SENATE RESOLUTION 931—RECOGNIZING THE EXCEPTIONAL SERVICE OF AMBASSADOR MICHAEL HERZOG DURING HIS TENURE AS AMBASSADOR OF ISRAEL TO THE UNITED STATES

Mr. GRAHAM (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 931

Whereas, since November 15, 2021, Ambassador Michael Herzog has served as Ambassador of Israel to the United States;

Whereas, prior to serving as Ambassador of Israel to the United States, Ambassador Herzog served the State of Israel as—

(1) the head of the Strategic Planning Division;

(2) Military Secretary and Chief of Staff to four Defense Ministers; and

(3) a special envoy for diplomatic negotiations for the Prime Minister;

Whereas, during his entire tenure as Ambassador of Israel to the United States, Ambassador Herzog has worked in a bipartisan manner, stating, ''Bipartisan support for Israel is a fundamental component of our relations with the United States'';

Whereas Ambassador Herzog has been one of the most effective voices for the State of Israel and has been instrumental in meeting Israel's needs during this traumatic time in the history of the Jewish State; and

Whereas Ambassador Herzog has worked tirelessly to build on the success of the Abraham Accords and advance normalization efforts between the State of Israel and the Kingdom of Saudi Arabia: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the exceptional service of Ambassador Michael Herzog during his tenure as Ambassador of Israel to the United States;

(2) commends Ambassador Herzog for his commitment to building a more peaceful region through his work to further expand upon the Abraham Accords; and

(3) encourages the United States and the State of Israel to continue to build off the work Ambassador Herzog has done during his tenure to ensure the relationship between Israel and the United States continues to grow and prosper.

SENATE RESOLUTION 932—DESIGNATING THE MONTH OF OCTOBER 2024 AS ''NATIONAL MILITARY TOXIC EXPOSURES AWARENESS MONTH''

Mr. MORAN (for himself and Ms. ROSEN) submitted the following resolution; which was considered and agreed to:

S. RES. 932

Whereas the profound impacts of military toxic exposures on generations of veterans and military families have created the persistent and urgent need for enhanced public awareness and preventative health measures;

Whereas the history of military toxic exposures dates back more than a century, particularly with the use of chemical warfare in World War I;

Whereas, despite reductions in certain chemical agents during World War II, members of the Armed Forces continued to face significant toxic exposures, including hazardous substances from naval vessels and herbicides during the Korean War and Agent Orange and other tactical herbicides during the Vietnam War;

Whereas the impact of toxic exposure is not limited to veterans alone, but can also affect their families, including their children with medical conditions potentially related to their parents' service, including children born with health issues following the Vietnam War;

Whereas the legacy of toxic exposure extends to veterans known as ''Atomic Veterans'', who experienced hazardous radiation exposure, further compounding the health risks associated with service in the Armed Forces;

Whereas generations of veterans have faced toxic exposures while serving abroad;

Whereas veterans have encountered other toxic exposures and environmental hazards during service in the Armed Forces, including contaminated drinking water, asbestos, polychlorinated biphenyl, lead, and radiation;

Whereas, in 1991, the Vietnam Veterans of America achieved a significant legislative victory, when Congress passed the Agent Orange Act of 1991 (Public Law 102–4), leading to the recognition of Agent Orange as a presumptive hazard and paving the way for benefits for affected veterans;

Whereas subsequent conflicts, including the Persian Gulf War, have seen soldiers, airmen, sailors, and marines facing similar debilitating health issues due to toxic exposures, reinforcing the need for continued advocacy and research;

Whereas multiple veterans service organizations, including Veterans of Foreign Wars of the United States, the American Legion, Disabled American Veterans, Paralyzed Veterans of America, the Vietnam Veterans of America, and others have worked tirelessly to secure legislative improvements, including studies on the effects of toxic exposure and the passage of the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 (Public Law 117–168), also known as the PACT Act;

Whereas the PACT Act expanded eligibility for benefits and health care to veterans of all eras who were exposed to toxic substances;

Whereas the PACT Act established a new, responsive framework so that the Department of Veterans Affairs could more rapidly and transparently make decisions on the presumption of connection to service in the Armed Forces for illnesses and other conditions associated with toxic exposure;

Whereas burn pits, hazardous particulate matter, Agent Orange, oil well fires, fuel leaks, and other toxic events present in various conflicts have emerged as significant health concerns, necessitating research into their long-term effects on veterans and their families;

Whereas the lessons from toxic exposures guide the work and research of the Department of Defense, the Department of Veterans Affairs, and Congress;

Whereas the effects of toxic exposure are not confined to members of the Armed Forces and their family members, but also can impact civilian workers and residents of military installations exposed to hazardous materials;

Whereas continued vigilance is necessary to prevent future incidents of toxic exposure; and

Whereas the designation of October 2024 as ''National Military Toxic Exposures Awareness Month'' serves to highlight the historical significance of toxic exposure during service in the Armed Forces, raise awareness of toxic exposure, and commend the work of veterans and veterans' advocates who labor to meet the needs of former members of the Armed Forces who were exposed to toxic substances while in service of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 2024 as ''National Military Toxic Exposures Awareness Month'';

(2) recognizes the profound impact toxic exposures have had on veterans, members of the Armed Forces, their families, and their survivors;

(3) honors the sacrifices of individuals impacted by toxic exposure in the Armed Forces;

(4) calls upon the Department of Defense to reinforce the commitment by the Federal Government to prevent future incidents of toxic exposure among members of the Armed Forces;

(5) will continue to explore legislative initiatives aimed at improving health outcomes and preventive measures for current and future generations of members of the Armed Forces and veterans;

(6) commends the Department of Defense for striving to meet or exceed industry standards while working within status of forces agreements with host partner nations overseas in various international locations and urges continued efforts to meet or exceed such standards;

(7) encourages the people of the United States to observe National Military Toxic Exposures Awareness Month by—

(A) honoring the sacrifices of individuals impacted by toxic exposure in the Armed Forces;

(B) promoting awareness of the ongoing challenges and of the resources available to veterans and their families, caregivers, and survivors from the Department of Veterans Affairs; and

(C) supporting affected veterans and their families; and

(8) encourages the Department of Veterans Affairs to continue educating the public and advocating for veterans and their families and survivors affected by toxic exposure by—

(A) promoting awareness of the impact of toxic exposure on veterans, members of the Armed Forces, and their families;

(B) encouraging veterans to utilize available resources from the Department of Veterans Affairs, veterans service organizations, and other entities;

(C) providing opportunities for research to understand the impacts of toxic exposure and to prevent future incidents of toxic exposure;

(D) reaching all veterans who may have encountered toxic exposures during service in the Armed Forces and offering screenings and relevant information;

(E) improving clinical practice guidelines for veterans exposed to toxic substances that best meet the unique medical needs of those veterans; and

(F) working with civic-minded groups and the people of the United States to thank members of the Armed Forces and veterans for their service and sacrifice.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3333. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 5009, to reauthorize wildlife habitat and conservation programs, and for other purposes; which was ordered to lie on the table.

SA 3334. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 5009, supra; which was ordered to lie on the table.

