

SA 3360. Mr. CRUZ proposed an amendment to the bill H.R. 82, *supra*.

SA 3361. Mr. MERKLEY 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 3362. Mr. SCHUMER (for Mr. CORNYN) proposed an amendment to the bill S. 3658, to promote space situational awareness and space traffic coordination and to modify the functions and leadership of the Office of Space Commerce, and for other purposes.

TEXT OF AMENDMENTS

SA 3351. Mr. SCHATZ (for himself, Ms. MURKOWSKI, and Ms. WARREN) proposed an amendment to the bill S. 1723, to establish the Truth and Healing Commission on Indian Boarding School Policies in the United States, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Truth and Healing Commission on Indian Boarding School Policies Act of 2024”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Purposes.

Sec. 3. Definitions.

TITLE I—COMMISSION AND SUBCOMMITTEES

Subtitle A—Truth and Healing Commission on Indian Boarding School Policies in the United States

Sec. 101. Truth and Healing Commission on Indian Boarding School Policies in the United States.

Subtitle B—Duties of the Commission

Sec. 111. Duties of the Commission.

Subtitle C—Survivors Truth and Healing Subcommittee

Sec. 121. Survivors Truth and Healing Subcommittee.

TITLE II—ADVISORY COMMITTEES

Subtitle A—Native American Truth and Healing Advisory Committee

Sec. 201. Native American Truth and Healing Advisory Committee.

Subtitle B—Federal and Religious Truth and Healing Advisory Committee

Sec. 211. Federal and Religious Truth and Healing Advisory Committee.

TITLE III—GENERAL PROVISIONS

Sec. 301. Clarification.

Sec. 302. Burial management.

Sec. 303. Co-stewardship agreements.

Sec. 304. No right of action.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to establish a Truth and Healing Commission on Indian Boarding School Policies in the United States, including other necessary advisory committees and subcommittees;

(2) to formally investigate, document, and report on the histories of Indian Boarding Schools, Indian Boarding School Policies, and the systematic and long-term effects of those schools and policies on Native American peoples;

(3) to develop recommendations for Federal efforts based on the findings of the Commission; and

(4) to promote healing for survivors of Indian Boarding Schools, the descendants of those survivors, and the communities of those survivors.

SEC. 3. DEFINITIONS.

In this Act:

(1) **COMMISSION.**—The term “Commission” means the Truth and Healing Commission on Indian Boarding School Policies in the United States established by section 101(a).

(2) **FEDERAL AND RELIGIOUS TRUTH AND HEALING ADVISORY COMMITTEE.**—The term “Federal and Religious Truth and Healing Advisory Committee” means the Federal and Religious Truth and Healing Advisory Committee established by section 211(a).

(3) **INDIAN.**—The term “Indian” has the meaning given the term in section 6151 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7491).

(4) **INDIAN BOARDING SCHOOL.**—The term “Indian Boarding School” means—

(A) a site of an institution that—

(i) provided on-site housing or overnight lodging;

(ii) was described in Federal records as providing formal academic or vocational training and instruction to Native Americans;

(iii) received Federal funds or other Federal support; and

(iv) was operational before 1969;

(B) a site of an institution identified by the Department of the Interior in appendices A and B of the report entitled “Federal Indian Boarding School Initiative Investigative Report” and dated May 2022 (or a successor report); or

(C) any other institution that implemented Indian Boarding School Policies, including an Indian day school.

(5) **INDIAN BOARDING SCHOOL POLICIES.**—The term “Indian Boarding School Policies” means Federal laws, policies, and practices purported to “assimilate” and “civilize” Native Americans that included psychological, physical, sexual, and mental abuse, forced removal from home or community, and identity-altering practices intended to terminate Native languages, cultures, religions, social organizations, or connections to traditional land.

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

(7) **NATIVE AMERICAN.**—The term “Native American” means an individual who is—

(A) an Indian; or

(B) a Native Hawaiian.

(8) **NATIVE AMERICAN TRUTH AND HEALING ADVISORY COMMITTEE.**—The term “Native American Truth and Healing Advisory Committee” means the Native American Truth and Healing Advisory Committee established by the Commission under section 201(a).

(9) **NATIVE HAWAIIAN.**—The term “Native Hawaiian” has the meaning given the term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(10) **NATIVE HAWAIIAN ORGANIZATION.**—The term “Native Hawaiian organization” means a private nonprofit organization that—

(A) serves and represents the interests of Native Hawaiians;

(B) has as its primary and stated purpose the provision of services to Native Hawaiians;

(C) has Native Hawaiians serving in substantive and policymaking positions; and

(D) has expertise in Native Hawaiian affairs.

(11) **OFFICE OF HAWAIIAN AFFAIRS.**—The term “Office of Hawaiian Affairs” has the meaning given the term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(12) **SURVIVORS TRUTH AND HEALING SUBCOMMITTEE.**—The term “Survivors Truth and Healing Subcommittee” means the Survivors Truth and Healing Subcommittee established by section 121(a).

(13) **TRAUMA-INFORMED CARE.**—The term “trauma-informed care” means holistic psychological and health care practices that in-

clude promoting culturally responsive practices, patient psychological, physical, and emotional safety, and environments of healing, trust, peer support, and recovery.

(14) **TRIBAL ORGANIZATION.**—The term “Tribal organization” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

TITLE I—COMMISSION AND SUBCOMMITTEES

Subtitle A—Truth and Healing Commission on Indian Boarding School Policies in the United States

SEC. 101. TRUTH AND HEALING COMMISSION ON INDIAN BOARDING SCHOOL POLICIES IN THE UNITED STATES.

(a) **ESTABLISHMENT.**—There is established in the legislative branch a commission, to be known as the “Truth and Healing Commission on Indian Boarding School Policies in the United States”.

(b) **MEMBERSHIP.**—

(1) **APPOINTMENT.**—Nominees submitted under paragraph (2)(A) shall be appointed as members to the Commission as follows:

(A) 1 member shall be appointed by the majority leader of the Senate, in consultation with the Chairperson of the Committee on Indian Affairs of the Senate.

(B) 1 member shall be appointed by the minority leader of the Senate, in consultation with the Vice Chairperson of the Committee on Indian Affairs of the Senate.

(C) 1 member shall be appointed by the Speaker of the House of Representatives, in consultation with the Chair of the Committee on Natural Resources of the House of Representatives.

(D) 1 member shall be appointed by the minority leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Natural Resources of the House of Representatives.

(E) 1 member shall be jointly appointed by the Chairperson and Vice Chairperson of the Committee on Indian Affairs of the Senate.

(2) **NOMINATIONS.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations may submit to the Secretary of the Interior nominations for individuals to be appointed as members of the Commission.

(B) **SUBMISSION TO CONGRESS.**—Not later than 7 days after the submission deadline for nominations described in subparagraph (A), the Secretary of the Interior shall submit to Congress a list of the individuals nominated under that subparagraph.

(C) **QUALIFICATIONS.**—

(i) **IN GENERAL.**—Nominees to serve on the Commission shall have significant experience in matters relating to—

(I) overseeing or leading complex research initiatives with and for Indian Tribes and Native Americans;

(II) indigenous human rights law and policy;

(III) Tribal court judicial and restorative justice systems and Federal agencies, such as participation as a Tribal judge, researcher, or former presidentially appointed commissioner;

(IV) providing and coordinating trauma-informed care and other health-related services to Indian Tribes and Native Americans; or

(V) traditional and cultural resources and practices in Native communities.

(ii) **ADDITIONAL QUALIFICATIONS.**—In addition to the qualifications described in clause (i), each member of the Commission shall be an individual of recognized integrity and empathy, with a demonstrated commitment to

the values of truth, reconciliation, healing, and expertise in truth and healing endeavors that are traditionally and culturally appropriate so as to provide balanced points of view and expertise with respect to the duties of the Commission.

(3) DATE.—Members of the Commission under paragraph (1) shall be appointed not later than 180 days after the date of the enactment of this Act.

(4) PERIOD OF APPOINTMENT; VACANCIES; REMOVAL.—

(A) PERIOD OF APPOINTMENT.—A member of the Commission shall be appointed for a term that is the shorter of—

- (i) 6 years; and
- (ii) the life of the Commission.

(B) VACANCIES.—After all initial members of the Commission are appointed and the initial business meeting of the Commission has been convened under subsection (c)(1), a single vacancy in the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled within 90 days in the same manner as was the original appointment.

(C) REMOVAL.—A quorum of members of the Commission may remove a member of the Commission only for neglect of duty or malfeasance.

(5) TERMINATION.—The Commission shall terminate 6 years after the date of the enactment of this Act.

