) MTCR TRANSFERS.—Not later than 30 days after the date of the enactment of this Act, the President shall submit to the appropriate committees of Congress a written determination, and any documentation to support that determination detailing—

(A) whether any foreign person knowingly exported, transferred, or engaged in trade of any item designated under Category I of the MTCR Annex item with Saudi Arabia during the previous 3 fiscal years; and

(B) the sanctions the President has imposed or intends to impose pursuant to section 11B(b) of the Export Administration Act of 1979 (50 U.S.C. 4612(b)) against any foreign person who knowingly engaged in the export, transfer, or trade of that item or items.

(2) WAIVER.—Notwithstanding any provision of paragraphs (3) through (7) of section 11(B)(b) of the Export Administration Act of 1979 (50 U.S.C. 4612(b)), the President may only waive the application of sanctions under such section with respect to Saudi Arabia if that country is verifiably determined to no longer possess an item designated under Category I of the MTCR Annex received during the previous 3 fiscal years.

(3) FORM OF REPORT.—The determination required under paragraph (1) shall be unclassified and include a classified annex.

(e) PROHIBITION ON UNITED STATES ARMS SALES TO SAUDI ARABIA IF IT IMPORTS NUCLEAR TECHNOLOGY WITHOUT SAFEGUARDS.—

(1) IN GENERAL.—The United States shall not sell, transfer, or authorize licenses for export of any item designated under Category III, IV, VII, or VIII on the United States Munitions List pursuant to section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) to Saudi Arabia, other than ground-based missile defense systems, if Saudi Arabia has, during any of the previous 3 fiscal years—

(A) knowingly imported any item classified as ''plants for the separation of isotopes of uranium'' or ''plants for the reprocessing of irradiated nuclear reactor fuel elements'' under Part 110 of the Nuclear Regulatory Commission export licensing authority; or

(B) engaged in nuclear cooperation related to the construction of any nuclear-related fuel cycle facility or activity that has not been notified to the IAEA and would be subject to complementary access if an Additional Protocol was in force.

(2) WAIVER.—The Secretary of State may waive the prohibition under paragraph (1) with respect to a foreign country if the Secretary submits to the appropriate committees of Congress a written certification that contains a determination, and any relevant documentation on which the determination is based, that Saudi Arabia—

(A) has brought into force an Additional Protocol to the IAEA Comprehensive Safeguards Agreement based on the model described in IAEA INFCIRC/540;

(B) has concluded a civilian nuclear cooperation agreement with the United States under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) or another supplier that prohibits the enrichment of uranium or separation of plutonium on its own territory; and

(C) has rescinded its Small Quantities Protocol and is not found by the IAEA Board of Governors to be in noncompliance with its Comprehensive Safeguards Agreement.

(3) RULE OF CONSTRUCTION.—Nothing in this section may be construed as superseding the obligation of the President under section 502B(a)(2) or section 620I(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(a)(2), 22 U.S.C. 2378–1(a)), respectively, to not furnish security assistance to Saudi Arabia or any country if the Government of Saudi Arabia—

(A) engages in a consistent pattern of gross violations of internationally recognized human rights; or

(B) prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.

(f) MIDDLE EAST NONPROLIFERATION STRATEGY.—

(1) IN GENERAL.—Beginning with the first report published after the date of the enactment of this Act, the Secretary of State and the Secretary of Energy, in consultation with the Director of National Intelligence, shall provide the appropriate committees of Congress, as an appendix to the Report on the Adherence to and Compliance with Arms

Control, Nonproliferation, and Disarmament Agreements and Commitments, a report on MTCR compliance and a United States strategy to prevent the spread of nuclear weapons and missiles in the Middle East.

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

(A) An assessment of China's compliance, during the previous fiscal year, with its November 2000 commitment to abide by the MTCR and United States diplomatic efforts to address noncompliance.

(B) A description of every foreign person that, during the previous fiscal year, engaged in the export, transfer, or trade of MTCR items to a country that is a non-MTCR adherent, and a description of the sanctions the President imposed pursuant to section 11B(b) of the Export Administration Act of 1979 (50 U.S.C. 4612(b)).

(C) A detailed strategy to prevent the proliferation of ballistic missile and sensitive nuclear technology in the Middle East and North Africa from China and other foreign countries, including the following elements:

(i) An assessment of the proliferation risks associated with concluding or renewing a civilian nuclear cooperation ''123'' agreement with any country in the Middle-East and North Africa and the risks of such if that same equipment and technology is sourced from a foreign state.

(ii) An update on United States bilateral and multilateral diplomatic actions to commence negotiations on a Weapons of Mass Destruction Free Zone (WMDFZ) since the 2015 Nuclear Nonproliferation Treaty Review Conference.

(iii) A description of United States Government efforts to achieve global adherence and compliance with the Nuclear Suppliers Group, MTCR, and the 2002 International Code of Conduct against Ballistic Missile Proliferation guidelines.

(D) An account of the briefings to the appropriate committees of Congress in the reporting period detailing negotiations on any new or renewed civilian nuclear cooperation ''123'' agreement with any country consistent with the intent of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

(3) FORM OF REPORT.—The report required under paragraph (1) shall be unclassified and include a classified annex.

SA 3040. Mr. MARKEY 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 B of title XV, add the following:

SEC. 1526. SMARTER APPROACHES TO NUCLEAR EXPENDITURES ACT.

(a) SHORT TITLE.—This section may be cited as the ''Smarter Approaches to Nuclear Expenditures Act''.

(b) FINDINGS.—Congress makes the following findings:

(1) The United States continues to maintain an excessively large and costly arsenal of nuclear delivery systems and warheads that are a holdover from the Cold War.

(2) The current nuclear arsenal of the United States includes approximately 3,708 total nuclear warheads in its military stockpile, of which approximately 1,744 are deployed with five delivery components: land-based intercontinental ballistic missiles, submarine-launched ballistic missiles, long-range strategic bomber aircraft armed with nuclear gravity bombs, long-range strategic bomber aircraft armed with nuclear-armed air-launched cruise missiles, and short-range fighter aircraft that can deliver nuclear gravity bombs. The strategic bomber fleet of the United States comprises 87 B–52 and 20 B–2 aircraft, over 66 of which contribute to the nuclear mission. The United States also maintains 400 intercontinental ballistic missiles and 14 Ohio-class submarines, up to 12 of which are deployed. Each of those submarines is armed with approximately 90 nuclear warheads.