SA 3335. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 82, to amend title II of the

Social Security Act to repeal the Government pension offset and windfall elimination provisions; which was ordered to lie on the table.

SA 3336. Mr. CRUZ (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 82, supra; which was ordered to lie on the table.

SA 3337. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 5009, to reauthorize wildlife habitat and conservation programs, and for other purposes; which was ordered to lie on the table.

SA 3338. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 5009, supra; which was ordered to lie on the table.

SA 3339. Mr. SCHUMER (for Mr. REED (for himself and Mr. HAGERTY)) proposed an amendment to the bill S. 3502, to amend the Fair Credit Reporting Act to prevent consumer reporting agencies from furnishing consumer reports under certain circumstances, and for other purposes.

SA 3340. Mr. SCHUMER (for Mr. PETERS) proposed an amendment to the bill S. 4181, to require the development of a workforce plan for the Federal Emergency Management Agency.

SA 3341. Mr. SCHUMER (for Mr. CORNYN (for himself and Ms. HASSAN)) proposed an amendment to the bill S. 1299, to amend title 38, United States Code, to require the Secretary of Veterans Affairs to periodically review the automatic maximum coverage under Servicemembers' Group Life Insurance program and the Veterans' Group Life Insurance program, and for other purposes.

SA 3342. Mr. SCHUMER (for Ms. CORTEZ MASTO) proposed an amendment to the bill S. 1144, to establish a grant program to provide assistance to local law enforcement agencies, and for other purposes.

TEXT OF AMENDMENTS

SA 3333. Mr. SANDERS proposed an amendment to the bill H.R. 5009, reauthorize wildlife habitat and conservation programs, and for other purposes; which was oredred to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REDUCTION IN MILITARY SPENDING.

The total amount of funds authorized to be appropriated by this Act is hereby reduced by 10 percent, with the amount of such reduction to be applied on a pro rata basis among the accounts and funds for which amounts are authorized to be appropriated by this Act, excluding accounts and funds relating to military personnel, the Defense Health Program, and assistance to Ukraine. The amount of reduction for each account and fund subject to such requirement shall be applied on a pro rata basis across each program, project, and activity funded by such account or fund.

SA 3334. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill H.R. 5009, to reauthorize wildlife habitat and conservation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DEPARTMENT OF DEFENSE SPENDING REDUCTIONS IN THE ABSENCE OF AN UNQUALIFIED AUDIT OPINION.

If during any fiscal year after fiscal year 2024, the Secretary of Defense determines that a department, agency, or other element of the Department of Defense has not achieved an unqualified opinion on its full financial statements for the calendar year ending during such fiscal year—

(1) the amount available to such department, agency, or element for the fiscal year in which such determination is made shall be equal to the amount otherwise authorized to be appropriated minus 1.0 percent;

(2) the amount unavailable to such department, agency, or element for that fiscal year pursuant to paragraph (1) shall be applied on a pro rata basis against each program, project, and activity of such department, agency, or element in that fiscal year; and

(3) the Secretary shall deposit in the general fund of the Treasury for purposes of deficit reduction all amounts unavailable to departments, agencies, and elements of the Department in the fiscal year pursuant to determinations made under paragraph (1).

SA 3335. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 82, to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Social Security Fairness Act of 2024''.

SEC. 2. ELIMINATING APPLICATION OF GOVERNMENT PENSION OFFSET AND WINDFALL ELIMINATION PROVISION FOR FEDERAL EMPLOYEES AND STATE AND LOCAL GOVERNMENT EMPLOYEES IN STATES THAT AGREE TO EXTEND SOCIAL SECURITY COVERAGE TO SUCH EMPLOYEES.

(a) GOVERNMENT PENSION OFFSET.—Section 202(k)(5) of the Social Security Act (42 U.S.C. 402(k)(5)) is amended by adding at the end the following new subparagraphs:

''(D)(i) For purposes of subparagraph (A), in the case of an individual who receives a monthly periodic benefit which is based upon such individual's earnings while in the service of any State or political subdivision thereof, no reduction of a monthly insurance benefit under such subparagraph shall apply for any month beginning after the date of enactment of this subparagraph if, for such month, such State satisfies the conditions described in clause (ii).

''(ii)(I) The conditions described in this clause with respect to a State for any month are that an agreement has been entered into between the Commissioner of Social Security and such State to extend the insurance system established by this title to services performed by individuals as employees of such State or any political subdivision thereof such that, pursuant to such agreement, all such employees who, as of the effective date of such agreement, have not attained age 52 (or, in the case of employees in a position that is subject to a mandatory retirement age that is lower than age 62, have not attained the age that is 10 years less than such mandatory retirement age) shall be covered by the insurance system established by this title.

''(II) The requirements of section 218 shall apply to an agreement described in subclause (I).

''(iii) In the case of any individual who received periodic benefits under a retirement system before the date of enactment of this subparagraph, clause (i) shall apply with respect to any monthly insurance benefit of such individual for any month beginning after the date of enactment of this subparagraph in which the State that established such retirement system satisfies the conditions described in clause (ii).

''(iv) For purposes of this subparagraph, the term 'political subdivision' has the same meaning given such term under section 218(b)(2).

''(E)(i) For purposes of subparagraph (A), in the case of an individual who receives a monthly periodic benefit which is based upon such individual's earnings while in the service of the Federal Government, no reduction of a monthly insurance benefit under such subparagraph shall apply for any month beginning on or after the date specified in clause (iii).

''(ii) In the case of any individual who, before the date specified in clause (iii), received a monthly periodic benefit which is based upon such individual's earnings while in the service of the Federal Government, clause (i) shall apply with respect to any monthly insurance benefit of such individual for any month beginning on or after such date.

''(iii) The date specified in this clause is the first day of the first month as of which, in every State, the service of at least 50 percent of all employees of the State or any political subdivision thereof constitutes 'employment' as defined in section 210.''.

(b) WINDFALL ELIMINATION PROVISION.—Section 215 of the Social Security Act (42 U.S.C. 415) is amended by adding at the end the following new subsection:

''Nonapplication of Windfall Elimination Provision for Federal Employees and State and Local Government Employees in States That Agree to Extend Social Security Coverage to Such Employees

''(j)(1)(A) For purposes of subsection (a)(7) or (d)(3), in the case of an individual who receives a monthly periodic payment for any month beginning on or after the date of enactment of this subsection which is based upon such individual's earnings while in the service of any State or political subdivision thereof (as defined in section 218(b)(2)), no computation or recomputation of the primary insurance amount of such individual under such subsection shall apply if, for such month, such State satisfies the conditions described in section 202(k)(5)(D)(ii).

''(B) In the case of any individual who received periodic payments under a retirement system (as defined in section 218(b)(4)) before the date of enactment of this subsection, the primary insurance amount of such individual shall be recomputed without regard to subsection (a)(7) or (d)(3), effective with the first month beginning after the date of enactment of this subsection in which the State that established such retirement system satisfies the conditions described in section 202(k)(5)(D)(ii).