(6) LIMITATION.—No member of the Commission may otherwise be an officer or employee of the Federal Government.

(c) BUSINESS MEETINGS.—

(1) INITIAL BUSINESS MEETING.—90 days after the date on which all of the members of the Commission are appointed under subsection (b)(1)(A), the Commission shall hold the initial business meeting of the Commission—

(A) to appoint a Chairperson, a Vice Chairperson, and such other positions as determined necessary by the Commission;

(B) to establish rules for meetings of the Commission; and

(C) to appoint members of—

(i) the Survivors Truth and Healing Subcommittee under section 121(b)(1); and

(ii) the Native American Truth and Healing Advisory Committee under section 201(b)(1).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Commission is held under paragraph (1), the Commission shall meet at the call of the Chairperson.

(3) ADVISORY AND SUBCOMMITTEE COMMITTEES DESIGNEES.—Each Commission business meeting shall include participation by 2 nonvoting designees from each of the Survivors Truth and Healing Subcommittee, the Native American Truth and Healing Advisory Committee, and the Federal and Religious Truth and Healing Advisory Committee, as appointed in accordance with section 121(c)(1)(D), section 201(e)(1)(C), and section 211(c)(1)(B), as applicable.

(4) FORMAT OF MEETINGS.—A business meeting of the Commission may be conducted in-person or virtually.

(5) QUORUM REQUIRED.—A business meeting of the Commission may be held only after a quorum, established in accordance with subsection (d), is present.

(d) QUORUM.—A simple majority of the members of the Commission shall constitute a quorum for a business meeting.

(e) RULES.—The Commission may establish, by a majority vote, any rules for the conduct of Commission business, in accordance with this section and other applicable law.

(f) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF COMMISSIONERS.—A member of the Commission shall be compensated at a daily equivalent of the annual rate of basic pay prescribed for grade 5 of the General Schedule under section 5332 of title 5, United States Code, for each day, not to exceed 10 days per month, for which a member is engaged in the performance of their duties under this Act, limited to convening meetings, including public or private meetings to receive testimony in furtherance of the duties of the Commission and the purposes of this Act.

(2) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee, with the approval of the head of the appropriate Federal agency and at the request of the Commission, may be detailed to the Commission without—

(A) reimbursement to the agency of that employee; and

(B) interruption or loss of civil service status, benefits, or privileges.

(g) POWERS OF COMMISSION.—

(1) CONVENINGS AND INFORMATION.—The Commission may, for the purpose of carrying out this Act—

(A) hold such convenings and sit and act at such times and places, take such testimony, and receive such information, virtually or in-person, as the Commission may determine necessary to accomplish the purposes of this Act;

(B) conduct or request such interdisciplinary research, investigation, or analysis of such information and documents, records, or other data as the Commission may determine necessary to accomplish the purposes of this Act, including—

(i) securing, directly from a Federal agency, such information as the Commission considers necessary to accomplish the purposes of this Act; and

(ii) requesting the head of any relevant Tribal or State agency to provide to the Commission such information as the Commission considers necessary to accomplish the purposes of this Act;

(C) request such records, papers, correspondence, memoranda, documents, books, videos, oral histories, recordings, or any other paper or electronic material, as the Commission may determine necessary to accomplish the purposes of this Act;

(D) oversee, direct, and collaborate with the Federal and Religious Truth and Healing Advisory Committee, the Native American Truth and Healing Advisory Committee, and the Survivors Truth and Healing Subcommittee to accomplish the purposes of this Act; and

(E) coordinate with Federal and non-Federal entities to preserve and archive, as appropriate, any gifts, documents, or other property received while carrying out the purposes of this Act.

(2) CONTRACTING; VOLUNTEER SERVICES.—

(A) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriations Acts, and in accordance with applicable law, enter into contracts and other agreements with public agencies, private organizations, and individuals to enable the Commission to carry out the duties of the Commission under this Act.

(B) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use such voluntary and uncom-

pensated services as the Commission determines to be necessary.

(C) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide, on request of the Commission, on a reimbursable basis, administrative support and other services for the performance of the functions of the Commission under this Act.

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

(4) GIFTS, FUNDRAISING, AND DISBURSEMENT.—

(A) GIFTS AND DONATIONS.—

(i) IN GENERAL.—The Commission may accept, use, and dispose of any gift, donation, service, property, or other record or recording to accomplish the purposes of this Act.

(ii) RETURN OF GIFTS AND DONATIONS.—On termination of the Commission under subsection (b)(5), any gifts, unspent donations, property, or other record or recording accepted by the Commission under clause (i) shall be—

(I) returned to the donor that made the donation under that clause; or

(II) archived under subparagraph (E).

(B) FUNDRAISING.—The Commission may, on the affirmative vote of $\frac{2}{3}$ of the members of the Commission, solicit funds to accomplish the purposes of this Act.

(C) DISBURSEMENT.—The Commission may, on the affirmative vote of $\frac{2}{3}$ of the members of the Commission, approve a spending plan of funds to accomplish the purposes of this Act.

(D) TAX DOCUMENTS.—The Commission (or a designee) shall, on request of a donor under subparagraph (A) or (B), provide tax documentation to that donor for any tax-deductible gift made by that donor under those subparagraphs.

(E) ARCHIVING.—The Commission shall coordinate with the Library of Congress and the Smithsonian Institution to archive and preserve relevant gifts or donations received under subparagraph (A) or (B).

(h) CONVENING.—

(1) CONVENING PROTOCOL.—

(A) IN GENERAL.—Not later than 45 days after the initial business meeting of the Native American Truth and Healing Advisory Committee, the Commission, 3 designees from the Native American Truth and Healing Advisory Committee, and 3 designees from the Survivors Truth and Healing Subcommittee shall hold a meeting to recommend rules, protocols, and formats for convenings carried out under this subsection.

(B) RULES AND PROTOCOLS.—Not later than 45 days after the initial meeting described in subparagraph (A), the Commission shall finalize rules, protocols, and formats for convenings carried out under this subsection by a $\frac{2}{3}$ majority in attendance at a meeting of the Commission.

(C) ADDITIONAL MEETINGS.—The Commission and designees described in subparagraph (A) may hold additional meetings, as necessary, to amend, by a $\frac{2}{3}$ majority in attendance at a meeting of the Commission, the rules, protocols, and formats for convenings established under that subparagraph.

(2) ANNOUNCEMENT OF CONVENINGS.—Not later than 30 days before the date of a convening under this subsection, the Commission shall announce the location and details of the convening.

(3) MINIMUM NUMBER OF CONVENINGS.—The Commission shall hold—

(A) not fewer than 1 convening in each of the 12 regions of the Bureau of Indian Affairs and in Hawai'i during the life of the Commission; and

(B) beginning 1 year after the date of the enactment of this Act, not fewer than 1 convening in each quarter to receive testimony each calendar year until the date on which the Commission submits the final report of the Commission under section 111(e)(3).

(4) OPPORTUNITY TO PROVIDE TESTIMONY.—No person or entity shall be denied the opportunity to provide relevant testimony or information at a convening held under this subsection, except at the discretion of the Chairperson of the Commission (or a designee).

(i) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the “Federal Advisory Committee Act”), shall not apply to the Commission.

(j) CONGRESSIONAL ACCOUNTABILITY ACT APPLICABILITY.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.)—

(1) any individual who is an employee of the Commission shall be considered a covered employee under the Act; and

(2) the Commission shall be considered an employing office under the Act; and

(3) a member of the Commission shall be considered a covered employee under the Act.

(k) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Commission under section 111, the Commission shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(l) FUNDING.—Of the amounts authorized to be appropriated pursuant to section 105 of the Indian Land Consolidation Act Amendments of 2000 (25 U.S.C. 2201 note; Public Law 106-462) and section 403 of the Indian Financing Act of 1974 (25 U.S.C. 1523), \$90,000,000 shall be used to carry out this Act.

Subtitle B—Duties of the Commission

SEC. 111. DUTIES OF THE COMMISSION.

(a) INVESTIGATION.—

(1) IN GENERAL.—The Commission shall conduct a comprehensive interdisciplinary investigation of Indian Boarding School Policies, including the social, cultural, economic, emotional, and physical effects of Indian Boarding School Policies in the United States on Native American communities, Indian Tribes, survivors of Indian Boarding Schools, families of those survivors, and their descendants.