(3) Between fiscal years 2021 and 2030, the United States will spend an estimated $634,000,000,000 to maintain and recapitalize its nuclear force, according to a January 2019 estimate from the Congressional Budget Office, an increase of $140,000,000,000 from the Congressional Budget Office's 2019 estimate, with 36 percent of that additional cost stemming ''mainly from new plans for modernizing [the Department of Energy's] production facilities and from [the Department of Defense's] modernization programs moving more fully into production''.

(4) Adjusted for inflation, the Congressional Budget Office estimates that the United States will spend $634,000,000,000 between 2021 and 2030 on new nuclear weapons and modernization and infrastructure programs, an estimate that in total is 28 percent higher than the Congressional Budget Office's most recent previous estimate of the 10-year costs of nuclear forces.

(5) Inaccurate budget forecasting is likely to continue to plague the Department of Defense and the Department of Energy, as evidenced by the fiscal year 2023 budget request of the President for the National Nuclear Security Administration ''Weapon Activities'' account, which far exceeded what the National Nuclear Security Administration had projected in previous years.

(6) The projected growth in nuclear weapons spending is coming due as the Department of Defense is seeking to replace large portions of its conventional forces to better compete with the Russian Federation and the People's Republic of China and as internal and external fiscal pressures are likely to limit the growth of, and perhaps reduce, military spending. As then-Air Force Chief of Staff General Dave Goldfein said in 2020, ''I think a debate is that this will be the first time that the nation has tried to simultaneously modernize the nuclear enterprise while it's trying to modernize an aging conventional enterprise. The current budget does not allow you to do both.''.

(7) In 2023, the Government Accountability Office released a report entitled ''Nuclear Weapons: NNSA Does Not Have a Comprehensive Schedule or Cost Estimate for Pit Production Capability'', stating the National Nuclear Security Administration ''had limited assurance that it would be able to produce sufficient numbers of pits in time'' to meet the requirement under section 4219 of the Atomic Energy Defense Act (50 U.S.C. 2538a) that the National Nuclear Security Administration produce 80 plutonium pits by 2030.

(8) According to the Government Accountability Office, the National Nuclear Security Administration has still not factored affordability concerns into its planning as was recommended by the Government Accountability Office in 2017, with the warning that ''it is essential for NNSA to present information to Congress and other key decision makers indicating whether the agency has prioritized certain modernization programs or considered trade-offs (such as deferring or cancelling specific modernization programs)''. Instead, the budget estimate of the Department of Energy for nuclear modernization activities during the period of fiscal years 2021 through 2025 was $81,000,000,000—$15,000,000,000 more than the 2020 budget estimate of the Department for the same period.

(9) A December 2020 Congressional Budget Office analysis showed that the projected costs of nuclear forces over the next decade can be reduced by $12,400,000,000 to $13,600,000,000 by trimming back current plans, while still maintaining a triad of delivery systems. Even larger savings would accrue over the subsequent decade.

(10) The Department of Defense's June 2013 nuclear policy guidance entitled ''Report on Nuclear Employment Strategy of the United States'' found that force levels under the April 2010 Treaty on Measures for the Further Reduction and Limitation of Strategic Offensive Arms between the United States and the Russian Federation (commonly known as the ''New START Treaty'') ''are more than adequate for what the United States needs to fulfill its national security objectives'' and can be reduced by up to ⅓ below levels under the New START Treaty to 1,000 to 1,100 warheads.

(11) Former President Trump expanded the role of, and spending on, nuclear weapons in United States policy at the same time that he withdrew from, unsigned, or otherwise terminated a series of important arms control and nonproliferation agreements.

(c) REDUCTIONS IN NUCLEAR FORCES.—

(1) REDUCTION OF NUCLEAR-ARMED SUBMARINES.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense may be obligated or expended for purchasing more than eight Columbia-class submarines.

(2) REDUCTION OF GROUND-BASED MISSILES.—Notwithstanding any other provision of law, beginning in fiscal year 2024, the forces of the Air Force shall include not more than 150 intercontinental ballistic missiles.

(3) REDUCTION OF DEPLOYED STRATEGIC WARHEADS.—Notwithstanding any other provision of law, beginning in fiscal year 2024, the forces of the United States Military shall include not more than 1,000 deployed strategic warheads, as that term is defined in the New START Treaty.

(4) LIMITATION ON NEW LONG-RANGE PENETRATING BOMBER AIRCRAFT.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for any of fiscal years 2024 through 2028 for the Department of Defense may be obligated or expended for purchasing more than 80 B–21 long-range penetrating bomber aircraft.

(5) PROHIBITION ON F–35 NUCLEAR MISSION.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be used to make the F–35 Joint Strike Fighter aircraft capable of carrying nuclear weapons.

(6) PROHIBITION ON NEW AIR-LAUNCHED CRUISE MISSILE.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of the long-range stand-off weapon or any other new air-launched cruise missile or for the W80 warhead life extension program.

(7) PROHIBITION ON NEW INTERCONTINENTAL BALLISTIC MISSILE.—Notwithstanding any

other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense may be obligated or expended for the research, development, test, and evaluation or procurement of the LGM–35 Sentinel, previously known as the ground-based strategic deterrent, or any new intercontinental ballistic missile.

(8) TERMINATION OF URANIUM PROCESSING FACILITY.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the Uranium Processing Facility located at the Y–12 National Security Complex, Oak Ridge, Tennessee.

(9) PROHIBITION ON PROCUREMENT AND DEPLOYMENT OF NEW LOW-YIELD WARHEAD.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended to deploy the W76–2 low-yield nuclear warhead or any other low-yield or nonstrategic nuclear warhead.

(10) PROHIBITION ON NEW SUBMARINE-LAUNCHED CRUISE MISSILE.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of a new submarine-launched cruise missile capable of carrying a low-yield or nonstrategic nuclear warhead, as the 2022 Nuclear Posture Review found this system ''no longer necessary''.

(11) LIMITATION ON PLUTONIUM PIT PRODUCTION.—

(A) IN GENERAL.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for expanding production of plutonium pits at the Los Alamos National Laboratory, Los Alamos, New Mexico, or the Savannah River Site, South Carolina, until the Administrator for Nuclear Security submits to the appropriate committees of Congress an integrated master schedule and total estimated cost for the National Nuclear Security Administration's overall plutonium pit production effort during the period of 2025 through 2035.

(B) REQUIREMENTS FOR SCHEDULE.—The schedule required to be submitted under paragraph (1) shall—

(i) include timelines, resources, and budgets for planned work; and

(ii) be consistent with modern management standards and best practices as described in guidelines of the Government Accountability Office.

(12) PROHIBITION ON SUSTAINMENT OF B83–1 BOMB.—Notwithstanding other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the sustainment of the B83–1 bomb, as the 2022 Nuclear Posture Review declared the B83-1 ''will be retired''.