''(2)(A) For purposes of subsection (a)(7) or (d)(3), in the case of an individual who receives a monthly periodic payment for any month beginning on or after the date of enactment of this subsection which is based upon such individual's earnings while in the service of the Federal Government, no computation or recomputation of the primary insurance amount of such individual under such subsection shall apply for any month beginning on or after the date specified in section 205(k)(5)(E)(iii).

''(B) In the case of any individual who, before the date specified in section 205(k)(5)(E)(iii), received a monthly periodic payment which is based upon such individual's earnings while in the service of the Federal Government, the primary insurance amount of such individual shall be recomputed without regard to subsection (a)(7) or (d)(3), effective with the first month beginning on or after such date.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect

to monthly insurance benefits payable under title II of the Social Security Act for months beginning after December 31, 2024.

SA 3336. Mr. CRUZ (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 82, to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Equal Treatment of Public Servants Act of 2024''.

SEC. 2. REPLACEMENT OF THE WINDFALL ELIMINATION PROVISION WITH A FORMULA EQUALIZING BENEFITS FOR CERTAIN INDIVIDUALS WITH NONCOVERED EMPLOYMENT.

(a) IN GENERAL.—Section 215(a) of the Social Security Act (42 U.S.C. 415(a)) is amended by inserting after paragraph (7) the following:

''(8)(A) In the case of an individual whose primary insurance amount would be computed under paragraph (1) of this subsection—

''(i) who first becomes eligible for an old-age or disability insurance benefit after 2067,

''(ii) who subsequently becomes entitled to such benefit, and

''(iii) who has earnings derived from noncovered service performed in a year after 1977,

the primary insurance amount of such individual shall be the amount computed or recomputed under this paragraph.

''(B) The primary insurance amount of an individual described in subparagraph (A), as computed or recomputed under this paragraph, shall be the product derived by multiplying—

''(i) the individual's primary insurance amount, as determined under paragraph (1) of this subsection and subparagraph (C) of this paragraph, by

''(ii) a fraction—

''(I) the numerator of which is the individual's average indexed monthly earnings (determined without regard to subparagraph (C)), and

''(II) the denominator of which is an amount equal to the individual's average indexed monthly earnings (as determined under subparagraph (C)),

rounded, if not a multiple of $0.10, to the next lower multiple of $0.10.

''(C)(i) For purposes of determining an individual's primary insurance amount pursuant to clauses (i) and (ii)(II) of subparagraph (B), the individual's average indexed monthly earnings shall be determined by treating all recorded noncovered earnings (as defined in clause (ii)(I)) derived by the individual from noncovered service performed in each year after 1977 as 'wages' (as defined in section 209 for purposes of this title), which shall be treated as included in the individual's adjusted total covered earnings (as defined in clause (ii)(II)) for such calendar year together with amounts consisting of 'wages' (as so defined without regard to this subparagraph) paid during such calendar year and self-employment income (as defined in section 211(b)) for taxable years ending with or during such calendar year.

''(ii) For purposes of this subparagraph:

''(I) The term 'recorded noncovered earnings' means earnings derived from noncovered service (other than noncovered service as a member of a uniformed service (as defined in section 210(m)) for which satisfactory evidence is determined by the Commissioner to be available in the records of the Commissioner.

''(II) The term 'adjusted total covered earnings' means, in connection with an individual for any calendar year, the sum of the wages paid to the individual during such calendar year (as adjusted under subsection (b)(3)) plus the self-employment income derived by the individual during any taxable year ending with or during such calendar year (as adjusted under subsection (b)(3)).

''(iii) The Commissioner of Social Security shall provide by regulation or other public guidance for methods for determining whether satisfactory evidence is available in the records of the Commissioner for earnings for noncovered service (other than noncovered service as a member of a uniformed service (as defined in section 210(m))) to be treated as recorded noncovered earnings. Such methods shall provide for reliance on earnings information which is provided to the Commissioner by employers and which, as determined by the Commissioner, constitute a reasonable basis for treatment of earnings for noncovered service as recorded noncovered earnings. In making determinations under this clause, the Commissioner shall also take into account any documentary or other evidence of earnings derived from noncovered service by an individual which is provided by the individual to the Commissioner and which the Commissioner considers appropriate as a reasonable basis for treatment of such earnings as recorded noncovered earnings.

''(D) Upon the death of an individual whose primary insurance amount is computed or recomputed under this paragraph, such primary insurance amount shall be computed or recomputed under paragraph (1) of this subsection.

''(E) In the case of any individual whose primary insurance amount would be computed under this paragraph who first becomes entitled after 1985 to a monthly periodic payment made by a foreign employer or foreign country that is based in whole or in part upon noncovered service, the primary insurance amount of such individual shall be computed or recomputed under paragraph (7) or paragraph (1), as applicable, for months beginning with the first month of the individual's initial entitlement to such monthly periodic payment.''.

(b) CONFORMING AMENDMENTS.—Section 215(a)(7)(A) of such Act (42 U.S.C. 415(a)(7)(A)) is amended—

(1) in clause (i)—

(A) by striking ''after 1985'' and inserting ''after 1985 and before 2068''; and

(B) by striking ''or'' at the end;

(2) in clause (ii)—

(A) by striking ''after 1985'' each place it appears and inserting ''after 1985 and before 2068''; and

(B) by adding ''or'' at the end;

(3) by inserting after clause (ii) the following:

''(iii) is an individual described in paragraph (8)(E),''; and

(4) by striking ''hereafter in this paragraph and in subsection (d)(3)'' and inserting ''in this paragraph, paragraphs (8) and (9), and subsection (d)(3)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to monthly insurance benefits payable on or after January 1, 2025.

SEC. 3. BENEFIT CALCULATION DURING TRANSITION PERIOD.

(a) IN GENERAL.—Section 215(a) of the Social Security Act (42 U.S.C. 415(a)), as amended by section 2, is further amended by inserting after paragraph (8) the following:

''(9) In the case of an individual whose primary insurance amount would be computed under paragraph (1) of this subsection—

''(A) who first becomes eligible for an old-age or disability insurance benefit after 2024 and before 2068,

''(B) who subsequently becomes entitled to such benefit, and

''(C) who has earnings derived from noncovered service performed in a year after 1977,

the primary insurance amount of such individual shall be the higher of the amount computed or recomputed under paragraph (7) without regard to this paragraph or the amount that would be computed or recomputed under paragraph (8) if the individual were an individual described in subparagraph (A) of such paragraph.''.

(b) CONFORMING AMENDMENT.—Section 215(a)(7)(A) of such Act (42 U.S.C. 415(a)(7)(A)), as amended by section 2(b), is further amended by striking ''shall be computed or recomputed'' and inserting ''shall, subject to paragraph (9), be computed or recomputed''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to monthly insurance benefits payable on or after January 1, 2025.

SEC. 4. ADDITIONAL MONTHLY PAYMENT FOR INDIVIDUALS WHOSE BENEFIT AMOUNT IS REDUCED BY THE WINDFALL ELIMINATION PROVISION.