(2) MATTERS TO BE INVESTIGATED.—The matters to be investigated by the Commission under paragraph (1) shall include, at a minimum—

(A) conducting a comprehensive review of existing research and historical records of Indian Boarding School Policies and any documentation, scholarship, or other resources relevant to the purposes of this Act from—

(i) any archive or any other document storage location, notwithstanding the location of that archive or document storage location; and

(ii) any research conducted by private individuals, private entities, and non-Federal Government entities, whether domestic or foreign, including religious institutions;

(B) collaborating with the Federal and Religious Truth and Healing Advisory Committee to obtain all relevant information from—

(i) the Department of the Interior, the Department of Health and Human Services, other relevant Federal agencies, and institutions or organizations, including religious

institutions or organizations, that operated an Indian Boarding School, carried out Indian Boarding School Policies, or have information that the Commission determines to be relevant to the investigation of the Commission; and

(ii) Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations; and

(C) conducting a comprehensive assessment of the impacts of Indian Boarding School Policies on Native American students and alumni, including the impact on cultures, traditions, and languages.

(3) RESEARCH RELATED TO OBJECTS, ARTIFACTS, AND REAL PROPERTY.—If the Commission conducts a comprehensive review of research described in paragraph (2)(A)(ii) that focuses on objects, artifacts, or real or personal property that are in the possession or control of private individuals, private entities, or non-Federal Government entities within the United States, the Commission may enter into a contract or agreement to acquire, hold, curate, or maintain those objects, artifacts, or real or personal property until the objects, artifacts, or real or personal property can be properly repatriated or returned, consistent with applicable Federal law, subject to the condition that no Federal funds may be used to purchase those objects, artifacts, or real or personal property.

(b) MEETINGS AND CONVENINGS.—

(1) IN GENERAL.—The Commission shall hold, with the advice of the Native American Truth and Healing Advisory Committee and the Survivors Truth and Healing Subcommittee, and in coordination with, as relevant, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations, as part of its investigation under subsection (a), safe, trauma-informed, and culturally appropriate public or private meetings or convenings to receive testimony relating to that investigation.

(2) REQUIREMENTS.—The Commission shall ensure that meetings and convenings held under paragraph (1) provide access to adequate trauma-informed care services for participants, attendees, and communities during and following the meetings and convenings where the Commission receives testimony, including ensuring that private space is available for survivors and descendants of survivors, family members, and other community members to receive trauma-informed care services.

(c) RECOMMENDATIONS.—

(1) IN GENERAL.—The Commission shall make recommendations to Congress relating to the investigation carried out under subsection (a), which shall be included in the final report required under subsection (e)(3).

(2) INCLUSIONS.—Recommendations made under paragraph (1) shall include, at a minimum, recommendations relating to—

(A) in light of Tribal and Native Hawaiian law, Tribal customary law, tradition, custom, and practice, how the Federal Government can meaningfully acknowledge the role of the Federal Government in supporting Indian Boarding School Policies in all issue areas that the Commission determines relevant, including appropriate forms of memorialization, preservation of records, objects, artifacts, and burials;

(B) how modification of existing statutes, procedures, regulations, policies, budgets, and practices will, in the determination of the Commission, address the findings of the Commission and ongoing effects of Indian Boarding School Policies;

(C) how the Federal Government can promote public awareness of, and education about, Indian Boarding School Policies and the impacts of those policies, including through coordinating with the Native Amer-

ican Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, the Smithsonian Institution, and other relevant institutions and organizations; and

(D) the views of religious institutions.

(d) DUTIES RELATED TO BURIALS.—The Commission shall, with respect to burial sites associated with Indian Boarding Schools—

(1) coordinate, as appropriate, with the Native American Truth and Healing Advisory Committee, the Federal and Religious Truth and Healing Advisory Committee, the Survivors Truth and Healing Subcommittee, lineal descendants, Indian Tribes, the Office of Hawaiian Affairs, Federal agencies, institutions, and organizations to locate and identify, in a culturally appropriate manner, marked and unmarked burial sites, including cemeteries, unmarked graves, and mass burial sites, where students of Indian Boarding Schools were originally or later interred;

(2) locate, document, analyze, and coordinate the preservation or continued preservation of records and information relating to the interment of students, including any records held by Federal, State, international, or local entities or religious institutions or organizations; and

(3) share, to the extent practicable, with affected lineal descendants, Indian Tribes, and the Office of Hawaiian Affairs burial locations and the identities of children who attended Indian Boarding Schools.

(e) REPORTS.—

(1) ANNUAL REPORTS TO CONGRESS.—Not less frequently than annually until the year before the year in which the Commission terminates, the Commission shall submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes the activities of the Commission during the previous year, including an accounting of funds and gifts received and expenditures made, the progress made, and any barriers encountered in carrying out this Act.

(2) COMMISSION INITIAL REPORT.—Not later than 4 years after the date on which a majority of the members of the Commission are appointed under section 101(b)(1), the Commission shall submit to the individuals described in paragraph (4), and make publicly available, an initial report containing—

(A) a detailed review of existing research, including documentation, scholarship, or other resources shared with the Commission that further the purposes of this Act;

(B) a detailed statement of the initial findings and conclusions of the Commission; and

(C) a detailed statement of the initial recommendations of the Commission.

(3) COMMISSION FINAL REPORT.—Before the termination of the Commission, the Commission shall submit to the individuals described in paragraph (4), and make publicly available, a final report containing the findings, conclusions, and recommendations of the Commission that have been agreed on by the vote of a majority of the members of the Commission and $\frac{2}{3}$ of the members of each of the Native American Truth and Healing Advisory Committee and the Survivors Truth and Healing Subcommittee.

(4) REPORT RECIPIENTS.—The individuals referred to in paragraphs (2) and (3) are—

(A) the President;

(B) the Secretary of the Interior;

(C) the Attorney General;

(D) the Comptroller General of the United States;

(E) the Secretary of Education;

(F) the Secretary of Health and Human Services;

(G) the Secretary of Defense;

(H) the Chairperson and Vice Chairperson of the Committee on Indian Affairs of the Senate;

(I) the Chairperson and ranking minority member of the Committee on Natural Resources of the House of Representatives;

(J) the Co-Chairs of the Congressional Native American Caucus;

(K) the Executive Director of the White House Council on Native American Affairs;

(L) the Director of the Office of Management and Budget;

(M) the Archivist of the United States;

(N) the Librarian of Congress; and

(O) the Director of the National Museum of the American Indian.

(5) ADDITIONAL COMMISSION RESPONSIBILITIES RELATING TO THE PUBLICATION OF THE INITIAL AND FINAL REPORTS.—

(A) EVENTS RELATING TO INITIAL REPORT.—

(i) IN GENERAL.—The Commission shall hold not fewer than 2 events in each region of the Bureau of Indian Affairs and in Hawai'i following publication of the initial report under paragraph (2) to receive comments on the initial report.

(ii) TIMING.—The schedule of events referred to in clause (i) shall be announced not later than 90 days after the date on which the initial report under paragraph (2) is published.

(B) PUBLICATION OF FINAL REPORT.—Not later than 180 days after the date on which the Commission submits the final report under paragraph (3), the Commission, the Secretary of the Interior, the Secretary of Education, the Secretary of Defense, and the Secretary of Health and Human Services shall each make the final report publicly available on the website of the applicable agency.

(6) SECRETARIAL RESPONSE TO FINAL REPORT.—Not later than 120 days after the date on which the Secretary of the Interior, the Secretary of Education, the Secretary of Defense, and the Secretary of Health and Human Services receive the final report under paragraph (3), the Secretaries shall each make publicly available a written response to recommendations for future action by those agencies, if any, contained in the final report, and submit the written response to—

(A) the President;

(B) the Committee on Indian Affairs of the Senate;

(C) the Committee on Natural Resources of the House of Representatives; and

(D) the Comptroller General of the United States.

Subtitle C—Survivors Truth and Healing Subcommittee

SEC. 121. SURVIVORS TRUTH AND HEALING SUBCOMMITTEE.

(a) ESTABLISHMENT.—There is established a subcommittee of the Commission, to be known as the "Survivors Truth and Healing Subcommittee".

(b) MEMBERSHIP, NOMINATION, AND APPOINTMENT TO THE SURVIVORS TRUTH AND HEALING SUBCOMMITTEE.—

(1) MEMBERSHIP.—The Survivors Truth and Healing Subcommittee shall include 15 members, to be appointed by the Commission, in consultation with the National Native American Boarding School Healing Coalition, from among the nominees submitted under paragraph (2)(A), of whom—

(A) 12 shall be representatives from each of the 12 regions of the Bureau of Indian Affairs and 1 shall be a representative from Hawai'i;

(B) 9 shall be individuals who attended an Indian Boarding School of whom—

(i) not fewer than 2 shall be individuals who graduated during the 5-year period preceding the date of the enactment of this Act from—

(I) an Indian Boarding School in operation as of that date of the enactment; or

(II) a Bureau of Indian Education-funded school; and

(ii) all shall represent diverse regions of the United States;

(C) 5 shall be descendants of individuals who attended Indian Boarding Schools, who shall represent diverse regions of the United States; and

(D) 1 shall be an educator who, as of the date of the appointment—

(i) is employed at an Indian Boarding School; or

(ii) was employed at an Indian Boarding School during the 5-year period preceding the date of the enactment of this Act.