(13) PROHIBITION ON SPACE-BASED MISSILE DEFENSE.—Notwithstanding other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the research, development, test, and evaluation or procurement of a space-based missile defense system.

(14) PROHIBITION ON THE W–93 WARHEAD.—Notwithstanding any other provision of law, none of the funds authorized to be appropriated or otherwise made available for fiscal year 2024 or any fiscal year thereafter for the Department of Defense or the Department of Energy may be obligated or expended for the procurement and deployment of a W–93 warhead on a submarine launched ballistic missile.

(d) REPORTS REQUIRED.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to the appropriate committees of Congress a report outlining the plan of each Secretary to carry out subsection (c).

(2) ANNUAL REPORT.—Not later than March 1, 2024, and annually thereafter, the Secretary of Defense and the Secretary of Energy shall jointly submit to the appropriate committees of Congress a report outlining the plan of each Secretary to carry out subsection (c), including any updates to previously submitted reports.

(3) ANNUAL NUCLEAR WEAPONS ACCOUNTING.—Not later than September 30, 2024, and annually thereafter, the President shall transmit to the appropriate committees of Congress a report containing a comprehensive accounting by the Director of the Office of Management and Budget of the amounts obligated and expended by the Federal Government for each nuclear weapon and related nuclear program during—

(A) the fiscal year covered by the report; and

(B) the life cycle of such weapon or program.

(4) COST ESTIMATE REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Energy shall jointly submit to the appropriate committees of Congress a report outlining the estimated cost savings that result from carrying out subsection (c).

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

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Energy and Commerce, and the Committee on Natural Resources of the House of Representatives.

SA 3041. Mr. MARKEY 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—Taiwan ASSURE Act

SEC. 1294. SHORT TITLES.

This subtitle may be cited as the ''Taiwan Actions Supporting Security by Undertaking Regular Engagements Act'' or the ''Taiwan ASSURE Act''.

SEC. 1295. FINDINGS.

Congress makes the following findings:

(1) Consistent with the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), the United States has grown its strategic partnership with Taiwan's vibrant democracy of 23,000,000 people.

(2) Section 2(b) of the Taiwan Relations Act (22 U.S.C. 3301(b)) declares that it is the policy of the United States—

(A) ''to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area''; and

(B) ''to declare that peace and stability in the [Western Pacific] area are in the political, security, and economic interests of the United States, and are matters of international concern''.

(3) In recent years, the Government of the People's Republic of China (PRC) has intensified its efforts to diplomatically isolate and intimidate Taiwan through—

(A) punitive economic measures;

(B) increased military provocations; and

(C) exertions of malign influence to undermine democracy in Taiwan.

(4) To ensure the durability of the United States policy under the Taiwan Relations Act (Public Law 115–409), it is necessary—

(A) to reinforce—

(i) Taiwan's international participation;

(ii) Taiwan's global economic integration; and

(iii) the credibility of Taiwan's military deterrent; and

(B) to simultaneously take measures to reduce the risk of miscalculation among the PRC, the United States, and Taiwan.

(5) Taiwan's meaningful participation in international organizations in which statehood is not a requirement benefits the global community, as evidenced by the fact that Taiwan was the first to inform the World Health Organization of cases of atypical pneumonia reported in Wuhan, China, on December 31, 2019.

(6) Despite the COVID–19 pandemic creating an opportunity for the Government of the PRC to launch a disinformation campaign aimed at sowing internal social division and undermining confidence in the response of Taiwanese authorities, Taiwan has been overwhelmingly successful in controlling the pandemic.

(7) The Global Cooperation and Training Framework, a United States-Taiwan-Japan platform for Taiwan to share its expertise with the world, has sponsored nearly 30 workshops since 2015 to share Taiwan's knowledge on issues such as addressing COVID–19 misinformation, disaster relief, women's empowerment, and good governance.

(8) Section 2(b)(2) of the Taiwan Relations Act (22 U.S.C. 3301(b)(2)) states it is the policy of the United States ''to declare that peace and stability in the [Western Pacific] area are in the political, security, and economic interests of the United States, and are matters of international concern''.

(9) The PRC's recent military activities around Taiwan, including conducting 10 transits and military exercises near Taiwan since January 2021 and 380 sorties into Taiwan's Air Defense Identification Zone in 2020 (the greatest number since 1996), have destabilized Northeast Asia.

(10) Increased air and sea activity in and around the Taiwan Strait and the East China Sea by the PRC, Taiwan, the United States, and Japan increase the likelihood of accidents that may—

(A) escalate tensions around Taiwan; and

(B) undermine the stability across the Taiwan Strait and regional peace in the Northeast Asia.

SEC. 1296. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) United States engagement with Taiwan should focus on actions, activities, and programs that mutually benefit the United States and Taiwan;

(2) the United States should prioritize—

(A) people-to-people exchanges;

(B) bilateral and multilateral economic cooperation; and

(C) assisting Taiwan's efforts to participate in international institutions;

(3) the United States should pursue new engagement initiatives with Taiwan, such as—

(A) enhancing cooperation on science and technology;

(B) joint infrastructure development in third countries;

(C) renewable energy and environmental sustainability development; and

(D) investment screening coordination;

(4) the United States should expand its financial support for the Global Cooperation and Training Framework, and encourage like-minded countries to co-sponsor workshops, to showcase Taiwan's capacity to contribute to solving global challenges in the face of the Government of the PRC's campaign to isolate Taiwan in the international community;

(5) to advance the goals of the April 2021 Department of State guidance expanding unofficial United States-Taiwan contacts, the United States, Taiwan, and Japan should aim to host Global Cooperation and Training Framework workshops timed to coincide with plenaries and other meetings of international organizations in which Taiwan is unable to participate;

(6) the United States should support efforts to engage regional counterparts in Track 1.5 and Track 2 dialogues on the stability across the Taiwan Strait, which are important for increasing strategic awareness amongst all parties and the avoidance of conflict;

(7) United States arms sales to Taiwan should support Taiwan's asymmetric defense capabilities, as outlined in Taiwan's Overall Defense Concept, and improve Taiwan's military deterrent;

(8) bilateral confidence-building measures and crisis stability dialogues between the United States and the PRC are important mechanisms for maintaining deterrence and stability across the Taiwan Strait and should be prioritized; and

(9) the United States and the PRC should prioritize the use of a fully operational military crisis hotline to provide a mechanism for the leadership of the two countries to communicate directly in order to quickly resolve misunderstandings that could lead to military escalation.

SEC. 1297. 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 Armed Services of the Senate;

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

(D) the Committee on Armed Services of the House of Representatives.