(a) IN GENERAL.—Section 215(a) of such Act (42 U.S.C. 415(a)), as amended by sections 2 and 3, is further amended by adding at the end the following:

''(10)(A) For any month beginning at least 270 days after the date of enactment of the Equal Treatment of Public Servants Act of 2024, the Commissioner of Social Security shall, subject to subparagraphs (C) and (D), make an additional monthly payment of $100 to each individual who is an eligible individual for such month, and an additional monthly payment of $50 to each individual (other than an eligible individual) who is entitled to a benefit under section 202 for such month on the basis of the wages and self-employment income of such eligible individual.

''(B) For purposes of this paragraph, the term 'eligible individual' for a month means an individual who—

''(i)(I) first becomes eligible for an old-age or disability insurance benefit under this title before 2025, or

''(II) is an individual described in paragraph (8)(E), and

''(ii) is entitled to an old-age or disability insurance benefit under this title for such month based on a primary insurance amount that was computed or recomputed under paragraph (7) (and not subsequently recomputed under any other paragraph of this subsection).

''(C) In any case in which this title provides that no monthly benefit under section 202 or 223 shall be paid to an individual for a month, no additional monthly payment shall be paid to the individual for such month. This subparagraph shall not apply in the case of an individual whose monthly benefit under section 202 or 223 is reduced, regardless of the amount of the reduction, based on the individual's receipt of other income or benefits for such month or the application of section 203(a) or due to the adjustment or recovery of an overpayment under section 204.

''(D)(i) An individual is not entitled to receive more than one additional monthly payment for a month under this paragraph.

''(ii) An eligible individual who is entitled to a benefit under section 202 on the basis of the wages and self-employment income of another eligible individual for a month shall receive an additional monthly payment under this paragraph in the amount of $100 for such month.

''(E) Except for purposes of adjustment or recovery of an overpayment under section 204, an additional monthly payment under this paragraph shall not be subject to any reduction or deduction under this title.

''(F) Whenever benefit amounts under this title are increased by any percentage effective with any month as a result of a determination made under subsection (i), each of the dollar amounts in subparagraph (A) shall be increased by the same percentage for months beginning with such month.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to monthly insurance benefits payable for months beginning at least 270 days after the date of enactment of this Act.

SEC. 5. REPORTING OF NONCOVERED EARNINGS ON SOCIAL SECURITY ACCOUNT STATEMENTS.

(a) IN GENERAL.—Section 1143(a)(2) of the Social Security Act (42 U.S.C. 1320b–13(a)(2)) is amended—

(1) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F); and

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

''(B) the amount of earnings derived by the eligible individual from service performed after 1977 which did not constitute employment (as defined in section 210), not including service as a member of a uniformed service (as defined in section 210(m)), as shown by the records of the Commissioner at the date of the request;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Social Security account statements issued on or after January 1, 2025.

SEC. 6. STUDY ON PARTNERING WITH STATE AND LOCAL PENSION SYSTEMS.

(a) STUDY.—

(1) IN GENERAL.—The Commissioner of Social Security shall study and test the administrative feasibility of partnering with State and local pension systems, or other governmental entities, to improve the collection and sharing of information relating to State and local noncovered pensions.

(2) COORDINATION WITH STATE AND LOCAL PENSION SYSTEMS.—In conducting the study described in paragraph (1), the Commissioner shall coordinate with State and local pension systems that reflect the diversity of systems and individual experiences to explore the development of automated data exchange agreements that facilitate reporting of information relating to noncovered pensions.

(b) REPORT.—The Commissioner of Social Security shall conclude the study described in subsection (a) not later than 4 years after the date of enactment of this Act. As soon as possible after conclusion of the study and not later than 4½ years after the date of enactment of this Act, the Commissioner shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the results of the study. Such report shall include the following:

(1) A discussion of how the automated data exchange agreements could be implemented to cover noncovered pensions nationally, including the range of implementation timelines across State and local pension systems, or with other governmental entities.

(2) An analysis of the barriers to developing automated data exchange agreements and lessons learned that can help address these barriers.

(3) A description of alternative methods for obtaining information related to noncovered pensions, and an analysis of the barriers to obtaining noncovered pension data through such methods.

(4) An explanation of how coverage information is obtained by the Social Security Administration when an individual purchases service credits to apply to a new covered or noncovered pension after moving from another covered or noncovered pension within the State or in another State.

(5) An estimate of the total amount, as of the date of the enactment of this Act, of noncovered pensions not reported to the Social Security Administration as a result of noncompliance with voluntary reporting policies.

(c) STATE AND LOCAL PENSION INFORMATION TO BE REQUESTED BY THE COMMISSIONER.—Section 202 of the Social Security Act (42 U.S.C. 402) is amended by inserting after subsection (l) the following:

''(m) STATE AND LOCAL PENSION INFORMATION TO BE REQUESTED BY THE COMMISSIONER.—

''(1) The Commissioner may partner with States to request information, including the information specified in paragraph (2), with respect to any designated distribution (as defined in section 3405(e)(1) of the Internal Revenue Code of 1986) from an employer deferred compensation plan (as defined in section 3405(e)(5) of such Code) of the State (or political subdivision thereof) to a participant of such plan in any case in which any portion of such participant's earnings for service under such plan did not constitute 'employment' as defined in section 210 for purposes of this title.

''(2) The information specified in this paragraph is the following:

''(A) The name and Social Security account number of the participant receiving the designated distribution.

''(B) The dollar amount of the designated distribution and the date paid.

''(C) The date on which the participant initially became eligible for a designated distribution under the plan and, if different, the date of payment of the initial designated distribution.

''(D) The dates of each period of service under the plan that did not constitute 'employment' as defined in section 210 for purposes of this title, and the dates of any other period of service under the plan.''.

(d) DEFINITIONS.—In this section—

(1) the term ''noncovered pension'' means a pension any part of which is based on noncovered service (within the meaning of section 215(a)(7) of the Social Security Act (42 U.S.C. 415(a)(7))); and

(2) the term ''covered pension'' means any other pension.

SA 3337. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 5009, to reauthorize wildlife habitat and conservation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—REPUBLIC ACT

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Reforming Emergency Powers to Uphold the Balances and Limitations Inherent in the Constitution Act'' or the ''REPUBLIC Act''.

Subtitle A—Congressional Review of National Emergencies

SEC. ____11. 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. ___12. 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. ___13. 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.), as amended by this subtitle, 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 the 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 the enactment of this Act, is amended by striking the heading for such title.

SEC. ___14. 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. ___15. 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 ___11.

(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.

Subtitle B—Limitations on Emergency Authorities

SEC. ___21. PROTECTIONS FOR UNITED STATES PERSONS WITH RESPECT TO USE OF AUTHORITIES UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) is amended by inserting after section 203 the following:

"SEC. 203A. PROTECTIONS FOR UNITED STATES PERSONS.

''(a) LIMITATIONS FOR NECESSITIES.—

''(1) IN GENERAL.—Except as provided by paragraph (2) and in accordance with this section, no authority provided under section 203 may be exercised to target a United States person.

