

S. 4429

At the request of Mr. MORENO, the name of the Senator from Nebraska (Mr. RICKETTS) was added as a cosponsor of S. 4429, a bill to prohibit the importation, manufacture, sale, resale, or introduction into interstate commerce in the United States of connected vehicles and related software and hardware associated with foreign adversaries.

S. 4505

At the request of Ms. ERNST, the names of the Senator from Florida (Mr. SCOTT) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 4505, a bill to require the United States Postal Service to designate ZIP Codes for certain communities.

S. 4551

At the request of Mr. SANDERS, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 4551, a bill to amend the Fair Labor Standards Act of 1938 to establish a minimum salary threshold for bona fide executive, administrative, and professional employees exempt from Federal overtime compensation requirements, and automatically update such threshold each year, and for other purposes.

S.J. RES. 185

At the request of Mr. KAINE, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S.J. Res. 185, a joint resolution to direct the removal of United States Armed Forces from hostilities within or against the Islamic Republic of Iran that have not been authorized by Congress.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RICKETTS:

S. 4560. A bill to direct the Secretary of Agriculture to publish, on an annual basis, an assessment of United States dependency on the exportation of agricultural commodities to adversarial countries, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. RICKETTS. Mr. President, I am proud to represent the great State of Nebraska. Agriculture is our No. 1 industry in Nebraska. I am also proud to represent our farmers and ranchers, who are the best in the world. Agriculture is the heart and soul of what we do in the State of Nebraska. We produce the finest products and the safest food. We feed and fuel our great Nation.

Now, it is no secret that our farmers and ranchers have had some challenges. We have seen low commodity prices and high input costs. We have also seen a drought in my State as well as wildfires that are the worst in our State's history—burning over 1 million acres. But our farmers and ranchers, they are tough and resilient. They find ways to come together and get through

the tough times, and they contribute to their communities. Despite all of this, they continue to invest to make sure that we have a strong agricultural sector in Nebraska. This is also important for our country, as food security is national security.

Last week, the Senate passed my resolution to proclaim May as Beef Month throughout the entire country. Again, this is our leading industry in Nebraska: the beef industry. We are the leading State for exporting beef—\$1.7 billion worth. We are a leader in every category of beef production. In fact, we have over 6 million head of cattle, and the 3 highest beef-producing counties in the country are in Nebraska. We are very proud of our beef industry, and, of course, it is the best tasting beef in the entire world—even if the Presiding Officer doesn't agree with that right now, being from Montana. So we are very, very proud of that.

May is also Renewable Fuels Month. Again, Nebraska is a leader in renewable fuels with 2.2 billion gallons. Not only is this important for creating jobs in our small towns and rural communities, but this is one of the ways that consumers can save money at the pump. The last time I filled up on E10—a 10-percent blend of ethanol—I saved 55 cents a gallon at my local Hy-Vee. It is also a great way to be able to help clean up the environment.

Of course, it is great for our farmers and ranchers. It is also great for our country. There are estimates that our renewable fuels industry that is so great for our corn farmers and soybean farmers also displaces about 640 million barrels of foreign oil. That means we are less dependent on foreign sources of energy. This is, again, a great way for consumers to save money but also for us to strengthen our energy independence—“America First” energy independence. So our home-grown solution is biofuels.

At the summit last week, when President Trump was in Beijing, we heard good news with regard to potential initial purchases of American agricultural products. U.S. Trade Representative Jamieson Greer said there will be “double-digit billions” of U.S. agricultural products in 2026, 2027, and 2028—maybe \$17 billion in each of those years. That is on top of the 25 million metric tons of soybeans that communist China had agreed to buy already, last year in October. That certainly is good news for our farmers.

What we need is to make sure that we hold communist China accountable for those purchases. We recall that in the first Trump administration, they signed the phase 1 trade deal with communist China, but as soon as President Trump was out of office, China reneged on that deal. We have seen them capriciously turn away the cargo ships of our corn. They have delisted our beef processors.

Communist China, at the end of the day, is a bad trading partner. We need to make sure we hold them account-

able for the commitments they make, and I expect this administration will do just that. They have a track record of doing it.