(2) NOMINATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations may submit to the Secretary of the Interior nominations for individuals to be appointed as members of the Survivors Truth and Healing Subcommittee.

(B) SUBMISSION.—The Secretary of the Interior shall provide the Commission with nominations submitted under subparagraph (A) at the initial business meeting of the Commission under section 101(c)(1) and the Commission shall select the members of the Survivors Truth and Healing Subcommittee from among those nominees.

(3) DATE.—

(A) IN GENERAL.—The Commission shall appoint all members of the Survivors Truth and Healing Subcommittee during the initial business meeting of the Commission under section 101(c)(1).

(B) FAILURE TO APPOINT.—If the Commission fails to appoint all members of the Survivors Truth and Healing Subcommittee in accordance with subparagraph (A), the Chair of the Committee on Indian Affairs of the Senate, with the concurrence of the Vice Chair of the Committee on Indian Affairs of the Senate, shall appoint individuals, in accordance with the requirements of paragraph (1), to all vacant positions of the Survivors Truth and Healing Subcommittee not later than 30 days after the date of the initial business meeting of the Commission under section 101(c)(1).

(4) PERIOD OF APPOINTMENT; VACANCIES; REMOVAL.—

(A) PERIOD OF APPOINTMENT.—A member of the Survivors Truth and Healing Subcommittee shall be appointed for an automatically renewable term of 2 years.

(B) VACANCIES.—

(i) IN GENERAL.—A member of the Survivors Truth and Healing Subcommittee may vacate the position at any time and for any reason.

(ii) EFFECT; FILLING OF VACANCY.—A vacancy in the Survivors Truth and Healing Subcommittee—

(I) shall not affect the powers of the Survivors Truth and Healing Subcommittee if a simple majority of the positions of the Survivors Truth and Healing Subcommittee are filled; and

(II) shall be filled within 90 days in the same manner as was the original appointment.

(C) REMOVAL.—A quorum of members of the Commission may remove a member of the Survivors Truth and Healing Subcommittee only for neglect of duty or malfeasance.

(5) TERMINATION.—The Survivors Truth and Healing Subcommittee shall terminate 90 days after the date on which the Commission submits the final report required under section 111(e)(3).

(6) LIMITATION.—No member of the Survivors Truth and Healing Subcommittee may otherwise be an officer or employee of the Federal Government.

(c) BUSINESS MEETINGS.—

(1) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Survivors Truth and Healing Subcommittee are appointed under subsection (b)(1), the Survivors Truth and Healing Subcommittee shall hold an initial business meeting—

(A) to appoint—

(i) a Chairperson, who shall also serve as the Vice Chairperson of the Federal and Religious Truth and Healing Advisory Committee;

(ii) a Vice Chairperson, who shall also serve as the Vice Chairperson of the Native American Truth and Healing Advisory Committee; and

(iii) other positions, as determined necessary by the Survivors Truth and Healing Subcommittee;

(B) to establish, with the advice of the Commission, rules for the Survivors Truth and Healing Subcommittee;

(C) to appoint 3 designees to fulfill the responsibilities described in section 101(h)(1)(A); and

(D) to appoint, with the advice of the Commission, 2 members of the Survivors Truth and Healing Subcommittee to serve as non-voting designees on the Commission in accordance with section 101(c)(3).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Survivors Truth and Healing Subcommittee is held under paragraph (1), the Survivors Truth and Healing Subcommittee shall meet at the call of the Chairperson.

(3) FORMAT OF BUSINESS MEETINGS.—A business meeting of the Survivors Truth and Healing Subcommittee may be conducted in-person or virtually.

(4) QUORUM REQUIRED.—A business meeting of the Survivors Truth and Healing Subcommittee may be held only after a quorum, established in accordance with subsection (d), is present.

(d) QUORUM.—A simple majority of the members of the Survivors Truth and Healing Subcommittee shall constitute a quorum for a business meeting.

(e) RULES.—The Survivors Truth and Healing Subcommittee, with the advice of the Commission, may establish, by a majority vote, any rules for the conduct of business, in accordance with this section and other applicable law.

(f) DUTIES.—The Survivors Truth and Healing Subcommittee shall—

(1) assist the Commission, the Native American Truth and Healing Advisory Committee, and the Federal and Religious Truth and Healing Advisory Committee in coordinating public and private convenings, including providing advice to the Commission on developing criteria and protocols for convenings;

(2) provide advice and evaluate Committee recommendations relating to the commemoration and public education relating to Indian Boarding Schools and Indian Boarding School Policies;

(3) assist the Commission—

(A) in the production of the initial and final reports required under paragraphs (2) and (3), respectively, of section 111(e); and

(B) by providing such other advice, or fulfilling such other requests, as may be required by the Commission; and

(4) coordinate with the Commission, the Native American Truth and Healing Advisory Committee, and the Federal and Religious Truth and Healing Advisory Committee.

(g) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Survivors Truth and Healing Subcommittee under subsection (f), the Survivors Truth and Healing Subcommittee shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(h) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the “Federal Advisory Committee Act”), shall not apply to the Survivors Truth and Healing Subcommittee.

(i) CONGRESSIONAL ACCOUNTABILITY ACT APPLICABILITY.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.), any individual who is a member of the Survivors Truth and Healing Subcommittee shall be considered a covered employee under the Act.

(j) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—A member of the Survivors Truth and Healing Subcommittee shall be compensated at a daily equivalent of the annual rate of basic pay prescribed for grade 7, step 1, of the General Schedule under section 5332 of title 5, United States Code, for each day, not to exceed 10 days per month, for which a member of the Survivors Truth and Healing Subcommittee is engaged in the performance of their duties under this Act limited to convening meetings, including public and private meetings to receive testimony in furtherance of the duties of the Survivors Truth and Healing Subcommittee and the purposes of this Act.

(2) TRAVEL EXPENSES.—A member of the Survivors Truth and Healing Subcommittee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Survivors Truth and Healing Subcommittee.

TITLE II—ADVISORY COMMITTEES

Subtitle A—Native American Truth and Healing Advisory Committee

SEC. 201. NATIVE AMERICAN TRUTH AND HEALING ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—The Commission shall establish an advisory committee, to be known as the “Native American Truth and Healing Advisory Committee”.

(b) MEMBERSHIP, NOMINATION, AND APPOINTMENT TO THE NATIVE AMERICAN TRUTH AND HEALING ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—

(A) IN GENERAL.—The Native American Truth and Healing Advisory Committee shall include 19 members, to be appointed by the Commission from among the nominees submitted under paragraph (2)(A), of whom—

(i) 1 shall be the Vice Chairperson of the Commission, who shall serve as the Chairperson of the Native American Truth and Healing Advisory Committee;

(ii) 1 shall be the Vice Chairperson of the Survivors Truth and Healing Subcommittee, who shall serve as the Vice Chairperson of the Native American Truth and Healing Advisory Committee;

(iii) 1 shall be the Secretary of the Interior, or a designee, who shall serve as the Secretary of the Native American Truth and Healing Advisory Committee;

(iv) 12 shall be representatives from each of the 12 regions of the Bureau of Indian Affairs and 1 shall be a representative from Hawai‘i;

(v) 1 shall represent the National Native American Boarding School Healing Coalition;

(vi) 1 shall represent the National Association of Tribal Historic Preservation Officers; and

(vii) 1 shall represent the National Indian Education Association.

(B) ADDITIONAL REQUIREMENTS.—Not fewer than 2 members of the Native American Truth and Healing Advisory Committee shall have experience with health care or mental health, traditional healing or cultural practices, counseling, or working with survivors, or descendants of survivors, of Indian Boarding Schools to ensure that the Commission considers culturally responsive support for survivors, families, and communities.

(2) NOMINATIONS.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, Indian Tribes, Tribal organizations, Native Americans, the Office of Hawaiian Affairs, and Native Hawaiian organizations may submit to the Secretary of the Interior nominations for individuals to be appointed as members of the Native American Truth and Healing Advisory Committee.

(B) SUBMISSION.—The Secretary of the Interior shall provide the Commission with nominations submitted under subparagraph (A) at the initial business meeting of the Commission under section 101(c)(1) and the Commission shall select the members of the Native American Truth and Healing Advisory Committee from among those nominees.

(3) DATE.—

(A) IN GENERAL.—The Commission shall appoint all members of the Native American Truth and Healing Advisory Committee during the initial business meeting of the Commission under section 101(c)(1).