''(2) EXCEPTION FOR ISSUANCE OF GENERAL LICENSES.—An authority provided under section 203 may be exercised to target a United States person if the President has, before using the authority, issued a general license that ensures that the United States person has sufficient access to the necessities of life, including food, nutritional support, water, shelter, clothing, sanitation, medicine, health care and other vital services, and gainful employment where necessary to provide the United States person a means for subsistence.

''(3) DUE PROCESS FOR UNITED STATES PERSONS.—

''(A) IN GENERAL.—When taking an action pursuant to authority provided by section 203 to target a United States person, the President shall—

''(i) provide contemporaneous notice of the action to the United States person;

''(ii) not later than one week after taking the action, provide the United States person with the record on which the decision to take the action was based, including an unclassified summary, or a redacted version, of any classified information that provides the United States person with substantially the same ability to respond to that information as the classified information;

''(iii) provide the United States person with the opportunity to request review of the decision and to submit information in support of that request;

''(iv) provide the United States person with the opportunity for an administrative hearing not later than 90 days after requesting a review under clause (iii), unless the United States person agrees to a longer period; and

''(v) render a written decision on a request for review under clause (iii) not later than 90 days after the hearing under clause (iv), or, if no such hearing is requested, not later than 90 days after the later of—

''(I) the request for review; or

''(II) the submission of information in support of that request.

''(B) FAILURE TO RENDER TIMELY DECISION.—Failure to render a decision within the time frame specified in subparagraph (A)(v) shall be considered an agency action for purposes of section 702 of title 5, United States Code.

''(b) WARRANT FOR SEIZURE OF PROPERTY OF UNITED STATES PERSONS.—

''(1) IN GENERAL.—When taking an action pursuant to authority provided by section 203 to target a United States person, the President may not block or otherwise prevent the access of the United States person to property in which the United States person has an ownership interest except pursuant to a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a court-martial or other proceeding under the Uniform Code of Military Justice (chapter 47 of title 10, United States Code), issued under section 846 of title 10, United States Code (article 46 of

the Uniform Code of Military Justice), in accordance with regulations prescribed by the President) by a court of competent jurisdiction.

''(2) DELAYED WARRANTS.—To the extent consistent with the Fourth Amendment to the Constitution of the United States, a court shall permit the temporary blocking of property under section 203 without a warrant on an emergency basis, or use other means lawfully available to the court, to enable the Federal Government to identify the property that is subject to blocking while reducing the risk of property flight.

''(c) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A United States person that is the target of an action taken by the President pursuant to any authority provided under section 203 may bring an action in a United States court of competent jurisdiction, after exhaustion of any available administrative remedies, to obtain judicial review of the lawfulness of that action, including whether the action was authorized by the Executive order or orders specifying the measures to be taken under section 203 in response to a determination issued under section 202.

''(2) CONDUCT OF REVIEW.—In an action brought under paragraph (1)—

''(A) the review of the court shall be de novo;

''(B) any party may introduce evidence not included in the administrative record;

''(C) any administrative record or portions thereof may be entered into evidence, and questions of authentication or hearsay shall bear on the weight to be accorded the evidence rather than its admissibility;

''(D) classified information shall be handled in accordance with the Classified Information Procedures Act (18 U.S.C. App.), except that references to the 'defendant' in such Act shall be deemed to apply to the plaintiff; and

''(E) the court shall have the authority to order injunctive relief, actual damages, and attorneys' fees.

''(3) OTHER MEANS OF REVIEW.—The availability of judicial review under this subsection shall not preclude other available means of judicial review, including under section 702 of title 5, United States Code, except that a person may not exercise the right to judicial review under more than one provision of law.

''(d) UNITED STATES PERSON DEFINED.—In this section, the term 'United States person' means—

''(1) a United States national; or

''(2) an entity—

''(A) organized under the laws of the United States or any jurisdiction within the United States; and

''(B) in which more than 50 percent of the controlling interest is owned by a person described in paragraph (1).''.

SEC. ____22. EXCLUSION OF AUTHORITY TO IMPOSE DUTIES AND IMPORT QUOTAS FROM INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c)(1) The authority granted to the President by this section does not include the authority to impose duties or tariff-rate quotas or (subject to paragraph (2)) other quotas on articles entering the United States.

''(2) The limitation under paragraph (1) does not prohibit the President from excluding all articles, or all of a certain type of article, imported from a country from entering the United States.''.

SEC. ____23. PRESIDENTIAL WAR POWERS UNDER COMMUNICATIONS ACT OF 1934.

(a) IN GENERAL.—Section 706 of the Communications Act of 1934 (47 U.S.C. 606) is amended—

(1) by striking subsections (c) through (g); and

(2) by redesignating subsection (h) as subsection (c).

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 309(h) of the Communications Act of 1934 (47 U.S.C. 309(h)) is amended—

(1) by inserting ''and'' before ''(2)''; and

(2) by striking ''Act;'' and all that follows and inserting ''Act.''.

SEC. ____24. DISCLOSURE TO CONGRESS OF PRESIDENTIAL EMERGENCY ACTION DOCUMENTS.

(a) IN GENERAL.—Not later than 3 days after the conclusion of the process for approval, adoption, or revision of any presidential emergency action document, the President shall submit that document to the appropriate congressional committees.

(b) DOCUMENTS IN EXISTENCE BEFORE DATE OF ENACTMENT.—Not later than 15 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees all presidential emergency action documents in existence before such date of enactment.

(c) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have—

(A) continuing legislative oversight jurisdiction in the Senate with respect to the proposal, creation, implementation, and execution of presidential emergency action documents; and

(B) access to any and all presidential emergency action documents.

(2) HOUSE OF REPRESENTATIVES.—The Committee on Oversight and Accountability of the House of Representatives shall have—

(A) continuing legislative oversight jurisdiction in the House of Representatives with respect to the proposal, creation, implementation, and execution of presidential emergency action documents; and

(B) access to any and all presidential emergency action documents.

(3) DUTY TO COOPERATE.—All officers and employees of any Federal agency shall have the duty to cooperate with the exercise of oversight jurisdiction described in this subsection.

(4) SECURITY CLEARANCES.—The chairpersons and ranking members of the appropriate congressional committees, and designated staff of those committees, shall be granted all security clearances required to access, and granted access to, presidential emergency action documents, including under relevant Presidential or agency special access and compartmented access programs.

(d) DEFINITIONS.—In this section:

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

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Oversight and Accountability of the House of Representatives.

(2) FEDERAL AGENCY.—The term ''Federal agency''—

(A) has the meaning given the term ''agency'' in section 552(f) of title 5, United States Code; and

(B) includes the Executive Office of the President, the Executive Office of the Vice President, the Office of Management and Budget, and the National Security Council.

(3) PRESIDENTIAL EMERGENCY ACTION DOCUMENT.—The term ''presidential emergency action document'' refers to any document created by any Federal agency before, on, or after the date of the enactment of this Act, that is—

(A) designated as a presidential emergency action document or presidential emergency action directive;

(B) designed to implement a presidential decision or transmit a presidential request when an emergency disrupts normal executive, legislative, judicial, or other Federal governmental processes;

(C) a Presidential Policy Directive, regardless of whether the directive is available to the public, that triggers any change in policies, procedures, or operations of the Federal Government upon the declaration by the President of an emergency; or

(D) any other document, briefing, or plan, regardless of whether the document, briefing, or plan exists in any tangible or written form, that triggers any change in operations of the Federal Government upon the declaration by the President of an emergency.