In addition, we need to look at diversifying our export markets. That is why I am introducing the MARKET Act. The MARKET Act would instruct the U.S. Department of Agriculture and the U.S. Trade Representative to look at ways we can mitigate our dependence on communist China and to look for new markets. Last year, in the Working Families Tax Cut, we put in an additional \$285 million—doubling the amount of money for trade promotion—to be able to find new markets for our farmers and ranchers.

My MARKET Act would require the USDA and the USTR to work together to look for new markets and to come back with a report to Congress on how we can further expand those and mitigate the risks of being dependent upon our adversaries like communist China. Do we need to do something with regard to legislative action or regulatory action? This will help make sure that we continue to be able to expand the trade that is so important for our agricultural States, like Nebraska.

About a third of everything we grow in Nebraska gets exported overseas. We are the fifth largest ag exporter in the country. These markets overseas are important to our strong economy in Nebraska. My MARKET Act will help make sure we continue to look for opportunities to be able to grow that.

I am proud of our farmers and ranchers. They do a great job of feeding our great Nation. And I am proud to be able to continue to support them here in Washington, DC.

By Mr. BARRASSO (for himself and Ms. LUMMIS):

S. 4561. A bill to modernize and streamline the permitting process for broadband infrastructure on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4561

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Closing Long Overdue Streamlining Encumbrances To Help Expediently Generate Approved Permits Act” or the “CLOSE THE GAP Act”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) COMMUNICATIONS FACILITY.—The term “communications facility” has the meaning given the term in section 8705(a) of the Agriculture Improvement Act of 2018 (43 U.S.C. 1761a(a)).

(2) COMMUNICATIONS SITE.—The term “communications site” means an area of Federal land available for communications use.

(3) COMMUNICATIONS USE.—The term “communications use” has the meaning given the

term in section 8705(a) of the Agriculture Improvement Act of 2018 (43 U.S.C. 1761a(a)).

(4) **COMMUNICATIONS USE AUTHORIZATION.**—The term “communications use authorization” means an easement, right-of-way, lease, license, or other authorization granted by the Secretary concerned to locate or modify a communications facility on Federal land for the primary purpose of authorizing the occupancy and use of the Federal land for communications use.

(5) **COST RECOVERY FEE.**—The term “cost recovery fee” means any fee collected by a Federal land management agency related to—

(A) an application for a communications use authorization; or

(B) the occupancy and use authorized by a communications use authorization pursuant to and consistent with authorizing law.

(6) **COVERED LAND.**—The term “covered land” means land managed by the Secretary concerned.

(7) **ELECTRONIC SF-299.**—The term “electronic SF-299” means a version of Standard Form 299, or a substantially similar form, that has been digitally modified for online interaction.

(8) **FEDERAL LAND.**—The term “Federal land” means land under the jurisdiction and management of a Federal land management agency.

(9) **FEDERAL LAND MANAGEMENT AGENCY.**—The term “Federal land management agency” means—

(A) the National Park Service;  
(B) the Bureau of Land Management;  
(C) the Bureau of Reclamation;  
(D) the United States Fish and Wildlife Service;

(E) the Bureau of Indian Affairs; and  
(F) the Forest Service.

(10) **ORGANIZATIONAL UNIT.**—The term “organizational unit” means—

(A) with respect to Federal land administered by the Secretary of the Interior—

(i) a State office;  
(ii) a district office;  
(iii) a field office; or  
(iv) a regional office; and  
(B) with respect to the Forest Service—  
(i) a regional office;  
(ii) the headquarters;  
(iii) an administrative unit; or  
(iv) a ranger district office.

(11) **PREVIOUSLY ANALYZED FEDERAL LAND.**—The term “previously analyzed Federal land” means any Federal land with respect to which the Secretary concerned has—

(A) granted a communications use authorization; and

(B) conducted sufficient environmental or historical reviews, as determined by the Secretary concerned.

(12) **SECRETARY CONCERNED.**—The term “Secretary concerned” means—

(A) the Secretary of the Interior, with respect to Federal land under the jurisdiction and management of the Secretary of the Interior, acting through, as applicable—

(i) the Commissioner of Reclamation;  
(ii) the Director of the National Park Service;  
(iii) the Director of the United States Fish and Wildlife Service;  
(iv) the Director of the Bureau of Land Management; and  
(v) the Director of the Bureau of Indian Affairs; and  
(B) the Secretary of Agriculture, with respect to National Forest System land, acting through the Chief of the Forest Service.