(2) CHINA; PRC.—The terms ''China'' and ''PRC'' mean the People's Republic of China.

(3) TAIWAN AUTHORITIES.—The term ''Taiwan authorities'' means officials of the Government of Taiwan.

SEC. 1298. AUTHORIZATION OF APPROPRIATIONS FOR THE GLOBAL COOPERATION AND TRAINING FRAMEWORK.

There are authorized to be appropriated for the Global Cooperation and Training Framework under the Economic Support Fund authorized under section 531 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346), $6,000,000 for each of the fiscal years 2022 through 2025, which may be expended for trainings and activities that increase Taiwan's economic and international integration.

SEC. 1299. ENHANCING PARTNERSHIP.

(a) NATIONAL GUARD PARTNERSHIP PROGRAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the appropriate Taiwan authorities, shall submit a report to the appropriate congressional committees regarding the feasibility and advisability of establishing a National Guard partnership program between United States National Guard forces and the Armed Forces Reserve Command of Taiwan (referred to in this section as ''Taiwan's Reserve Command'').

(2) OBJECTIVES.—The report required under paragraph (1) shall examine how the establishment of a National Guard partnership program would—

(A) advance Taiwan's Reserve Command's ability to recruit, train, and equip its forces, including its ability to require and provide regular individual and collective training to all reserve forces;

(B) cultivate relationships among United States and Taiwan reserve forces at the tactical, operational, and strategic levels;

(C) enhance Taiwan's ability to respond to humanitarian disasters; and

(D) strengthen Taiwan's ability to defend against outside military aggression.

(3) CONTENTS.—The report required under paragraph (1) shall include—

(A) a comprehensive assessment of the policy opportunities and drawbacks associated with establishing a National Guard partnership program;

(B) an assessment of any statutory or administrative barriers to establishing such a program, including a determination of the feasibility and advisability of—

(i) modifying existing National Guard partnership authorities; or

(ii) establishing new authorities, as appropriate;

(C) an evaluation of the capacity of—

(i) United States National Guard forces to support such a program; and

(ii) Taiwan's Reserve Command forces to absorb such a program;

(D) a determination of the most appropriate entities within the Department of Defense and Taiwan's Reserve Command to lead such a program; and

(E) a determination of additional resources and authorities that may be required to execute such a program.

(4) FORM OF REPORT.—The report required under paragraph (1) shall be unclassified, but may include a classified annex if the Secretary of Defense and the Secretary of State determine that the inclusion of a classified annex is appropriate.

(b) TAIWAN'S ASYMMETRIC DEFENSE STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate congressional committees a classified report, with an unclassified summary, assessing the implementation of Taiwan's asymmetric defense strategy, including the priorities identified in Taiwan's Overall Defense Concept.

SEC. 1299A. SUPPORTING CONFIDENCE BUILDING MEASURES AND STABILITY DIALOGUES.

(a) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in coordination with the Secretary of Defense, shall submit an unclassified report, with a classified annex, to the appropriate congressional committees that includes—

(1) a description of all military-to-military dialogues and confidence-building measures between the United States and the PRC during the 10-year period ending on the date of the enactment of this Act;

(2) a description of all bilateral and multilateral diplomatic engagements with the PRC in which cross-Strait issues were discussed during such 10-year period, including Track 1.5 and Track 2 dialogues;

(3) a description of the efforts in the year preceding the submission of the report to conduct engagements described in paragraphs (1) and (2); and

(4) a description of how and why the engagements described in paragraphs (1) and (2) have changed in frequency or substance during such 10-year period.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of State, and, as appropriate, the Department of Defense, no less than $2,000,000 for each of the fiscal years 2022 through 2025, which shall be used to support existing Track 1.5 and Track 2 strategic dialogues facilitated by independent nonprofit organizations in which participants meet to discuss cross-Strait stability issues.

SA 3042. Mr. SCHUMER (for himself and Mr. ROUNDS) 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 AND REPORT ON DEPARTMENT OF DEFENSE USE OF CHINESE-MADE UNMANNED GROUND VEHICLE SYSTEMS AND PROHIBITION ON DEPARTMENT OF DEFENSE PROCUREMENT AND OPERATION OF SUCH SYSTEMS.

(a) STUDY AND REPORT ON USE IN DEPARTMENT OF DEFENSE SYSTEMS OF CHINESE-MADE UNMANNED GROUND VEHICLE SYSTEMS AND COMPONENTS.—

(1) STUDY AND REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) conduct a study on the use in Department of Defense systems of covered unmanned ground vehicle systems and critical electronic components of such systems relating to the collection and transmission of sensitive information, made by covered foreign entities; and

(B) submit to the congressional defense committees a report on the findings of the Secretary with respect to the study conducted pursuant to subparagraph (A).

(2) ELEMENTS.—The study conducted pursuant to paragraph (1)(A) shall cover the following:

(A) The extent to which covered unmanned ground vehicle systems and critical electronic components of such systems made by covered foreign entities are used by the Department.

(B) The extent to which such systems and critical electronic components are used by contractors of the Departments.

(C) The nature of the use described in subparagraph (B).

(D) An assessment of the national security threats associated with using such systems and components in health care, critical infrastructure, and emergency applications of the Department. Such assessment shall cover concerns relating to the following:

(i) Cybersecurity.

(ii) Technological maturity of the systems and components.

(iii) Technological vulnerabilities in the systems and components that may be exploited by foreign adversaries of the United States.

(E) Actions taken by the Department to identify and list covered foreign entities that—

(i) develop or manufacture covered unmanned ground vehicle systems or components of such systems; and

(ii) have a military-civil nexus on the list maintained by the Department under section 1260H(b) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116–283; 10 U.S.C. 113 note).

(F) The feasibility and advisability of directing the Defense Innovation Unit to develop a list of United States manufacturers of covered unmanned ground vehicle systems and components of such systems.

(G) Such other matters as the Secretary considers appropriate.

(b) PROHIBITION ON PROCUREMENT AND OPERATION BY DEPARTMENT OF DEFENSE OF COVERED UNMANNED GROUND VEHICLE SYSTEMS FROM COVERED FOREIGN ENTITIES.—

(1) PROHIBITION.—

(A) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Defense may not procure or operate any covered unmanned ground vehicle system that—

(i) is manufactured or assembled by a covered foreign entity; or

(ii) includes a critical electronic component of the system relating to the collection and transmission of sensitive information, that is manufactured or assembled by a covered foreign entity.

(B) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under subparagraph (A) with respect to the operation of covered unmanned ground vehicles systems applies to any such system that is being used by the Department of Defense through the method of contracting for the services of such systems.