SA 3338. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 5009, to reauthorize wildlife habitat and conservation programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—REPUBLIC ACT

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Reforming Emergency Powers to Uphold the Balances and Limitations Inherent in the Constitution Act'' or the ''REPUBLIC Act''.

Subtitle A—Congressional Review of National Emergencies

SEC. ____11. 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. ___12. 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. ___13. 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.), as amended by this subtitle, 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 the 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 the enactment of this Act, is amended by striking the heading for such title.

SEC. ___14. 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. ___15. 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 ___11.

(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.

Subtitle B—Limitations on Emergency Authorities

SEC. ___21. PROTECTIONS FOR UNITED STATES PERSONS WITH RESPECT TO USE OF AUTHORITIES UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

The International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) is amended by inserting after section 203 the following:

''SEC. 203A. PROTECTIONS FOR UNITED STATES PERSONS.

''(a) LIMITATIONS FOR NECESSITIES.—

''(1) IN GENERAL.—Except as provided by paragraph (2) and in accordance with this section, no authority provided under section 203 may be exercised to target a United States person.

''(2) EXCEPTION FOR ISSUANCE OF GENERAL LICENSES.—An authority provided under section 203 may be exercised to target a United States person if the President has, before using the authority, issued a general license that ensures that the United States person has sufficient access to the necessities of life, including food, nutritional support, water, shelter, clothing, sanitation, medicine, health care and other vital services, and gainful employment where necessary to provide the United States person a means for subsistence.

''(3) DUE PROCESS FOR UNITED STATES PERSONS.—

''(A) IN GENERAL.—When taking an action pursuant to authority provided by section 203 to target a United States person, the President shall—

''(i) provide contemporaneous notice of the action to the United States person;

''(ii) not later than one week after taking the action, provide the United States person with the record on which the decision to take the action was based, including an unclassified summary, or a redacted version, of any classified information that provides the United States person with substantially the same ability to respond to that information as the classified information;

''(iii) provide the United States person with the opportunity to request review of the decision and to submit information in support of that request;

''(iv) provide the United States person with the opportunity for an administrative hearing not later than 90 days after requesting a review under clause (iii), unless the United States person agrees to a longer period; and

''(v) render a written decision on a request for review under clause (iii) not later than 90 days after the hearing under clause (iv), or, if no such hearing is requested, not later than 90 days after the later of—

''(I) the request for review; or

''(II) the submission of information in support of that request.

''(B) FAILURE TO RENDER TIMELY DECISION.—Failure to render a decision within the time frame specified in subparagraph (A)(v) shall be considered an agency action for purposes of section 702 of title 5, United States Code.

''(b) WARRANT FOR SEIZURE OF PROPERTY OF UNITED STATES PERSONS.—

''(1) IN GENERAL.—When taking an action pursuant to authority provided by section 203 to target a United States person, the President may not block or otherwise prevent the access of the United States person to property in which the United States person has an ownership interest except pursuant to a warrant issued using the procedures described in the Federal Rules of Criminal Procedure (or, in the case of a court-martial or other proceeding under the Uniform Code of Military Justice (chapter 47 of title 10, United States Code), issued under section 846 of title 10, United States Code (article 46 of the Uniform Code of Military Justice), in accordance with regulations prescribed by the President) by a court of competent jurisdiction.

''(2) DELAYED WARRANTS.—To the extent consistent with the Fourth Amendment to the Constitution of the United States, a court shall permit the temporary blocking of property under section 203 without a warrant on an emergency basis, or use other means lawfully available to the court, to enable the Federal Government to identify the property that is subject to blocking while reducing the risk of property flight.

''(c) JUDICIAL REVIEW.—

''(1) IN GENERAL.—A United States person that is the target of an action taken by the President pursuant to any authority provided under section 203 may bring an action in a United States court of competent jurisdiction, after exhaustion of any available administrative remedies, to obtain judicial review of the lawfulness of that action, including whether the action was authorized by the Executive order or orders specifying the measures to be taken under section 203 in response to a determination issued under section 202.

''(2) CONDUCT OF REVIEW.—In an action brought under paragraph (1)—

''(A) the review of the court shall be de novo;

''(B) any party may introduce evidence not included in the administrative record;

''(C) any administrative record or portions thereof may be entered into evidence, and questions of authentication or hearsay shall bear on the weight to be accorded the evidence rather than its admissibility;

''(D) classified information shall be handled in accordance with the Classified Information Procedures Act (18 U.S.C. App.), except that references to the 'defendant' in such Act shall be deemed to apply to the plaintiff; and

''(E) the court shall have the authority to order injunctive relief, actual damages, and attorneys' fees.

''(3) OTHER MEANS OF REVIEW.—The availability of judicial review under this subsection shall not preclude other available means of judicial review, including under section 702 of title 5, United States Code, except that a person may not exercise the right to judicial review under more than one provision of law.

''(d) UNITED STATES PERSON DEFINED.—In this section, the term 'United States person' means—

''(1) a United States national; or

''(2) an entity—

''(A) organized under the laws of the United States or any jurisdiction within the United States; and

''(B) in which more than 50 percent of the controlling interest is owned by a person described in paragraph (1).''.

SEC. ____22. EXCLUSION OF AUTHORITY TO IMPOSE DUTIES AND IMPORT QUOTAS FROM INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) is amended—

(1) by redesignating subsection (c) as subsection (d); and

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

''(c)(1) The authority granted to the President by this section does not include the authority to impose duties or tariff-rate quotas or (subject to paragraph (2)) other quotas on articles entering the United States.

''(2) The limitation under paragraph (1) does not prohibit the President from excluding all articles, or all of a certain type of article, imported from a country from entering the United States.''.

SEC. ____23. PRESIDENTIAL WAR POWERS UNDER COMMUNICATIONS ACT OF 1934.

Section 706 of the Communications Act of 1934 (47 U.S.C. 606) is amended—

(1) in subsection (c), by inserting ''and declares a national emergency'' after ''in the interest of national security or defense,''; and

(2) in subsection (d), by striking ''there exists'' and inserting ''a national emergency exists by virtue of there being''.

SEC. ____24. DISCLOSURE TO CONGRESS OF PRESIDENTIAL EMERGENCY ACTION DOCUMENTS.

(a) IN GENERAL.—Not later than 3 days after the conclusion of the process for approval, adoption, or revision of any presidential emergency action document, the President shall submit that document to the appropriate congressional committees.

(b) DOCUMENTS IN EXISTENCE BEFORE DATE OF ENACTMENT.—Not later than 15 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees all presidential emergency action documents in existence before such date of enactment.

(c) OVERSIGHT.—

(1) SENATE.—The Committee on Homeland Security and Governmental Affairs of the Senate shall have—

(A) continuing legislative oversight jurisdiction in the Senate with respect to the proposal, creation, implementation, and execution of presidential emergency action documents; and

(B) access to any and all presidential emergency action documents.