(B) FAILURE TO APPOINT.—If the Commission fails to appoint all members of the Native American Truth and Healing Advisory Committee in accordance with subparagraph (A), the Chair of the Committee on Indian Affairs of the Senate, with the concurrence of the Vice Chair of the Committee on Indian Affairs of the Senate, shall appoint, in accordance with the requirements of paragraph (1), individuals to all vacant positions of the Native American Truth and Healing Advisory Committee not later than 30 days after the date of the initial business meeting of the Commission under section 101(c)(1).

(4) PERIOD OF APPOINTMENT; VACANCIES.—

(A) PERIOD OF APPOINTMENT.—A member of the Native American Truth and Healing Advisory Committee shall be appointed for an automatically renewable term of 2 years.

(B) VACANCIES.—A vacancy in the Native American Truth and Healing Advisory Committee—

(i) shall not affect the powers of the Native American Truth and Healing Advisory Committee if a simple majority of the positions of the Native American Truth and Healing Advisory Committee are filled; and

(ii) shall be filled within 90 days in the same manner as was the original appointment.

(5) TERMINATION.—The Native American Truth and Healing Advisory Committee shall terminate 90 days after the date on which the Commission submits the final report required under section 111(e)(3).

(6) LIMITATION.—No member of the Native American Truth and Healing Advisory Committee (other than the member described in paragraph (1)(A)(iii)) may otherwise be an officer or employee of the Federal Government.

(c) QUORUM.—A simple majority of the members of the Native American Truth and Healing Advisory Committee shall constitute a quorum.

(d) REMOVAL.—A quorum of members of the Native American Truth and Healing Advisory Committee may remove another member only for neglect of duty or malfeasance.

(e) BUSINESS MEETINGS.—

(1) INITIAL BUSINESS MEETING.—Not later than 30 days after the date on which all members of the Native American Truth and Healing Advisory Committee are appointed under subsection (b)(1)(A), the Native American Truth and Healing Advisory Committee shall hold an initial business meeting—

(A) to establish rules for the Native American Truth and Healing Advisory Committee;

(B) to appoint 3 designees to fulfill the responsibilities described in section 101(h)(1)(A); and

(C) to appoint 2 members of the Native American Truth and Healing Advisory Committee to serve as non-voting designees on the Commission in accordance with section 101(c)(3).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Native American Truth and Healing Advisory Committee is held under paragraph (1), the Native American Truth and Healing Advisory Committee shall meet at the call of the Chairperson.

(3) FORMAT OF BUSINESS MEETINGS.—A meeting of the Native American Truth and Healing Advisory Committee may be conducted in-person or virtually.

(4) QUORUM REQUIRED.—A business meeting of the Native American Truth and Healing Advisory Committee may be held only after a quorum, established in accordance with subsection (c), is present.

(f) RULES.—The Native American Truth and Healing Advisory Committee may establish, with the advice of the Commission, by a majority vote, any rules for the conduct of business, in accordance with this section and other applicable law.

(g) DUTIES.—The Native American Truth and Healing Advisory Committee shall—

(1) serve as an advisory body to the Commission;

(2) assist the Commission in organizing and carrying out culturally appropriate public and private convenings relating to the duties of the Commission;

(3) assist the Commission in determining what documentation from Federal and religious organizations and institutions may be necessary to fulfill the duties of the Commission;

(4) assist the Commission in the production of the initial report and final report required under paragraphs (2) and (3), respectively, of section 111(e);

(5) coordinate with the Commission, the Federal and Religious Truth and Healing Advisory Committee, and the Survivors Truth and Healing Subcommittee; and

(6) provide advice to, or fulfill such other requests by, the Commission as the Commission may require to carry out the purposes described in section 2.

(h) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Native American Truth and Healing Advisory Committee under subsection (g), the Native American Truth and Healing Advisory Committee shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(i) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the “Federal Advisory Committee Act”), shall not apply to the Native American Truth and Healing Advisory Committee.

(j) CONGRESSIONAL ACCOUNTABILITY ACT APPLICABILITY.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.), any individual who is a member of the Native American Truth and Healing Advisory Committee shall be considered a covered employee under the Act.

(k) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—A member of the Native American Truth and Healing Advisory Committee shall be compensated at a daily equivalent of the annual rate of basic pay prescribed for grade 7, step 1, of the General Schedule under section 5332 of title 5, United States Code, for each day, not to exceed 14 days per month, for which a member is engaged in the performance of their duties under this Act, limited to convening meetings, including public and private meetings to receive testimony in furtherance of the duties of the Native American Truth and Healing Advisory Committee and the purposes of this Act.

(2) TRAVEL EXPENSES.—A member of the Native American Truth and Healing Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Native American Truth and Healing Advisory Committee.

Subtitle B—Federal and Religious Truth and Healing Advisory Committee

SEC. 211. FEDERAL AND RELIGIOUS TRUTH AND HEALING ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established within the Department of the Interior an advisory committee, to be known as the “Federal and Religious Truth and Healing Advisory Committee”.

(b) MEMBERSHIP AND APPOINTMENT TO THE FEDERAL AND RELIGIOUS TRUTH AND HEALING ADVISORY COMMITTEE.—

(1) MEMBERSHIP.—The Federal and Religious Truth and Healing Advisory Committee shall include 20 members, of whom—

(A) 1 shall be the Chairperson of the Commission, who shall serve as the Chairperson of the Federal and Religious Truth and Healing Advisory Committee;

(B) 1 shall be the Chairperson of the Survivors Truth and Healing Subcommittee, who shall serve as the Vice Chairperson of the Federal and Religious Truth and Healing Advisory Committee;

(C) 1 shall be the White House Domestic Policy Advisor, who shall serve as the Secretary of the Federal and Religious Truth and Healing Advisory Committee;

(D) 1 shall be the Director of the Bureau of Trust Funds Administration (or a designee);

(E) 1 shall be the Archivist of the United States (or a designee);

(F) 1 shall be the Librarian of Congress (or a designee);

(G) 1 shall be the Director of the Department of the Interior Library (or a designee);

(H) 1 shall be the Director of the Indian Health Service (or a designee);

(I) 1 shall be the Assistant Secretary for Mental Health and Substance Abuse of the Department of Health and Human Services (or a designee);

(J) 1 shall be the Commissioner of the Administration for Native Americans of the Department of Health and Human Services (or a designee);

(K) 1 shall be the Director of the National Institutes of Health (or a designee);

(L) 1 shall be the Senior Program Director of the Office of Native Hawaiian Relations of the Department of the Interior (or a designee);

(M) 1 shall be the Director of the Office of Indian Education of the Department of Education (or a designee);

(N) 1 shall be the Director of the Rural, Insular, and Native American Achievement Programs of the Department of Education (or a designee);

(O) 1 shall be the Chair of the Advisory Council on Historic Preservation (or a designee);

(P) 1 shall be the Assistant Secretary of Indian Affairs (or a designee);

(Q) 1 shall be the Director of the Bureau of Indian Education (or a designee); and

(R) 3 shall be representatives employed by, or representatives of, religious institutions, to be appointed by the White House Office of Faith-Based and Neighborhood Partnerships in consultation with relevant religious institutions.

(2) PERIOD OF SERVICE; VACANCIES; REMOVAL.—

(A) PERIOD OF SERVICE.—A member of the Federal and Religious Truth and Healing Advisory Committee shall serve for an automatically renewable term of 2 years.

(B) VACANCIES.—A vacancy in the Federal and Religious Truth and Healing Advisory Committee—

(i) shall not affect the powers of the Federal and Religious Truth and Healing Advisory Committee if a simple majority of the positions of the Federal and Religious Truth and Healing Advisory Committee are filled; and

(ii) shall be filled within 90 days in the same manner as was the original appointment.

(C) REMOVAL.—A quorum of members of the Federal and Religious Truth and Healing Advisory Committee may remove a member of the Federal and Religious Truth and Healing Advisory Committee only for neglect of duty or malfeasance.

(3) TERMINATION.—The Federal and Religious Truth and Healing Advisory Committee shall terminate 90 days after the date on which the Commission submits the final report required under section 111(e)(3).

(c) BUSINESS MEETINGS.—

(1) INITIAL BUSINESS MEETING.—Not later than 30 days after the date of the initial business meeting of the Commission under section 101(c)(1), the Federal and Religious Truth and Healing Advisory Committee shall hold an initial business meeting—

(A) to establish rules for the Federal and Religious Truth and Healing Advisory Committee; and

(B) to appoint 2 members of the Federal and Religious Truth and Healing Advisory Committee to serve as non-voting designees on the Commission in accordance with section 101(c)(3).