(13) **STANDARD FORM 299.**—The term “Standard Form 299” means the form developed by the Administrator of General Services under section 6409(b)(2)(A) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455(b)(2)(A)) or any successor form.

(14) **WORKING GROUP.**—The term “working group” means the Federal Land Management Agency Working Group established by section 11(a).

**SEC. 3. PROMULGATION OF REGULATIONS FOR STREAMLINING PURPOSES.**

(a) **REGULATIONS.**—Notwithstanding section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455), not later than 1 year after the date of enactment of this Act, the Secretary concerned shall promulgate regulations—

(1) to ensure, to the maximum extent practicable, that the process is uniform and standardized across applicable organizational units;

(2) to require that applications to locate or modify communications facilities on covered land be considered and granted on a competitively neutral, technology neutral, and non-discriminatory basis; and

(3) to require that the cost recovery fee for locating or modifying covered facilities on covered land be—

(A) calculated and assessed on an annual basis; and

(B) based solely on costs incurred by the organizational unit in processing applications and overseeing any construction related thereto.

(b) **REQUIREMENTS.**—The regulations promulgated under subsection (a) shall—

(1) include procedures for the tracking of applications described in subsection (a)(1), including—

(A) identifying on a publicly available website the number of applications—

(i) received;  
(ii) approved; and  
(iii) denied;

(B) in the case of an application that is denied, requiring that the applicant be provided with—

(i) a written decision describing the reasons for the denial; and  
(ii) an opportunity to cure or appeal the denial; and  
(C) describing the period of time between the receipt of an application and the issuance of a final decision on an application; and

(2) provide for minimum lease terms of not less than 30 years for leases with respect to the location of communications facilities on covered land.

(c) **ADDITIONAL CONSIDERATIONS.**—In promulgating regulations under subsection (a), the Secretary concerned shall consider—

(1) how discrete reviews in considering an application described in paragraph (1) of that subsection can be conducted simultaneously, rather than sequentially, by any organizational units that must approve the location or modification; and

(2) how to eliminate overlapping requirements among the organizational units with respect to the location or modification of a communications facility on covered land administered by the organizational units.

(d) **COMMUNICATION OF STREAMLINED PROCESS TO ORGANIZATIONAL UNITS.**—The Secretary concerned shall, with respect to the regulations promulgated under subsection (a)—

(1) communicate the regulations to the applicable organizational units; and

(2) ensure that those organizational units follow the regulations.

(e) **SAVINGS PROVISIONS.**—

(1) **REAL PROPERTY AUTHORITIES.**—Nothing in this section provides any executive agency or organizational unit with any new leasing or other real property authorities not in existence before the date of enactment of this Act.

(2) **EFFECT ON OTHER LAWS.**—

(A) **IN GENERAL.**—Nothing in this section, including any action taken pursuant to this

section, affects a decision or determination made by any executive agency before the date of enactment of this Act to sell, dispose of, declare excess or surplus, lease, reuse, or redevelop any Federal real property pursuant to title 40, United States Code, the Federal Assets Sale and Transfer Act of 2016 (40 U.S.C. 1303 note; Public Law 114-287), or any other law governing real property activities of the Federal Government.

(B) **AGREEMENTS.**—No agreement entered into pursuant to this section obligates the Federal Government to hold, control, or otherwise retain or use real property that may otherwise be deemed as excess, surplus, or that could otherwise be sold, leased, or redeveloped.

**SEC. 4. DATA COLLECTION PROCEDURES RELATING TO THE PROCESSING OF APPLICATIONS FOR BROADBAND PROJECT PERMITS ON FEDERAL LAND; REPORT.**

(a) **DEFINITION OF APPLICABLE DEADLINE.**—In this section, the term “applicable deadline”, with respect to an application for a broadband project permit on Federal land, means the deadline for that application established by section 6409(b)(3)(A) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455(b)(3)(A)).

(b) **DATA COLLECTION PROCEDURES.**—Not later than 1 year after the date of enactment of this Act, the Secretaries concerned, acting jointly, shall establish standardized procedures for internally tracking within Federal land management agencies the following data relating to applications for broadband project permits on Federal land:

(1) The number of applications that are pending on or after the applicable deadline.

(2) The number of applications that have been approved by the applicable deadline.

(3) The number of applications that were approved after the applicable deadline.