(2) HOUSE OF REPRESENTATIVES.—The Committee on Oversight and Accountability of the House of Representatives shall have—

(A) continuing legislative oversight jurisdiction in the House of Representatives with respect to the proposal, creation, implementation, and execution of presidential emergency action documents; and

(B) access to any and all presidential emergency action documents.

(3) DUTY TO COOPERATE.—All officers and employees of any Federal agency shall have the duty to cooperate with the exercise of oversight jurisdiction described in this subsection.

(4) SECURITY CLEARANCES.—The chairpersons and ranking members of the appropriate congressional committees, and designated staff of those committees, shall be granted all security clearances required to access, and granted access to, presidential emergency action documents, including under relevant Presidential or agency special access and compartmented access programs.

(d) DEFINITIONS.—In this section:

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

(A) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Oversight and Accountability of the House of Representatives.

(2) FEDERAL AGENCY.—The term ''Federal agency''—

(A) has the meaning given the term ''agency'' in section 552(f) of title 5, United States Code; and

(B) includes the Executive Office of the President, the Executive Office of the Vice President, the Office of Management and Budget, and the National Security Council.

(3) PRESIDENTIAL EMERGENCY ACTION DOCUMENT.—The term ''presidential emergency action document'' refers to any document created by any Federal agency before, on, or after the date of the enactment of this Act, that is—

(A) designated as a presidential emergency action document or presidential emergency action directive;

(B) designed to implement a presidential decision or transmit a presidential request when an emergency disrupts normal executive, legislative, judicial, or other Federal governmental processes;

(C) a Presidential Policy Directive, regardless of whether the directive is available to the public, that triggers any change in policies, procedures, or operations of the Federal Government upon the declaration by the President of an emergency; or

(D) any other document, briefing, or plan, regardless of whether the document, briefing, or plan exists in any tangible or written form, that triggers any change in operations of the Federal Government upon the declaration by the President of an emergency.

SA 3339. Mr. SCHUMER (for Mr. REED (for himself and Mr. HAGERTY)) proposed an amendment to the bill S. 3502, to amend the Fair Credit Reporting Act to prevent consumer reporting agencies from furnishing consumer reports under certain circumstances, 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 ''Homebuyers Privacy Protection Act''.

SEC. 2. TREATMENT OF PRESCREENING REPORT REQUESTS.

Section 604(c) of the Fair Credit Reporting Act (15 U.S.C. 1681b(c)) is amended by adding at the end the following:

''(4) TREATMENT OF PRESCREENING REPORT REQUESTS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) CREDIT UNION.—The term 'credit union' means a Federal credit union or a State credit union, as those terms are defined in section 101 of the Federal Credit Union Act (12 U.S.C 1752).

''(ii) INSURED DEPOSITORY INSTITUTION.—The term 'insured depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)).

''(iii) RESIDENTIAL MORTGAGE LOAN.—The term 'residential mortgage loan' has the meaning given the term in section 1503 of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5102).

''(iv) SERVICER.—The term 'servicer' has the meaning given the term in section 6(i) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2605(i)).

''(B) LIMITATION.—If a person requests a consumer report from a consumer reporting agency in connection with a credit transaction involving a residential mortgage loan, that agency may not, based in whole or in part on that request, furnish a consumer report to another person under this subsection unless that other person—

''(i) has submitted documentation to that agency certifying that such other person has, pursuant to paragraph (1)(A), the authorization of the consumer to whom the consumer report relates; or

''(ii)(I) has originated a current residential mortgage loan of the consumer to whom the consumer report relates;

''(II) is the servicer of a current residential mortgage loan of the consumer to whom the consumer report relates; or

''(III)(aa) is an insured depository institution or credit union; and

''(bb) holds a current account for the consumer to whom the consumer report relates.''.

SEC. 3. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date that is 90 days after the date of enactment of this Act.

SA 3340. Mr. SCHUMER (for Mr. PETERS) proposed an amendment to the bill S. 4181, to require the development of a workforce plan for the Federal Emergency Management Agency; as follows:

On page 12, line 15, strike ''and'' and all that follows through ''any'' on line 16, and insert the following:

(E) specific strategies for identifying, addressing, preventing, and mitigating discriminatory actions or decisions based on political affiliation; and

(F) any

SA 3341. Mr. SCHUMER (for Mr. CORNYN (for himself and Ms. HASSAN)) proposed an amendment to the bill S. 1299, to amend title 38, United States Code, to require the Secretary of Veterans Affairs to periodically review the automatic maximum coverage under Servicemembers' Group Life Insurance program and the Veterans' Group Life Insurance program, 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 ''Fairness for Servicemembers and their Families Act of 2024''.

SEC. 2. PERIODIC REVIEW OF AUTOMATIC MAXIMUM COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE AND VETERANS' GROUP LIFE INSURANCE.

(a) IN GENERAL.—Subchapter III of chapter 19 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1980B. Periodic review of automatic maximum coverage

''(a) IN GENERAL.—On January 1, 2025, and every five years thereafter, the Secretary shall—

''(1) complete a review of how the amount specified in section 1967(a)(3)(A)(i) compares to the amount described in subsection (b); and

''(2) submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate the results of the review, which may serve as a guide for coverage increases within the existing administrative incremental structure.

''(b) AMOUNT DESCRIBED.—The amount described in this subsection is the amount equal to—

''(1) $500,000; multiplied by

''(2) the average percentage by which the Consumer Price Index changed during the five fiscal years preceding the review under subsection (a).

''(c) CONSUMER PRICE INDEX DEFINED.—In this section, 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.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 of such title is amended by inserting after the item relating to section 1980A the following new item:

''1980B. Periodic review of automatic maximum coverage.''.

SA 3342. Mr. SCHUMER (for Ms. CORTEZ MASTO) proposed an amendment to the bill S. 1144, to establish a grant program to provide assistance to local law enforcement agencies, 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 ''Invest to Protect Act of 2023''.

SEC. 2. GRANT PROGRAM.

(a) DEFINITIONS.—In this Act:

(1) DE-ESCALATION TRAINING.—The term ''de-escalation training'' means training relating to taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office.

(3) ELIGIBLE LOCAL GOVERNMENT.—The term ''eligible local government'' means—

(A) a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level that employs fewer than 175 law enforcement officers; and

(B) a Tribal government that employs fewer than 175 law enforcement officers.

(4) LAW ENFORCEMENT OFFICER.—The term ''law enforcement officer'' has the meaning given the term ''career law enforcement officer'' in section 1709 of title I the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10389).

(5) OFFICE.—The term ''Office'' means the Office of Community Oriented Policing Services of the Department of Justice.

(b) ESTABLISHMENT.—There is established within the Office a grant program to—

(1) provide training and access to mental health resources to local law enforcement officers; and

(2) improve the recruitment and retention of local law enforcement officers.

(c) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Director shall award grants to eligible local governments as a part of the grant program established under subsection (b).