(2) EXCEPTION.—The Secretary of Defense is exempt from any restrictions under subsection (a) in a case in which the Secretary determines that the procurement or operation—

(A) is required in the national interest of the United States; and

(B) is for the sole purposes of—

(i) research, evaluation, training, testing, or analysis for electronic warfare, information warfare operations, cybersecurity, or the development of unmanned ground vehicle system or counter-unmanned ground vehicle system technology; or

(ii) conducting counterterrorism or counterintelligence activities, protective missions, Federal criminal or national security investigations (including forensic examinations), electronic warfare, information warfare operations, cybersecurity activities, or the development of unmanned ground vehicle system or counter-unmanned ground vehicle system technology.

(c) DEFINITIONS.—In this section:

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

(A) the People's Republic of China.

(B) The Russian Federation.

(C) The Islamic Republic of Iran.

(D) The Democratic People's Republic of Korea

(2) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means an entity that is domiciled in a covered foreign country or subject to influence or control by the government of a covered foreign country, as determined by the Secretary of Defense.

(3) COVERED UNMANNED GROUND VEHICLE SYSTEM.—The term ''covered unmanned ground vehicle system''—

(A) means a mechanical device that—

(i) is capable of locomotion, navigation, or movement on the ground; and

(ii) operates at a distance from one or more operators or supervisors based on commands or in response to sensor data, or through any combination thereof; and

(B) includes—

(i) remote surveillance vehicles, autonomous patrol technologies, mobile robotics, and humanoid robots; and

(ii) the vehicle, its payload, and any external devised used to control the vehicle.

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

SA 3043. Mr. SCHUMER 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 II, insert the following:

SEC. ___. ARTIFICIAL INTELLIGENCE-ENABLED WEAPON SYSTEMS CENTER OF EXCELLENCE.

(a) ESTABLISHMENT OF CENTER OF EXCELLENCE.—

(1) IN GENERAL.—The Secretary of Defense shall establish a center of excellence to support the development and maturation of artificial intelligence-enabled weapon systems by organizations within the Department of Defense that—

(A) were in effect on the day before the date of the enactment of this Act; and

(B) have appropriate core competencies relating to the functions specified in subsection (b).

(2) DESIGNATION.—The center of excellence established pursuant to paragraph (1) shall be known as the ''Artificial Intelligence-Enabled Weapon Systems Center of Excellence'' (in this section referred to as the ''Center'').

(b) FUNCTIONS.—The Center shall—

(1) capture, analyze, assess, and share lessons learned across the Department of Defense regarding the latest advancements in artificial intelligence-enabled weapon systems, countermeasures, tactics, techniques and procedures, and training methodologies;

(2) facilitate collaboration among the Department of Defense and foreign partners, including Ukraine, to identify and promulgate best practices, standards, and benchmarks;

(3) facilitate collaboration among the Department, industry, and academia in the United States, including industry with expertise in autonomous weapon systems and other nontraditional weapon systems that utilize artificial intelligence as determined by the Secretary;

(4) serve as a focal point for digital talent training and upskilling for the Department, and as the Secretary considers appropriate, provide enterprise-level tools and solutions based on these best practices, standards, and benchmarks; and

(5) carry out such other responsibilities as the Secretary determines appropriate.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(1) submit to the congressional defense committees a report that includes a plan for the establishment of the Center; and

(2) provide the congressional defense committees a briefing on the plan submitted under paragraph (1).

(d) ARTIFICIAL INTELLIGENCE-ENABLED WEAPON SYSTEM DEFINED.—In this section, the term ''artificial intelligence-enabled weapon system'' includes autonomous weapon systems, as determined by the Secretary of Defense.

SA 3044. Mr. SCHUMER (for himself and Mr. MCCONNELL) 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. REQUIREMENT FOR INFORMATION SHARING AGREEMENTS.

Section 7201(d) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (2 U.S.C. 4112(d)) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking ''DESIGNATION'' and inserting ''SINGLE POINTS OF CONTACT'';

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

''(A) IN GENERAL.—On and after the date of enactment of the National Defense Authorization Act for Fiscal Year 2025—

''(i) the Director of the Cybersecurity and Infrastructure Security Agency shall serve as the single point of contact with the legislative branch on matters related to tactical and operational cybersecurity threats and security vulnerabilities; and

''(ii) the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation shall serve as the single point of contact with the legislative branch on matters related to tactical and operational counterintelligence.''; and

(C) in subparagraph (B), by striking ''The individuals designated by the President under subparagraph (A)'' and inserting ''The Director of the Cybersecurity and Infrastructure Security Agency and the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation'';

(2) in paragraph (2)(A), by striking ''the date of enactment of this Act, the individuals designated by the President under paragraph (1)(A)'' and inserting ''the date of enactment of the National Defense Authorization Act for Fiscal Year 2025, the Director of the Cybersecurity and Infrastructure Security Agency and the Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation''; and

(3) in paragraph (3)—

(A) by striking ''the date of enactment of this Act, the individuals designated by the President under paragraph (1)(A)'' and inserting ''the date of enactment of the National Defense Authorization Act for Fiscal Year 2025, the Director of the Cybersecurity and Infrastructure Security Agency and the

Assistant Director of the Counterintelligence Division of the Federal Bureau of Investigation'';

(B) by inserting ''congressional leadership,'' after ''paragraph (2)(A),''; and

(C) by striking ''Oversight and Reform'' and inserting ''Oversight and Accountability''.

SA 3045. Mr. RUBIO 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. UNITED STATES-JORDAN DEFENSE COOPERATION.

(a) SHORT TITLE.—This section may be cited as the ''United States-Jordan Defense Cooperation Act of 2024''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Hashemite Kingdom of Jordan under section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is fully consistent with United States security and foreign policy interests and the objectives of world peace and security.

(c) ENHANCED DEFENSE COOPERATION.—

(1) IN GENERAL.—During the 3-year period beginning on the date of the enactment of this Act, the Hashemite Kingdom of Jordan shall be treated as if it were a country listed in the provisions of law described in paragraph (2) for purposes of applying and administering such provisions of law.

(2) COVERED PROVISIONS OF LAW.—The provisions of law described in this paragraph are as follows:

(A) Subsections (b)(2), (d)(2)(B), (d)(3)(A)(i), and (d)(5) of such Act (22 U.S.C. 2753).

(B) Subsections (e)(2)(A), (h)(1)(A), and (h)(2) of section 21 of such Act (22 U.S.C. 2761).

(C) Subsections (b)(1), (b)(2), (b)(6), (c), and (d)(2)(A) of section 36 of such Act (22 U.S.C. 2776).

(D) Section 62(c)(1) of such Act (22 U.S.C. 2796a(c)(1)).