(4) The number of applications that have been denied by the applicable deadline.

(5) The number of applications that have been denied after the applicable deadline.

(6) The number of applications that have been withdrawn before the applicable deadline.

(7) The number of applications that were withdrawn after the applicable deadline.

(8) The average processing time for applications.

(9) In the case of applications that were approved after the applicable deadline, the average number of days by which the approval exceeded the applicable deadline.

(c) **REPORT ON DELAYS IN THE APPROVAL OF APPLICATIONS FOR BROADBAND PROJECTS ON FEDERAL LAND.**—Not later than 1 year after the date on which the Secretaries concerned establish the procedures under subsection (b), the Secretaries concerned, acting jointly, shall submit to the Committees on Energy and Natural Resources, Environment and Public Works, and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Natural Resources, Energy and Commerce, and Agriculture of the House of Representatives a report that—

(1) describes and analyzes the data collected in accordance with those procedures, including an analysis of any factors causing a delay in the approval of applications for broadband project permits on Federal land; and

(2) provides recommendations to address any of the factors identified under paragraph (1) in order to accelerate broadband project permitting on Federal land.

**SEC. 5. ONLINE TRACKING OF APPLICATION PROGRESS.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that communications projects (as defined in section 41001 of the FAST Act (42 U.S.C. 4370m)) should be, under title XLI of

the FAST Act (42 U.S.C. 4370m et seq.), considered a high priority as having an increased regional or national economic significance.

(b) COMMUNICATIONS PROJECTS AS COVERED PROJECTS.—Section 41001 of the FAST Act (42 U.S.C. 4370m) is amended—

(1) by redesignating paragraphs (4) through (18) as paragraphs (5) through (19), respectively;

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

“(4) COMMUNICATIONS PROJECT.—

“(A) IN GENERAL.—The term ‘communications project’ means any construction project carried out at a communications site.

“(B) OTHER TERMS.—For purposes of this paragraph:

“(i) COMMUNICATIONS FACILITY.—The term ‘communications facility’ has the meaning given the term in section 8705(a) of the Agriculture Improvement Act of 2018 (43 U.S.C. 1761a(a)).

“(ii) COMMUNICATIONS SITE.—The term ‘communications site’ means an area of Federal land available for communications use.

“(iii) COMMUNICATIONS USE.—The term ‘communications use’ has the meaning given the term in section 8705(a) of the Agriculture Improvement Act of 2018 (43 U.S.C. 1761a(a)).

“(iv) FEDERAL LAND.—The term ‘Federal land’ means land under the jurisdiction and management of a Federal land management agency.

“(v) FEDERAL LAND MANAGEMENT AGENCY.—The term ‘Federal land management agency’ means—

“(I) the National Park Service;

“(II) the Bureau of Land Management;

“(III) the Bureau of Reclamation;

“(IV) the United States Fish and Wildlife Service;

“(V) the Forest Service; and

“(VI) the Bureau of Indian Affairs.”; and

(3) in paragraph (7)(A) (as so redesignated)—

(A) in the matter preceding clause (i), by inserting “communications projects,” after “carbon capture.”; and

(B) in clause (i), by striking subclause (II) and inserting the following:

“(II) is likely to require a total investment—

“(aa) in the case of a communications project, of any amount; and

“(bb) in the case of any other activity, of more than \$200,000,000; and”.

## SEC. 6. IMPROVING PUBLIC SAFETY ON FEDERAL LAND.

Not later than 30 days after the date of enactment of this Act, the Secretary concerned shall direct the head of each Federal land management agency under the jurisdiction of the Secretary concerned—

(1) to establish a new categorical exclusion from the requirements of title I of the National Environmental Policy Act of 1969 (42 U.S.C. 4331 et seq.) for projects involving an existing communications facility that would improve public safety on Federal land, such as—

(A) providing backup power for the communications facility;

(B) improving supporting infrastructure at the communications facility; or

(C) providing more reliable or redundant connection capabilities using the communications facility; or

(2) to adopt an existing categorical exclusion from another agency under section 109 of that Act (42 U.S.C. 4336c) applicable to projects described in paragraph (1).