(2) SUBSEQUENT BUSINESS MEETINGS.—After the initial business meeting of the Federal and Religious Truth and Healing Advisory Committee is held under paragraph (1), the Federal and Religious Truth and Healing Advisory Committee shall meet at the call of the Chairperson.

(3) FORMAT OF BUSINESS MEETINGS.—A business meeting of the Federal and Religious Truth and Healing Advisory Committee may be conducted in-person or virtually.

(4) QUORUM REQUIRED.—A business meeting of the Federal and Religious Truth and Healing Advisory Committee may be held only after a quorum, established in accordance with subsection (d), is present.

(d) QUORUM.—A simple majority of the members of the Federal and Religious Truth and Healing Advisory Committee shall constitute a quorum for a business meeting.

(e) RULES.—The Federal and Religious Truth and Healing Advisory Committee may establish, with the advice of the Commission, by a majority vote, any rules for the

conduct of business, in accordance with this section and other applicable law.

(f) DUTIES.—The Federal and Religious Truth and Healing Advisory Committee shall—

(1) ensure the effective and timely coordination among Federal agencies and religious institutions in furtherance of the purposes of this Act;

(2) assist the Commission and the Native American Truth and Healing Advisory Committee in coordinating—

(A) meetings and other related public and private convenings; and

(B) the collection, organization, and preservation of information obtained from witnesses and by other Federal agencies and religious institutions;

(3) ensure the timely submission to the Commission of materials, documents, testimony, and such other information as the Commission determines to be necessary to carry out the duties of the Commission; and

(4) coordinate with the Commission, the Native American Truth and Healing Advisory Committee, and the Survivors Truth and Healing Subcommittee to carry out the purposes of this Act.

(g) CONSULTATION OR ENGAGEMENT WITH NATIVE AMERICANS, INDIAN TRIBES, TRIBAL ORGANIZATIONS, THE OFFICE OF HAWAIIAN AFFAIRS, AND NATIVE HAWAIIAN ORGANIZATIONS.—In carrying out the duties of the Federal and Religious Truth and Healing Advisory Committee under subsection (f), the Federal and Religious Truth and Healing Advisory Committee shall meaningfully consult or engage, as appropriate, in a timely manner with Native Americans, Indian Tribes, Tribal organizations, the Office of Hawaiian Affairs, and Native Hawaiian organizations.

(h) NONDISCLOSURE.—

(1) PRIVACY ACT OF 1974 APPLICABILITY.—Subsection (b) of section 552a of title 5, United States Code (commonly known as the “Privacy Act of 1974”), shall not apply to the Federal and Religious Truth and Healing Advisory Committee.

(2) FREEDOM OF INFORMATION ACT APPLICABILITY.—Records and other communications in the possession of the Federal and Religious Truth and Healing Advisory Committee shall be exempt from disclosure under subsection (b)(3)(B) of section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

(3) FEDERAL ADVISORY COMMITTEE ACT APPLICABILITY.—Chapter 10 of title 5, United States Code (commonly known as the “Federal Advisory Committee Act”), shall not apply to the Federal and Religious Truth and Healing Advisory Committee.

TITLE III—GENERAL PROVISIONS

SEC. 301. CLARIFICATION.

The Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.) shall apply to cultural items (as defined in section 2 of that Act (25 U.S.C. 3001)) relating to an Indian Boarding School or Indian Boarding School Policies regardless of interpretation of applicability by a Federal agency.

SEC. 302. BURIAL MANAGEMENT.

Federal agencies shall permit reburial of cultural items relating to an Indian Boarding School or Indian Boarding School Policies that have been repatriated pursuant to the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or returned to a lineal descendant, Indian Tribe, or Native Hawaiian organization by any other disinterment process, on any Federal land as agreed to by the relevant parties.

SEC. 303. CO-STEWARDSHIP AGREEMENTS.

A Federal agency that carries out activities pursuant to this Act or that created or

controls a cemetery with remains of an individual who attended an Indian Boarding School or an Indian Boarding School may enter into a co-stewardship agreement for the management of the cemetery or Indian Boarding School.

SEC. 304. NO RIGHT OF ACTION.

Nothing in this Act creates a private right of action to seek administrative or judicial relief.

SA 3352. Mr. PAUL proposed an amendment 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; as follows:

At the appropriate place, insert the following:

SEC. ____ . AUTOMATIC CONTINUING APPROPRIATIONS.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

“§ 1311. Continuing appropriations

“(a)(1) On and after the first day of each fiscal year, if an appropriation Act for such fiscal year with respect to the account for a program, project, or activity has not been enacted and continuing appropriations are not in effect with respect to the program, project, or activity, there are appropriated, at the rate for operations specified in paragraph (2), such sums as may be necessary to continue the program, project, or activity if funds were provided for the program, project, or activity during the preceding fiscal year—

“(A) in the corresponding appropriation Act for such preceding fiscal year; or

“(B) if the corresponding appropriation bill for such preceding fiscal year did not become law, in a law making continuing appropriations for such preceding fiscal year.

“(2)(A) Appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

“(i) 94 percent of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year;

“(ii) in the absence of such an Act, 94 percent of the rate of operations provided for such program, project, or activity pursuant to a law making continuing appropriations for such preceding fiscal year; or

“(iii) 94 percent of the annualized rate of operations provided for in the most recently enacted law making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this section,

for the period of 90 days. After the first 90-day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. For each subsequent 90-day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. The 90-day period reductions shall extend beyond the last day of that fiscal year.

“(B) If this section is in effect at the end of a fiscal year, funding levels shall continue as provided in this section for the next fiscal year.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such

program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Notwithstanding any other provision of this section, for those programs, projects, or activities that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of a fiscal year for which funding is made available under this section because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs, projects, or activities funded by this section that would impinge on final funding prerogatives.

“(d) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a measure making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(e) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.”

(b) CLERICAL AMENDMENT.—The table of sections of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”

SA 3353. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 10545, Official Title Not Available; which was ordered to lie on the table; as follows:

At the appropriate place in division A, insert the following:

SEC. ____ . AUTOMATIC CONTINUING APPROPRIATIONS.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by inserting after section 1310 the following new section:

“§ 1311. Continuing appropriations

“(a)(1) On and after the first day of each fiscal year, if an appropriation Act for such fiscal year with respect to the account for a program, project, or activity has not been enacted and continuing appropriations are not in effect with respect to the program, project, or activity, there are appropriated, at the rate for operations specified in paragraph (2), such sums as may be necessary to continue the program, project, or activity if funds were provided for the program, project, or activity during the preceding fiscal year—

“(A) in the corresponding appropriation Act for such preceding fiscal year; or

“(B) if the corresponding appropriation bill for such preceding fiscal year did not become law, in a law making continuing appropriations for such preceding fiscal year.

“(2)(A) Appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

“(i) 94 percent of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year;

“(ii) in the absence of such an Act, 94 percent of the rate of operations provided for such program, project, or activity pursuant to a law making continuing appropriations for such preceding fiscal year; or

“(iii) 94 percent of the annualized rate of operations provided for in the most recently enacted law making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this section,

for the period of 90 days. After the first 90-day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. For each subsequent 90-day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. The 90-day period reductions shall extend beyond the last day of that fiscal year.

“(B) If this section is in effect at the end of a fiscal year, funding levels shall continue as provided in this section for the next fiscal year.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Notwithstanding any other provision of this section, for those programs, projects, or activities that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of a fiscal year for which funding is made available under this section because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs, projects, or activities funded by this section that would impinge on final funding prerogatives.

“(d) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a measure making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(e) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be

made available, or no authority shall be granted for such program, project, or activity to continue for such period.”

(b) CLERICAL AMENDMENT.—The table of sections of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”.

SA 3354. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 10545, Official Title Not Available; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ ADJUSTMENT TO NORMAL AND EARLY RETIREMENT AGE.