(E) Section 63(a)(2) of such Act (22 U.S.C. 2796b(a)(2)).

(d) MEMORANDUM OF UNDERSTANDING.—Subject to the availability of appropriations, the Secretary of State is authorized to enter into a memorandum of understanding with the Hashemite Kingdom of Jordan to increase economic support funds, military cooperation, including joint military exercises, personnel exchanges, support for international peacekeeping missions, and enhanced strategic dialogue.

SA 3046. Mr. RUBIO 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 X, add the following:

SEC. 1035. PROHIBITION ON ACCESS BY CERTAIN INDIVIDUALS TO CERTAIN AREAS OF AIRPORTS.

(a) SHORT TITLES.—This section may be cited as the ''Secure Airports From Enemies Act'' or the ''SAFE Act''.

(b) IN GENERAL.—Subchapter I of chapter 449 of title 49, United States Code, is amended by adding at the end the following:

''§ 44930. Prohibition on certain access by certain individuals

''(a) DEFINITIONS.—In this section, the terms 'secured area', 'Security Identification Display Area', and 'sterile area' have the meanings given such terms in section 1540.5 of title 49, Code of Federal Regulations.

''(b) IN GENERAL.—Notwithstanding any other provision of law, the Administrator of the Transportation Security Administration may not permit any access to the locations specified in subsection (c) to any individual who is a representative of, or acting on behalf of, a country specified in subsection (d).

''(c) LOCATIONS SPECIFIED.—The locations specified in this subsection are the following:

''(1) The secured area of an airport.

''(2) The Security Identification Display Area of an airport.

''(3) The sterile area of an airport.

''(4) The air cargo area of an airport.

''(d) COUNTRIES SPECIFIED.—A country specified in this subsection is a country the government of which the Secretary of State determines, or has determined at any time during the immediately preceding 3 years, has repeatedly provided support for international terrorism pursuant to—

''(1) section 1754(c)(1)(A) of the Export Control Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

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

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

''(4) any other provision of law.''.

(c) CLERICAL AMENDMENT.—The table of contents for subchapter I of chapter 449 of title 49, United States Code, is amended by adding at the following:

''44930. Prohibition on certain access by certain individuals.''.

SA 3047. Mr. RUBIO 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. PROHIBITION ON IMPORTATION OF CRUDE OIL, PETROLEUM, PETROLEUM PRODUCTS, AND LIQUEFIED NATURAL GAS FROM VENEZUELA AND IRAN.

(a) FINDING.—Congress makes the following findings:

(1) Article XXI of the General Agreement on Tariffs and Trade provides for security exceptions to the rules of the World Trade Organization to allow a member of the World Trade Organization to take actions ''necessary for the protection of its essential security interests'' during ''time of war or other emergency in international relations'' or ''to prevent any contracting party from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security''.

(2) The actions of the Bolivarian Republic of Venezuela and the Islamic Republic of Iran to finance and facilitate the participation of foreign terrorist organizations in ongoing conflicts and illicit activities, in a manner that is detrimental to the security interests of the United States, warrants taking action under that Article.

(b) PROHIBITION.—The importation of crude oil, petroleum, petroleum products, and liquefied natural gas from Venezuela and Iran is prohibited.

(c) EXCEPTION.—The prohibition under subsection (b) does not apply with respect to crude oil, petroleum, petroleum products, or liquefied natural gas seized by the United States Government for violations of sanctions imposed by the United States.

(d) EFFECTIVE DATE.—The prohibition under subsection (b) applies with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of the enactment of this Act.

SA 3048. Mr. RUBIO (for himself and Mr. OSSOFF) 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. _____. FHA MORTGAGE INSURANCE PROGRAM FOR MORTGAGES FOR FIRST RESPONDERS.

Section 203 of the National Housing Act (12 U.S.C. 1709) is amended by adding at the end the following:

''(z) FHA MORTGAGE INSURANCE PROGRAM FOR MORTGAGES FOR FIRST RESPONDERS.—

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

''(A) FIRST RESPONDER.—The term 'first responder' means an individual who is, as attested by the individual—

''(i)(I) employed full-time by a law enforcement agency of the Federal Government, a State, a Tribal government, or a unit of general local government; and

''(II) in carrying out such full-time employment, sworn to uphold, and make arrests for violations of, Federal, State, county, township, municipal, or Tribal laws, or authorized by law to supervise sentenced criminal offenders or individuals with pending criminal charges;

''(ii) employed full-time as a firefighter, paramedic, or emergency medical technician by a fire department or emergency medical services responder unit of the Federal Government, a State, a Tribal government, or a unit of general local government; or

''(iii) employed as a full-time teacher by a State-accredited public school or private school that provides direct services to students in grades pre-kindergarten through 12.

''(B) FIRST-TIME HOMEBUYER.—The term 'first-time homebuyer' has the meaning given the term in section 104 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12704).

''(C) STATE.—The term 'State' has the meaning given the term in section 201.

''(D) TRIBAL GOVERNMENT.—The term 'Tribal government' means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

''(2) AUTHORITY.—The Secretary may, upon application by a mortgagee, insure any mortgage eligible for insurance under this subsection to an eligible mortgagor and, upon such terms and conditions as the Secretary may prescribe, make commitments for the insurance of such mortgages prior to the date of their execution or disbursement.

''(3) MORTGAGE TERMS; MORTGAGE INSURANCE PREMIUM.—

''(A) TERMS.—

''(i) IN GENERAL.—A mortgage insured under this subsection shall—

''(I) be made to an eligible mortgagor;

''(II) comply with the requirements established under paragraphs (1) through (7) of subsection (b); and

''(III) be used only to—

''(aa) purchase or repair a 1-family residence, including a 1-family dwelling unit in a condominium project, to serve as a principal residence of the mortgagor, as attested by the mortgagor; or

''(bb) purchase a principal residence of the mortgagor, as attested by the mortgagor, which is—

''(AA) a manufactured home to be permanently affixed to a lot that is owned by the mortgagor and titled as real property; or

''(BB) a manufactured home and a lot to which the home will be permanently affixed that is titled as real property.

''(ii) NO DOWN PAYMENT.—Notwithstanding any provision to the contrary in the matter following subsection (b)(2)(B) with respect to first-time homebuyers—

''(I) the Secretary may insure any mortgage that involves an original principal obligation (including allowable charges and fees and the premium pursuant to subparagraph (B) of this paragraph) in an amount not to exceed 100 percent of the appraised value of the property involved; and

''(II) the mortgagor of a mortgage described in subclause (I) shall not be required to pay any amount, in cash or its equivalent, on account of the property.