## SEC. 7. PREVIOUSLY ANALYZED FEDERAL LAND.

(a) NONAPPLICABILITY OF CERTAIN REVIEW REQUIREMENTS.—The review requirements of the National Environmental Policy Act of

1969 (42 U.S.C. 4321 et seq.) and division A of subtitle III of title 54, United States Code, shall not apply to an application for a communications use authorization on Federal land (including Federal land on which authorized utilities, communications facilities, powerline facilities, or roads have been installed), if—

(1) the communications equipment is located in or on existing infrastructure; or

(2) the communications facility is located on previously analyzed Federal land.

(b) NO ADDITIONAL CONSULTATION REQUIRED UNDER CERTAIN CIRCUMSTANCES.—Notwithstanding any other provision of law, the Secretary concerned shall not be required to reinitiate consultation under the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or division A of subtitle III of title 54, United States Code, for an application for a communications use authorization on previously analyzed Federal land, regardless of whether new information concerning the previously analyzed Federal land becomes available.

## SEC. 8. WIRELESS FACILITY MODIFICATIONS.

Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455(a)) is amended by striking paragraph (3).

## SEC. 9. ESTABLISHMENT OF ONLINE PORTALS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, each Federal land management agency shall establish an online portal to accept an electronic SF-299.

(b) COORDINATION.—The Federal land management agencies shall coordinate with each other to establish uniform versions of the online portal required under subsection (a).

## SEC. 10. COLLECTION AND RETENTION OF COST RECOVERY FEES.

(a) COLLECTION AND RETENTION OF COST RECOVERY FEES ASSOCIATED WITH COMMUNICATIONS USE AUTHORIZATIONS ON FEDERAL LAND AND FEDERAL LAND MANAGEMENT AGENCY SUPPORT FOR COMMUNICATIONS SITE PROGRAMS.—

(1) SPECIAL ACCOUNT REQUIRED.—The Secretary of the Treasury shall establish a special account in the Treasury for each Federal land management agency for the deposit of cost recovery fees received by the Federal land management agency relating to communications use authorizations granted, issued, or executed by the Federal land management agency.

(2) REQUIREMENTS FOR COST RECOVERY FEES.—Notwithstanding any other provision of law, any cost recovery fees collected by a Federal land management agency pursuant to this section shall be—

(A) collected only to the extent provided in advance in an appropriations Act;

(B) calculated and assessed on an annual basis;

(C) based solely on costs incurred by organizational units in processing applications for communications use authorizations and overseeing any applicable construction activities relating to the communications use authorizations; and

(D) imposed on a competitively neutral, technology-neutral, and nondiscriminatory basis with respect to other uses of the applicable communications site.

(3) DEPOSIT AND RETENTION OF COST RECOVERY FEES.—Cost recovery fees received by a Federal land management agency shall—

(A) be deposited in the special account established for that Federal land management agency under paragraph (1); and

(B) remain available for expenditure under paragraph (4), to the extent and in such amounts as are provided in advance in appropriations Acts.

(4) EXPENDITURE OF RETAINED FEES.—Amounts deposited in the special account es-

tablished for a Federal land management agency under paragraph (1) shall be used by the Federal land management agency for activities relating to communications use authorizations or communications sites, including the following:

(A) Administering communications use authorizations, including through cooperative agreements under subsection (b).

(B) Preparing needs assessments or other programmatic analyses necessary to establish communications sites and authorize communications uses on or adjacent to Federal land.

(C) Developing management plans for the placement of communications sites on or adjacent to Federal land on a competitively neutral, technology-neutral, nondiscriminatory basis.

(D) Training for management of communications sites on or adjacent to Federal land.

(E) Obtaining, improving access to, or establishing communications sites on or adjacent to Federal land.

(F) Hiring and training personnel to perform duties that will help—

(i) to streamline permitting processes associated with communications use authorizations and the use of communications sites for communications use on Federal land; and

(ii) to reduce the time it takes for permits relating to communications use authorizations and the use of communications sites for communications use on Federal land to be approved.

(5) NO EFFECT ON OTHER FEE RETENTION AUTHORITIES.—This subsection shall not limit or otherwise affect fee retention by a Federal land management agency under any other authority.

(b) COOPERATIVE AGREEMENT AUTHORITY.—The Secretary of the Interior may enter into cooperative agreements to carry out the activities described in subsection (a)(4).

## SEC. 11. FEDERAL LAND MANAGEMENT AGENCY WORKING GROUP.

(a) ESTABLISHMENT.—There is established a working group, to be known as the “Federal Land Management Agency Working Group”.