Section 216(l) of the Social Security Act (42 U.S.C. 416(l)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” at the end;

(B) in subparagraph (E), by striking the period at the end and inserting “; and”; and

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

“(F) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2024, and before January 1, 2032, such individual’s early retirement age (as determined under paragraph (2)(A)(ii)) plus 60 months; or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2024, and before January 1, 2032, 67 years plus the number of months in the age increase factor (as determined under paragraph (5)(A)) for the calendar year in which such individual attains 60 years of age;

“(G) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2031, and before January 1, 2033, 69 years of age; or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2031, and before January 1, 2033, 69 years of age;

“(H) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2032, and before January 1, 2036, 67 years of age plus the number of months in the age increase factor (as determined under paragraph (5)(B)); or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2032, and before January 1, 2036, 67 years of age plus the number of months in the age increase factor (as determined under paragraph (5)(A));

“(I) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2035, and before January 1, 2037, 70 years of age; or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2035, and before January 1, 2037, 70 years of age; and

“(J) with respect to an individual who—

“(i) attains 62 years of age after December 31, 2036, 70 years of age plus the number of months in the age increase factor (as determined under paragraph (6)); or

“(ii) receives a benefit described in paragraph (2)(B) and attains 60 years of age after December 31, 2036, 70 years of age plus the number of months in the age increase factor (as determined under paragraph (6)).”;

(2) by amending paragraph (2) to read as follows:

“(2) The term ‘early retirement age’ means—

“(A) in the case of an old-age, wife’s, or husband’s insurance benefit—

“(i) 62 years of age with respect to an individual who attains such age before January 1, 2025;

“(ii) with respect to an individual who attains 62 years of age after December 31, 2024, and before January 1, 2032, 62 years of age plus the number of months in the age increase factor (as determined under paragraph (4)) for the calendar year in which such individual attains 62 years of age; and

“(iii) with respect to an individual who attains age 62 after December 31, 2031, 64 years of age; or

“(B) in the case of a widow’s or widower’s insurance benefit, 60 years of age.”; and

(3) by adding at the end the following new paragraphs:

“(4) For purposes of paragraph (2)(A)(ii), the age increase factor shall be equal to three-twelfths of the number of months in the period beginning with January 2025 and ending with December of the year in which the individual attains 62 years of age.

“(5) The age increase factor shall be equal to three-twelfths of the number of months in the period beginning with January 2025 and ending with December of the year in which—

“(A) for purposes of paragraphs (1)(F)(ii) and (1)(H)(ii), the individual attains 60 years of age; or

“(B) for purposes of paragraph (1)(H)(i), the individual attains 62 years of age.

“(6) The Commissioner of Social Security shall determine (using reasonable actuarial assumptions) and publish on or before November 1 of each calendar year after 2035 the number of months (rounded, if not a multiple of one month, to the next lower multiple of one month) by which life expectancy as of October 1 of such calendar year of an individual attaining early retirement age on such October 1 exceeds the life expectancy as of October 1, 2036, of an individual attaining early retirement age on October 1, 2036. With respect to an individual who attains early retirement in the calendar year following any calendar year in which a determination is made under this paragraph, the age increase factor shall be the number of months determined under this paragraph as of October 1 of such calendar year in which such determination is made.”.

SEC. ____ INCREASE IN MAXIMUM AGE FOR DELAYED RETIREMENT CREDIT.

(a) IN GENERAL.—Subsection (w) of section 202 of the Social Security Act (42 U.S.C. 402) is amended—

(1) in paragraphs (2)(A) and (3), by striking “age 70” each place it appears and inserting “the maximum delayed retirement age (as determined pursuant to paragraph (7))”;

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

“(7) For purposes of paragraphs (2)(A) and (3), the ‘maximum delayed retirement age’ shall be equal to—

“(A) during the period before January 1, 2025, 70 years of age for an individual who has attained early retirement age (as determined under section 216(l)(2)) during such period; and

“(B) during the period after December 31, 2024, the sum of—

“(i) the retirement age for such calendar year, as determined under section 216(l)(1), for an individual who has attained age 62 (for purposes of section 216(l)(2)(A)) or who has attained age 60 (for purposes of section 216(l)(2)(B)) during such calendar year; and

“(ii) 3 years.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on January 1, 2025.

SA 3355. Mr. SCHUMER proposed an amendment 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; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 3356. Mr. SCHUMER proposed an amendment to amendment SA 3355 proposed by Mr. SCHUMER 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; as follows:

On page 1, line 3, strike “1 day” and insert “2 days”.

SA 3357. Mr. SCHUMER proposed an amendment 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; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

SA 3358. Mr. SCHUMER proposed an amendment to amendment SA 3357 proposed by Mr. SCHUMER 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; as follows:

On page 1, line 3, strike “3 days” and insert “4 days”.

SA 3359. Mr. SCHUMER proposed an amendment to amendment SA 3358 proposed by Mr. SCHUMER to the amendment SA 3357 proposed by Mr. SCHUMER 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; as follows:

On page 1, line 1, strike “4 days” and insert “5 days”.

SA 3360. Mr. CRUZ proposed an amendment 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; 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 NON-COVERED 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 non-covered 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 subsection:“(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 WIND-FALL 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 indi-

vidual 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.

SA 3361. Mr. MERKLEY 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:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON POLITICAL ELECTION OR CONTEST AGREEMENTS, CONTRACTS, TRANSACTIONS, AND SWAPS.

Section 5c(c)(5) of the Commodity Exchange Act (7 U.S.C. 7a-2(c)(5)) is amended by adding at the end the following:

“(D) PROHIBITION RELATING TO POLITICAL ELECTIONS OR CONTESTS.—Notwithstanding any other provision of this section, no agreement, contract, transaction, or swap involving any political election or any other political contest (or any index, measure, value, or data related thereto, or occurrence, extent of an occurrence, or contingency based thereon) may be listed or made available for clearing or trading on or through a registered entity.”.

SA 3362. Mr. SCHUMER (for Mr. CORNYN) proposed an amendment to the bill S. 3658, to promote space situational awareness and space traffic coordination and to modify the functions and leadership of the Office of Space Commerce, 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 “Situational Awareness of Flying Elements in Orbit Act” or the “SAFE Orbit Act”.

SEC. 2. SPACE SITUATIONAL AWARENESS AND SPACE TRAFFIC COORDINATION.

(a) IN GENERAL.—The Secretary of Commerce shall facilitate safe operations in space and encourage the development of commercial space capabilities by acquiring and disseminating unclassified data, analytics, information, and services on space activities.

(b) IMMUNITY.—The United States, any agencies and instrumentalities thereof, and any individuals, firms, corporations, and other persons acting for the United States, including nongovernmental entities, shall be immune from any suit in any court for any cause of action arising from the provision or receipt of space situational awareness services or information, whether or not provided in accordance with this section, or any related action or omission.

(c) ACQUISITION OF DATA.—The Assistant Secretary of Commerce for Space Commerce (established under section 50702(b) of title 51, United States Code, as amended by section 3) is authorized to acquire—

(1) data, analytics, information, and services, including with respect to—

(A) location tracking data;

(B) positional and orbit determination information; and

(C) conjunction data messages; and

(2) such other data, analytics, information, and services as the Secretary of Commerce determines necessary to avoid collisions of space objects.

(d) DATABASE ON SATELLITE LOCATION AND BEHAVIOR.—The Assistant Secretary of Commerce for Space Commerce shall provide access for the public, at no charge, a fully updated, unclassified database of information concerning space objects and behavior that includes—

(1) the data and information acquired under subsection (c), except to the extent that such data or information is classified or

a trade secret (as defined in section 1839 of title 18, United States Code); and

(2) the provision of basic space situational awareness services and space traffic coordination based on the data referred to in paragraph (1), including basic analytics, tracking calculations, and conjunction data messages.

(e) BASIC SPACE SITUATIONAL AWARENESS SERVICES.—The Assistant Secretary of Commerce for Space Commerce—

(1) shall provide to satellite operators, at no charge, basic space situational awareness services, including the data, analytics, information, and services described in subsection (c);

(2) in carrying out paragraph (1), may not compete with private sector space situational awareness products, to the maximum extent practicable; and

(3) not less frequently than every 3 years, shall review the basic space situational awareness services described in paragraph (1) to ensure that such services provided by the Federal Government do not compete with space situational awareness services offered by the private sector.

(f) REQUIREMENTS FOR DATA ACQUISITION AND DISSEMINATION.—In acquiring data, analytics, information, and services under subsection (c) and disseminating data, analytics, information, and services under subsections (d) and (e), the Assistant Secretary of Commerce for Space Commerce shall—

(1) leverage commercial capabilities to the maximum extent practicable;

(2) prioritize the acquisition of data, analytics, information, and services from commercial industry located in or licensed in the United States to supplement data collected by United States Government agencies, including the Department of Defense and the National Aeronautics and Space Administration;

(3) appropriately protect proprietary data, information, and systems of firms located in the United States, including by using appropriate infrastructure and cybersecurity measures, including measures set forth in the most recent version of the Cybersecurity Framework, or successor document, maintained by the National Institute of Standards and Technology;

(4) facilitate the development of standardization and consistency in data reporting, in collaboration with satellite owners and operators, commercial space situational awareness data and service providers, the academic community, nonprofit organizations, and the Director of the National Institute of Standards and Technology; and

(5) encourage foreign governments to participate in unclassified data sharing arrangements for space situational awareness and space traffic coordination.