''(B) MORTGAGE INSURANCE PREMIUM.—

''(i) UP-FRONT PREMIUM.—The Secretary shall establish and collect an insurance premium in connection with mortgages insured under this subsection that is a percentage of the original insured principal obligation of the mortgage amount, which shall be collected at the time and in the manner provided under subsection (c)(2)(A), except that the premiums collected under this subparagraph—

''(I) may be in an amount that exceeds 3 percent of the amount of the original insured principal obligation of the mortgage; and

''(II) may be adjusted by the Secretary from time to time by increasing or decreasing such percentages as the Secretary considers necessary, based on the performance of mortgages insured under this subsection and market conditions.

''(ii) PROHIBITION OF MONTHLY PREMIUMS.—A mortgage insured under this subsection shall not be subject to a monthly insurance premium, including a premium under subsection (c)(2)(B).

''(4) ELIGIBLE MORTGAGORS.—The mortgagor for a mortgage insured under this subsection shall, at the time the mortgage is executed—

''(A) be a first-time homebuyer;

''(B) have completed a program of housing counseling provided through a housing counseling agency approved by the Secretary;

''(C) as attested by the mortgagor—

''(i) be employed as a first responder;

''(ii) have been—

''(I) employed as a first responder for not less than 4 of the 5 years preceding the date on which the mortgagor submitted an application to insure the mortgage under this section; or

''(II) released from employment as a first responder due to an occupation-connected disability resulting from such duty or employment;

''(iii) be in good standing as a first responder and not on probation or under investigation for conduct that, if determined to have occurred, is grounds for termination of employment;

''(iv) in good faith intend to continue as a first responder for not less than 1 year following the date of closing on the mortgage; and

''(v) have previously never been the mortgagor under a mortgage insured under this subsection;

''(D) meet such requirements as the Secretary shall establish to ensure that insurance of the mortgage represents an acceptable risk to the Mutual Mortgage Insurance Fund; and

''(E) meet such underwriting requirements as the Secretary shall establish to meet actuarial objectives identified by the Secretary, which may include avoiding a positive subsidy rate or complying with the capital ratio requirement under section 205(f)(2).

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out the program under this subsection—

''(A) $660,000 for fiscal year 2024, to remain available until expended; and

''(B) $160,000 for each of fiscal years 2025 through 2030, to remain available until expended.

''(6) REAUTHORIZATION REQUIRED.—The authority to enter into new commitments to insure mortgages under this subsection shall expire on the date that is 5 years after the date on which the Secretary first makes available insurance for mortgages under this subsection.''.

SA 3049. Mr. SCHUMER (for Mr. DURBIN (for himself, Mr. GRAHAM, Mr. HAWLEY, Ms. KLOBUCHAR, Mr. KING, Mr. LEE, and Mr. SCHUMER)) proposed an amendment to the bill S. 3696, to improve rights to relief for individuals affected by non-consensual activities involving intimate digital forgeries, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Disrupt Explicit Forged Images and Non-Consensual Edits Act of 2024'' or the ''DEFIANCE Act of 2024''.

SEC. 2. FINDINGS.

Congress finds that:

(1) Digital forgeries, often called deepfakes, are synthetic images and videos that look realistic. The technology to create digital forgeries is now ubiquitous and easy to use. Hundreds of apps are available that can quickly generate digital forgeries without the need for any technical expertise.

(2) Digital forgeries can be wholly fictitious but can also manipulate images of real people to depict sexually intimate conduct that did not occur. For example, some digital forgeries will paste the face of an individual onto the body of a real or fictitious individual who is nude or who is engaging in sexual activity. Another example is a photograph of an individual that is manipulated to digitally remove the clothing of the individual so that the person appears to be nude.

(3) The individuals depicted in such digital forgeries are profoundly harmed when the content is produced, disclosed, or obtained without the consent of those individuals. These harms are not mitigated through labels or other information that indicates that the depiction is fake.

(4) It can be destabilizing to victims whenever those victims are depicted in sexual digital forgeries against their will, as the privacy of those victims is violated and the victims lose control over their likeness and identity.

(5) Victims can feel helpless because the victims—

(A) may not be able to determine who has created the content; and

(B) do not know how to prevent further disclosure of the digital forgery or how to prevent more forgeries from being made.

(6) Victims may be fearful of being in public out of concern that individuals the victims encounter have seen the digital forgeries. This leads to social rupture through the loss of the ability to trust, stigmatization, and isolation.

(7) Victims of non-consensual, sexually intimate digital forgeries may experience depression, anxiety, and suicidal ideation. These victims may also experience the ''silencing effect'' in which the victims withdraw from online spaces and public discourse to avoid further abuse.

(8) Digital forgeries are often used to—

(A) harass victims, interfering with their employment, education, reputation, or sense of safety; or

(B) commit extortion, sexual assault, domestic violence, and other crimes.

(9) Because of the harms caused by non-consensual, sexually intimate digital forgeries, such digital forgeries are considered to be a form of image-based sexual abuse.

SEC. 3. CIVIL ACTION RELATING TO DISCLOSURE OF INTIMATE IMAGES.

(a) DEFINITIONS.—Section 1309 of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851) is amended—

(1) in the heading, by inserting ''**OR NON-CONSENSUAL ACTIVITY INVOLVING DIGITAL FORGERIES**'' after ''**INTIMATE IMAGES**''; and

(2) in subsection (a)—

(A) in paragraph (2), by inserting ''competent,'' after ''conscious,'';

(B) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(C) by redesignating paragraph (3) as paragraph (5);

(D) by inserting after paragraph (2) the following:

''(3) DIGITAL FORGERY.—

''(A) IN GENERAL.—The term 'digital forgery' means any intimate visual depiction of an identifiable individual created through the use of software, machine learning, artificial intelligence, or any other computer-generated or technological means, including by adapting, modifying, manipulating, or altering an authentic visual depiction, that, when viewed as a whole by a reasonable person, is indistinguishable from an authentic visual depiction of the individual.

''(B) LABELS, DISCLOSURE, AND CONTEXT.—Any visual depiction described in subparagraph (A) constitutes a digital forgery for purposes of this paragraph regardless of whether a label, information disclosed with the visual depiction, or the context or setting in which the visual depiction is disclosed states or implies that the visual depiction is not authentic.'';

(E) in paragraph (5), as so redesignated—

(i) by striking ''(5) DEPICTED'' and inserting ''(5) IDENTIFIABLE''; and

(ii) by striking ''depicted individual'' and inserting ''identifiable individual''; and

(F) in paragraph (6)(A), as so redesignated—

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

(ii) in clause (ii)—

(I) in subclause (I), by striking ''individual;'' and inserting ''individual; or''; and

(II) by striking subclause (III); and

(iii) by adding at the end the following:

''(iii) an identifiable individual engaging in sexually explicit conduct; and''.