(b) MEMBERSHIP.—The working group shall be composed of 1 representative of each of the Federal land management agencies, to be appointed by the Secretary concerned.

(c) DUTIES.—The working group shall—

(1) periodically meet to coordinate and expedite the review of applications for communications use authorizations; and

(2) coordinate with the Federal Communications Commission to use broadband location data created under section 802(c) of the Communications Act of 1934 (47 U.S.C. 642(c)) to identify unserved locations that may need to use a Federal right-of-way and prepare for potential communications use authorization applications.

By Mr. DURBIN (for himself and Ms. HIRONO):

S. 4566. A bill to amend title XIX of the Social Security Act to require coverage under State plans under the Medicaid program for annual lung cancer screening with no cost sharing for individuals for whom screening is recommended by U.S. Preventive Services Task Force guidelines, to expand coverage under Medicaid of counseling and pharmacotherapy for cessation of tobacco use, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 4566

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Increasing Access to Lung Cancer Screening Act”.

**SEC. 2. MEDICAID COVERAGE OF ANNUAL LUNG CANCER SCREENING WITH NO COST SHARING FOR CERTAIN INDIVIDUALS.**

(a) IN GENERAL.—Section 1905(a)(4) of the Social Security Act (42 U.S.C. 1396d(a)(4)) is amended—

(1) by striking “and” before “(D)”;

(2) by striking “and” before “(E)”;

(3) by striking “and” before “(F)”;

(4) by inserting before the semicolon at the end the following: “; and (G) an annual lung cancer screening for individuals who are eligible under the State plan or under a waiver of such plan and for whom such screening is recommended under guidelines published by the United States Preventive Services Task Force (provided that such guidelines do not decrease the recommended frequency of lung cancer screenings for such individuals or narrow the population recommended for lung cancer screening published by the United States Preventive Services Task Force on March 9, 2021), without regard to prior authorization”.

(b) NO COST SHARING.—

(1) IN GENERAL.—Subsections (a)(2) and (b)(2) of section 1916 of the Social Security Act (42 U.S.C. 1396o) are each amended—

(A) in subparagraph (I), by striking “or” at the end;

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

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

“(K) lung cancer screening for which payment may be made under the State plan or under a waiver of such plan pursuant section to 1905(a)(4)(G); and”.

(2) APPLICATION TO ALTERNATIVE COST SHARING.—Section 1916A(b)(3)(B) of the Social Security Act (42 U.S.C. 1396o-1(b)(3)(B)) is amended by adding at the end the following new clause:

“(xv) Lung cancer screening for which payment may be made under the State plan or under a waiver of such plan pursuant to section 1905(a)(4)(G).”.

(c) APPLICATION TO MEDICAID MANAGED CARE ORGANIZATIONS.—Section 1932(b) of the Social Security Act (42 U.S.C. 1396u-2(b)) is amended by adding at the end the following new paragraph:

“(9) LUNG CANCER SCREENING.—Each contract with a medicaid managed care organization under section 1903(m) shall require the organization to provide coverage for lung cancer screening for which payment may be made under the State plan or under a waiver of such plan pursuant to section 1905(a)(4)(G) without regard to prior authorization.”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall apply with respect to items and services furnished on or after January 1, 2028.

(2) EXCEPTION IF STATE LEGISLATION REQUIRED.—In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this section, the State plan shall not be regarded as failing to comply with the requirements of such

title solely on the basis of its failure to meet such additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

**SEC. 3. EXPANDING COVERAGE UNDER MEDICAID OF COUNSELING AND PHARMACOTHERAPY FOR CESSATION OF TOBACCO USE TO ALL MEDICAID INDIVIDUALS.**

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (a)(4)(D)—

(A) by striking “by pregnant women”; and

(B) by inserting “without regard to prior authorization” after “(as defined in subsection (bb))”; and

(2) in subsection (bb)—

(A) by striking “by pregnant women” each place it appears;

(B) in paragraph (1), by striking “tobacco use who” and inserting “tobacco use (including the use of e-cigarettes or vape pens) by individuals who”; and

(C) in paragraph (2)(A), by striking “with respect to pregnant women”.