(g) OTHER TRANSACTION AUTHORITY.—In carrying out the activities required by this section, the Secretary of Commerce shall enter into such contracts, leases, cooperative agreements, or other transactions as may be necessary.

(h) SPACE OBJECT DEFINED.—In this section, the term “space object” means any object launched into space, or created in space, robotically or by humans, including an object’s component parts.

SEC. 3. OFFICE OF SPACE COMMERCE.

(a) DEFINITIONS.—

(1) IN GENERAL.—Section 50701 of title 51, United States Code, is amended to read as follows:

“§ 50701. Definitions

“In this chapter:

“(1) ASSISTANT SECRETARY.—The term ‘Assistant Secretary’ means the Assistant Secretary of Commerce for Space Commerce.

“(2) BUREAU.—The term ‘Bureau’ means the Bureau of Space Commerce established under section 50702.

“(3) ORBITAL DEBRIS.—The term ‘orbital debris’—

“(A) means—

“(i) any human-made space object orbiting Earth that—

“(I) no longer serves an intended purpose;

“(II) has reached the end of its mission; or

“(III) is incapable of safe maneuver or operation; and

“(ii) a rocket body and other hardware left in orbit as a result of normal launch and operational activities; and

“(B) includes fragmentation debris produced by failure or collision of human-made space objects.

“(4) SECRETARY.—The term ‘Secretary’ means the Secretary of Commerce.

“(5) SPACE OBJECT.—The term ‘space object’ means any object launched into space or created in space robotically or by humans, including the component parts of such an object.

“(6) SPACE SITUATIONAL AWARENESS.—The term ‘space situational awareness’ means—

“(A) the identification, characterization, tracking, and the predicted movement and behavior of space objects and orbital debris; and

“(B) the understanding of the space operational environment.

“(7) SPACE TRAFFIC COORDINATION.—The term ‘space traffic coordination’ means the planning, assessment, and coordination of activities to enhance the safety, stability, and sustainability of operations in the space environment.”.

(2) CLERICAL AMENDMENT.—The table of sections for chapter 507 of title 51, United States Code, is amended by striking the item relating to section 50701 and inserting the following:

“50701. Definitions.”.

(b) TRANSITION OF OFFICE TO BUREAU.—Subsection (a) of section 50702 of title 51, United States Code, is amended by inserting before the period at the end the following: “, which, not later than 5 years after the date of the enactment of this Act, shall be elevated by the Secretary of Commerce from an office within the National Oceanic and Atmospheric Administration to a bureau reporting directly to the Office of the Secretary of Commerce”.

(c) ADDITIONAL FUNCTIONS OF BUREAU.—Subsection (c) of such section is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

(2) in paragraph (5), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(6) to perform space situational awareness and space traffic management duties pursuant to the SAFE Orbit Act.”.

(d) ASSISTANT SECRETARY OF COMMERCE FOR SPACE COMMERCE.—

(1) IN GENERAL.—Subsection (b) of such section is amended to read as follows:

“(b) ASSISTANT SECRETARY.—The Bureau shall be headed by the Assistant Secretary of Commerce for Space Commerce, who shall—

“(1) be appointed by the President, by and with the advice and consent of the Senate; and

“(2) report directly to the Secretary of Commerce; and

“(3) have a rate of pay that is equal to the rate payable for level IV of the Executive Schedule under section 5315 of title 5.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 50702(d) of title 51, United States Code, is amended—

(i) in the subsection heading, by striking “DIRECTOR” and inserting “ASSISTANT SECRETARY”; and

(ii) in the matter preceding paragraph (1), by striking “Director” and inserting “Assistant Secretary”.

(B) Section 5315 of title 5, United States Code, is amended by striking “Assistant Secretaries of Commerce (11)” and inserting “Assistant Secretaries of Commerce (12)”.

(3) REFERENCES.—On and after the date of the enactment of this Act, any reference in any law or regulation to the Director of the Office of Space Commerce shall be deemed to be a reference to the Assistant Secretary of Commerce for Space Commerce.

(e) TRANSITION REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall submit to the appropriate committees of Congress a report that sets forth transition and continuity of operations plans for the functional and administrative transfer of the Office of Space Commerce from the National Oceanic and Atmospheric Administration to a bureau reporting to the Office of the Secretary of Commerce.

(2) GOAL.—The goal of transition and continuity of operations planning shall be to minimize the cost and administrative burden of establishing the Bureau of Space Commerce while maximizing the efficiency and effectiveness of the functions and responsibilities of the Bureau of Space Commerce, in accordance with this section and the amendments made by this section.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate; and

(B) the Committee on Science, Space, and Technology and the Committee on Appropriations of the House of Representatives.

ORDERS FOR MONDAY, DECEMBER 23, 2024, THROUGH FRIDAY, JANUARY 3, 2025

Mr. SCHUMER. Finally, Mr. President, I ask unanimous consent that when the Senate completes its business today, it convene for a pro forma session only, with no business conducted on the following dates and times: Monday, December 23, at 9:30 a.m.; Thursday, December 26 at 2:30 p.m.; Monday, December 30 at 12:30 p.m.; Thursday, January 2 at 12 noon; Friday, January 3 at 11:45 a.m.; that following the January 3 pro forma, the Senate stand adjourned sine die and next convene at 12 noon, pursuant to the Constitution; further, I ask that following the prayer and pledge and following the presentation of the certificates of election and the swearing in of elected Members and the required live quorum, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day, and the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

Mr. SCHUMER. For the information of the Senate, on January 3, the swearing in of our new and recently re-elected Senators will be at noon, followed by a live quorum.

ADJOURNMENT UNTIL MONDAY, DECEMBER 23, 2024, AT 9:30 A.M.

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

There being no objection, the Senate, at 1:23 a.m., adjourned until Monday, December 23, 2024, at 9:30 a.m.

DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GEORGE A. AYACHE AND ENDING WITH MATTHEW T. WESTERBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 21, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SANTIAGO DAVILA AND ENDING WITH IRWIN ROBERTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 21, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ALULA ABERA AND ENDING WITH VANESSA WILKS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 21, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KYLE L. ABBATTISTA AND ENDING WITH MICHAEL T. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CORI A. ALSTON AND ENDING WITH JAMES T. SUOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CAREYLOU S. ARUN AND ENDING WITH DANIEL T. PINT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH STEPHEN L. GREEN AND ENDING WITH MICHELE RENEE SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH STEPHANIE RICHEL BOLES AND ENDING WITH ELISABETH ANN URFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH STEPHANIE RICH BOLES AND ENDING WITH ELISABETH ANN URFER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

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FOREIGN SERVICE NOMINATION OF APRYL ANN PAGLIARO

FOREIGN SERVICE NOMINATIONS BEGINNING WITH AL-EXANDRA BAYCH AND ENDING WITH ERIK SYNGLE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 11, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ANDRAY ABRAHAMIAN AND ENDING WITH WILLIAM P. FERRARI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 23, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DIDIER JORDAN AHIMERA AND ENDING WITH MICHELLE MARIE YERKIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 31, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GEORGINA RITA BENJAMIN AND ENDING WITH JENNIFER L. DAVIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 18, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH VALERIE BROWN AND ENDING WITH KELLY STANGE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 18, 2024.

FOREIGN SERVICE NOMINATION OF ROBERT HANSON.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CHRISTINA J. AGOR AND ENDING WITH KEVIN L. WAGGANER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JULIE J. CHUNG AND ENDING WITH WILLIAM W. POPP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ORY S. ABRAMOWICZ AND ENDING WITH MICHAEL B.

WOFFORD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON NOVEMBER 12, 2024.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 20, 2024:

THE JUDICIARY

BENJAMIN J. CHEEKS, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

SERENA RAQUEL MURILLO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA.

AMTRAK BOARD OF DIRECTORS

DAVID MICHAEL CAPOZZI, OF MARYLAND, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

RONALD L. BATORY, OF NEW MEXICO, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

ELAINE MARIE CLEGG, OF IDAHO, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

LANHEE J. CHEN, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS.

FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH GEORGE A. AYACHE AND ENDING WITH MATTHEW T. WESTERBERG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 21, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SANTIAGO DAVILA AND ENDING WITH IRWIN ROBERTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 21, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH ALULA ABERA AND ENDING WITH VANESSA WILKS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JUNE 21, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KYLE L. ABBATTISTA AND ENDING WITH MICHAEL T. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 25, 2023.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CORI A. ALSTON AND ENDING WITH JAMES T. SUOR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH CAREYLOU S. ARUN AND ENDING WITH DANIEL T. PINT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH STEPHEN L. GREEN AND ENDING WITH MICHELE RENEE SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 14, 2024.

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