(b) CIVIL ACTION.—Section 1309(b) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(b)) is amended—

(1) in paragraph (1)—

(A) by striking paragraph (A) and inserting the following:

''(A) IN GENERAL.—Except as provided in paragraph (5)—

''(i) an identifiable individual whose intimate visual depiction is disclosed, in or affecting interstate or foreign commerce or using any means or facility of interstate or foreign commerce, without the consent of the identifiable individual, where such disclosure was made by a person who knows or recklessly disregards that the identifiable individual has not consented to such disclosure, may bring a civil action against that person in an appropriate district court of the United States for relief as set forth in paragraph (3);

''(ii) an identifiable individual who is the subject of a digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced or possessed the digital forgery with intent to disclose it, or knowingly disclosed or solicited the digital forgery, if—

''(I) the identifiable individual did not consent to such production or possession with intent to disclose, disclosure, or solicitation;

''(II) the person knew or recklessly disregarded that the identifiable individual did not consent to such production or possession with intent to disclose, disclosure, or solicitation; and

''(III) such production, disclosure, solicitation, or possession is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce; and

''(iii) an identifiable individual who is the subject of a digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced the digital forgery if—

''(I) the identifiable individual did not consent to such production;

''(II) the person knew or recklessly disregarded that the identifiable individual—

''(aa) did not consent to such production; and

''(bb) was harmed, or was reasonably likely to be harmed, by the production; and

''(III) such production is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce.''; and

(B) in subparagraph (B)—

(i) in the heading, by inserting ''IDENTIFIABLE'' before ''INDIVIDUALS''; and

(ii) by striking ''an individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the individual'' and inserting ''an identifiable individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the identifiable individual'';

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by inserting ''identifiable'' before ''individual'';

(ii) by striking ''depiction'' and inserting ''intimate visual depiction or digital forgery''; and

(iii) by striking ''distribution'' and inserting ''disclosure, solicitation, or possession''; and

(B) in subparagraph (B)—

(i) by inserting ''identifiable'' before individual;

(ii) by inserting ''or digital forgery'' after each place the term ''depiction'' appears; and

(iii) by inserting '', solicitation, or possession'' after ''disclosure'';

(3) by redesignating paragraph (4) as paragraph (5);

(4) by striking paragraph (3) and inserting the following:

''(3) RELIEF.—

''(A) IN GENERAL.—In a civil action filed under this section, an identifiable individual may recover—

''(i) damages as provided under subparagraph (C); and

''(ii) the cost of the action, including reasonable attorney fees and other litigation costs reasonably incurred.

''(B) PUNITIVE DAMAGES AND OTHER RELIEF.—The court may, in addition to any other relief available at law, award punitive damages or order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to delete, destroy, or cease display or disclosure of the intimate visual depiction or digital forgery.

''(C) DAMAGES.—For purposes of subparagraph (A)(i), the identifiable individual may recover—

''(i) liquidated damages in the amount of—

''(I) $150,000; or

''(II) $250,000 if the conduct at issue in the claim was—

''(aa) committed in relation to actual or attempted sexual assault, stalking, or harassment of the identifiable individual by the defendant; or

''(bb) the direct and proximate cause of actual or attempted sexual assault, stalking, or harassment of the identifiable individual by any person; or

''(ii) actual damages sustained by the individual, which shall include any profits of the defendant that are attributable to the conduct at issue in the claim that are not otherwise taken into account in computing the actual damages.

''(D) CALCULATION OF DEFENDANT'S PROFIT.—For purposes of subparagraph (C)(ii), to establish the defendant's profits, the identifiable individual shall be required to present proof only of the gross revenue of the defendant, and the defendant shall be required to prove the deductible expenses of the defendant and the elements of profit attributable to factors other than the conduct at issue in the claim.

''(4) PRESERVATION OF PRIVACY.—In a civil action filed under this section, the court may issue an order to protect the privacy of a plaintiff, including by—

''(A) permitting the plaintiff to use a pseudonym;

''(B) requiring the parties to redact the personal identifying information of the plaintiff from any public filing, or to file such documents under seal; and

''(C) issuing a protective order for purposes of discovery, which may include an order indicating that any intimate visual depiction or digital forgery shall remain in the care, custody, and control of the court.'';

(5) in paragraph (5)(A), as so redesignated—

(A) by striking ''image'' and inserting ''visual depiction or digital forgery''; and

(B) by striking ''depicted'' and inserting ''identifiable''; and

(6) by adding at the end the following:

''(6) STATUTE OF LIMITATIONS.—Any action commenced under this section shall be barred unless the complaint is filed not later than 10 years from the later of—

''(A) the date on which the identifiable individual reasonably discovers the violation that forms the basis for the claim; or

''(B) the date on which the identifiable individual reaches 18 years of age.

''(7) DUPLICATIVE RECOVERY BARRED.—No relief may be ordered under paragraph (3) against a person who is subject to a judgment under section 2255 of title 18, United States Code, for the same conduct involving the same identifiable individual and the same intimate visual depiction or digital forgery.''.

(c) CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.—

(1) IN GENERAL.—This Act shall not be construed to impair, supersede, or limit a provision of Federal, State, or Tribal law.

(2) NO PREEMPTION.—Nothing in this Act shall prohibit a State or Tribal government from adopting and enforcing a provision of law governing disclosure of intimate images or nonconsensual activity involving a digital forgery, as defined in section 1309(a) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(a)), as amended by this Act, that is at least as protective of the rights of a victim as this Act.

SEC. 4. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional, the remaining provisions of and amendments made by this Act, and the application of the provision or amendment held to be unconstitutional to any other person or circumstance, shall not be affected thereby.

PRIVILEGES OF THE FLOOR

Mr. DURBIN. Madam President, I ask unanimous consent that the following law clerks to the Senate Judiciary Committee be granted floor privileges until July 26, 2024: Nile Debebe, Ella Kimbell, Erin Rogers, David Jaffe, Colin Dunkley, and Cole Hernandez.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISRUPT EXPLICIT FORGED IMAGES AND NON-CONSENSUAL EDITS ACT OF 2024

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 3696 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3696) to improve rights to relief for individuals affected by non-consensual activities involving intimate digital forgeries, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the Durbin-Grassley substitute amendment at the desk be considered and agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3049), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. SCHUMER. I ask that the bill, as amended, be considered read a third time.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Mr. SCHUMER. I know of no further debate on the bill as amended.