(b) CONFORMING AMENDMENTS.—

(1) Section 1927(d)(2)(F) of the Social Security Act (42 U.S.C. 1396r-8(d)(2)(F)) is amended by striking “, in the case of pregnant women”.

(2) Section 1916 of the Social Security Act (42 U.S.C. 1396o), as amended by section 2(b)(1), is further amended in each of subsections (a)(2) and (b)(2)—

(A) in subparagraph (B), by striking “, and counseling and pharmacotherapy for cessation of tobacco use by pregnant women (as defined in section 1905(bb)) and covered outpatient drugs (as defined in subsection (k)(2) of section 1927 and including nonprescription drugs described in subsection (d)(2) of such section) that are prescribed for purposes of promoting, and when used to promote, tobacco cessation by pregnant women in accordance with the Guideline referred to in section 1905(bb)(2)(A)”;

(B) in subparagraph (J), by striking “or” at the end;

(C) in subparagraph (K), by striking “; and” at the end and inserting “, or”; and

(D) by adding at the end the following new subparagraph:

“(L) counseling and pharmacotherapy for cessation of tobacco use (as defined in section 1905(bb)) and covered outpatient drugs (as defined in subsection (k)(2) of section 1927 and including nonprescription drugs described in subsection (d)(2) of such section) that are prescribed for purposes of promoting, and when used to promote, tobacco cessation in accordance with the Guideline referred to in section 1905(bb)(2)(A); and”.

(3) Section 1916A(b)(3)(B) of such Act (42 U.S.C. 1396o-1(b)(3)(B)), as amended by section 2(b)(2), is further amended—

(A) in clause (iii), by striking “, and counseling and pharmacotherapy for cessation of tobacco use by pregnant women (as defined in section 1905(bb))”; and

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

“(xvi) Counseling and pharmacotherapy for cessation of tobacco use (as defined in section 1905(bb)).”.

(c) APPLICATION TO MEDICAID MANAGED CARE ORGANIZATIONS.—Section 1932(b) of the Social Security Act (42 U.S.C. 1396u-2(b)), as amended by section 2(c), is further amended by adding at the end the following new paragraph:

“(10) CESSATION OF TOBACCO USE.—Each contract with a medicaid managed care orga-

nization under section 1903(m) shall require the organization to provide coverage for counseling and pharmacotherapy for cessation of tobacco use without regard to prior authorization.”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall apply with respect to items and services furnished on or after January 1, 2028.

(2) EXCEPTION IF STATE LEGISLATION REQUIRED.—In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this section, the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

**SEC. 4. COVERAGE UNDER MEDICARE AND PRIVATE HEALTH INSURANCE OF ANNUAL LUNG CANCER SCREENING WITHOUT UTILIZATION MANAGEMENT REQUIREMENTS.**

(a) MEDICARE.—

(1) IN GENERAL.—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(bb) SPECIAL RULE FOR ANNUAL LUNG CANCER SCREENING.—Notwithstanding any other provision of this title, in the case of an annual lung cancer screening for which benefits are provided under this part for any individual for whom such screening is recommended in accordance with guidelines issued by the Secretary, such benefits shall be provided without application of any prior authorization.”.

(2) APPLICATION UNDER MEDICARE ADVANTAGE.—Section 1852(a)(1)(B) of the Social Security Act (42 U.S.C. 1395w-22(a)(1)(B)) is amended by adding at the end the following new clause:

“(vii) PROHIBITION OF APPLICATION OF CERTAIN REQUIREMENTS FOR ANNUAL LUNG CANCER SCREENING.—In the case of an annual lung cancer screening for which benefits are provided under part B for any individual for whom such screening is recommended in accordance with guidelines issued by the Secretary for purposes of section 1834(bb), an MA plan may not impose any prior authorization with respect to the coverage of such screening under such plan.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to services furnished on or after January 1, 2028.

(b) INDIVIDUAL AND GROUP HEALTH INSURANCE MARKETS.—

(1) IN GENERAL.—Section 2713 of the Public Health Service Act (42 U.S.C. 300gg-13) is amended by adding at the end the following new subsection:

“(d) PROHIBITION OF APPLICATION OF CERTAIN REQUIREMENTS FOR ANNUAL LUNG CANCER SCREENING.—A group health plan and a health insurance issuer offering group or individual health insurance coverage may not require any prior authorization with respect to the benefits under such plan or coverage for an annual lung cancer screening for any individual for whom such screening is recommended by the United States Preventive Services Task Force.”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to plan years beginning on or after January 1, 2028.