(d) APPLICATIONS.—

(1) BARRIERS.—The Attorney General shall determine what barriers exist to establishing a streamlined application process for grants under this section.

(2) REPORT.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Attorney General shall submit to Congress a report that includes a plan to execute a streamlined application process for grants under this section under which an eligible local government seeking a grant under this section can reasonably complete the application in not more than 2 hours.

(B) CONTENTS OF PLAN.—The plan required under subparagraph (A) may include a plan for—

(i) proactively providing eligible local governments seeking a grant under this section with information on the data eligible local governments will need to prepare before beginning the grant application; and

(ii) ensuring technical assistance is available for eligible local governments seeking a grant under this section before and during the grant application process, including through dedicated liaisons within the Office.

(3) APPLICATIONS.—In selecting eligible local governments to receive grants under this section, the Director shall use the streamlined application process described in paragraph (2)(A).

(e) ELIGIBLE ACTIVITIES.—An eligible local government that receives a grant under this section may use amounts from the grant only for—

(1) de-escalation training for law enforcement officers;

(2) victim-centered training for law enforcement officers in handling situations of domestic violence;

(3) evidence-based law enforcement safety training for—

(A) active shooter situations;

(B) the safe handling of illicit drugs and precursor chemicals;

(C) rescue situations;

(D) recognizing and countering ambush attacks; or

(E) response to calls for service involving—

(i) persons with mental health needs;

(ii) persons with substance use disorders;

(iii) veterans;

(iv) persons with disabilities;

(v) vulnerable youth;

(vi) persons who are victims of domestic violence, sexual assault, or trafficking; or

(vii) persons experiencing homelessness or living in poverty;

(4) the offsetting of overtime costs associated with scheduling issues relating to the participation of a law enforcement officer in the training described in paragraphs (1) through (3), (9), and (10);

(5) a signing bonus for a law enforcement officer in an amount determined by the eligible local government;

(6) a retention bonus for a law enforcement officer—

(A) in an amount determined by the eligible local government that does not exceed 20 percent of the salary of the law enforcement officer; and

(B) who—

(i) has been employed at the law enforcement agency for not fewer than 5 years;

(ii) has not been found by an internal investigation to have engaged in serious misconduct; and

(iii) commits to remain employed by the law enforcement agency for not less than 3 years after the date of receipt of the bonus;

(7) a stipend for the graduate education of law enforcement officers in the area of mental health, public health, or social work, which shall not exceed the lesser of—

(A) $10,000; or

(B) the amount the law enforcement officer pays towards such graduate education;

(8) providing access to patient-centered behavioral health services for law enforcement officers, which may include resources for risk assessments, evidence-based, trauma-informed care to treat post-traumatic stress disorder or acute stress disorder, peer support and counselor services and family supports, and the promotion of improved access to high quality mental health care through telehealth;

(9) the implementation of evidence-based best practices and training on the use of lethal and nonlethal force;

(10) the implementation of evidence-based best practices and training on the duty of care and the duty to intervene; and

(11) data collection for police practices relating to officer and community safety.

(f) REPORTING REQUIREMENTS FOR GRANT RECIPIENTS.—

(1) IN GENERAL.—The Director shall establish reasonable reporting requirements specifically relating to a grant awarded under this section for eligible local governments that receive such a grant in order to assist with the evaluation by the Office of the program established under this section.

(2) CONSIDERATIONS.—In establishing requirements under paragraph (1), the Director shall consider the capacity of law enforcement agencies with fewer than 175 officers to collect and report information.

(g) DISCLOSURE OF OFFICER RECRUITMENT AND RETENTION BONUSES.—

(1) IN GENERAL.—Not later than 60 days after the date on which an eligible local government that receives a grant under this section awards a signing or retention bonus described in paragraph (5) or (6) of subsection (e), the eligible local government shall disclose to the Director and make publicly available on a website of the eligible local government the amount of the bonus.

(2) REPORT.—The Attorney General shall submit to the appropriate congressional committees an annual report that includes each signing or retention bonus disclosed under paragraph (1) during the preceding year.

(h) GRANT ACCOUNTABILITY.—

(1) IN GENERAL.—All grants awarded by the Director under this section shall be subject to the accountability provisions described in this subsection.

(2) AUDIT REQUIREMENT.—

(A) DEFINITION.—In this paragraph, the term ‘‘unresolved audit finding’’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) AUDITS.—Beginning in the first fiscal year beginning after the date of enactment of this subsection, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this section to prevent waste, fraud, and abuse of funds by grantees. The Inspector General of the Department of Justice shall determine the appropriate number of grantees to be audited each year.

(C) MANDATORY EXCLUSION.—A recipient of grant funds under this section that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this section during the first 3 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) REIMBURSEMENT.—If an eligible local government is awarded grant funds under this section during the 3-fiscal-year period during which the eligible local government is barred from receiving grants under subparagraph (C), the Attorney General shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(3) ANNUAL CERTIFICATION.—Beginning in the fiscal year during which audits commence under paragraph (2)(B), the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification—

(A) indicating whether—

(i) all audits issued by the Office of the Inspector General of the Department of Justice under paragraph (2) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

(ii) all mandatory exclusions required under paragraph (2)(C) have been issued; and

(iii) all reimbursements required under paragraph (2)(D) have been made; and

(B) that includes a list of any grant recipients excluded under paragraph (2) from the previous year.

(i) PROGRAM EVALUATION.—Not less frequently than annually, the Attorney General shall analyze the information provided by eligible local governments pursuant to the reporting requirements established under subsection (f)(1) to evaluate the efficacy of programs funded by the grant program under this section.

(j) PREVENTING DUPLICATIVE GRANTS.—

(1) IN GENERAL.—Before the Director awards a grant to an eligible local government under this section, the Attorney General shall compare potential grant awards with other grants awarded by the Attorney General to determine if grant awards are or have been awarded for a similar purpose.

(2) REPORT.—If the Attorney General awards grants to the same applicant for a similar purpose, whether through the grant program under this section or another grant program administered by the Department of Justice, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

(A) a list of all such grants awarded, including the total dollar amount of any such grants awarded; and

(B) the reason the Attorney General awarded multiple grants to the same applicant for a similar purpose.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section not more than $50,000,000 for each of fiscal years 2025 through 2029.

AUTHORITY FOR COMMITTEES TO MEET

Mr. DURBIN. Madam President, I have three requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, December 17, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, December 17, 2024, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, December 17, 2024, at 2:30 p.m., to conduct a closed briefing.

ORDERS FOR WEDNESDAY, DECEMBER 18, 2024

Mr. SCHUMER. Mr. President, finally, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Wednesday, December 18, and that all postcloture time with respect to the House message with respect to H.R. 5009 be considered expired at 11:45 a.m.; further, that upon disposition of the House message, the Senate resume consideration of the motion to proceed to Calendar No. 693, H.R. 82, and that the cloture motion with respect to the motion to proceed ripen at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS UNTIL 10 A.M. TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask that it stand in recess under the previous order.

There being no objection, the Senate, at 7:40 p.m., recessed until Wednesday, December 18, 2024, at 10 a.m.