#### SEC. 5. LUNG CANCER SCREENING EDUCATION AND OUTREACH.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the “Secretary”), in consultation with patient and lung cancer advocacy groups, shall conduct an education and outreach campaign for purposes of informing individuals and health care providers of—

(1) the importance of lung cancer screenings; and

(2) the categories of individuals who should receive such screenings.

(b) MANNER OF OUTREACH.—The Secretary may carry out the campaign described in subsection (a) directly, by contract, through the issuance of grants, or otherwise. In carrying out such campaign, the Secretary shall ensure that the campaign is targeted to reach individuals at high risk of lung cancer.

(c) FUNDING.—There are authorized to be appropriated \$10,000,000 for each of fiscal years 2028 through 2032 for purposes of carrying out this section.

#### SEC. 6. REPORT.

Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report on the demographics of individuals diagnosed with lung cancer and individuals screened for such cancer. Such report shall identify—

(1) any segments of the population diagnosed with lung cancer but not captured in current screening eligibility guidelines (such as firefighters, veterans, and women under 50 years of age); and

(2) recommendations for how the Federal Government can improve screening for such cancer among such segments.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 738—RECOGNIZING THE SIGNIFICANCE OF JEWISH AMERICAN HERITAGE MONTH AND CALLING ON ELECTED OFFICIALS AND CIVIL SOCIETY LEADERS TO COUNTER ANTISEMITISM

Mr. SCOTT of Florida (for himself, Ms. ROSEN, Mr. LANKFORD, Mr. GRAHAM, Mr. PAUL, Mrs. CAPITO, Mrs. MOODY, Mr. HOEVEN, Mr. SCHUMER, Mr. HICKENLOOPER, Mr. WYDEN, Mr. WARNOCK, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. FETTERMAN, Ms. BALDWIN, Mr. KELLY, Ms. SLOTKIN, Mrs. MURRAY, and Mr. KAINE) submitted the following resolution; which was considered and agreed to:

#### S. RES. 738

Whereas “Jewish American Heritage Month” has its origins in 1980, when Congress enacted the Joint Resolution entitled “Joint Resolution to authorize and request the President to issue a proclamation designating April 21 through April 28, 1980, as ‘Jewish Heritage Week’”, approved April 24, 1980 (Public Law 96–237; 94 Stat. 338);

Whereas, on April 24, 1980, President Jimmy Carter issued the proclamation for “Jewish Heritage Week”, and in that proclamation, President Carter spoke about the bountiful contributions made by the Jewish people to the culture and history of the United States;

Whereas Congress has played a central role in recognizing “Jewish American Heritage Month” since the Senate and the House of Representatives passed resolutions in 2005 and 2006, respectively, urging the President to proclaim the national observation of a month recognizing the Jewish-American community;

Whereas, since 2006, Presidents Bush, Obama, Trump, and Biden have all issued proclamations for “Jewish American Heritage Month”, which celebrates Jewish Americans and encourages all people of the United States to learn more about Jewish heritage and the contributions of Jewish people throughout the history of the United States;

Whereas the people of the United States celebrate the rich history of Jewish people in the United States and the more than 350-year history of Jewish contributions to society in the American Colonies and United States;

Whereas the United States has long served as a haven for Jewish people escaping oppression in search of liberty, justice, and tolerance;

Whereas the Jewish-American community dates back to 1654, when a group of 23 Jewish people, fleeing persecution at the hands of the Portuguese Inquisition, fled Brazil and found refuge in what is now New York City;

Whereas several prominent Jewish Americans heroically supported the American Revolution and Jewish community leaders advocated for freedom of religion for all Americans upon the founding of the Nation;

Whereas, in 1790, President George Washington expressed his support for religious freedom for Jewish Americans in a letter to the Touro Synagogue in Newport, Rhode Island, affirming that the newly founded United States would give “to bigotry no sanction, to persecution no assistance,” and offered his wishes that “the children of the Stock of Abraham, who dwell in this land, continue to merit and enjoy the good will of the other Inhabitants”;

Whereas Jewish Americans have established deep roots in communities across the United States and served their neighbors and the United States as loyal and patriotic citizens, always grateful for the safe harbor that the United States has provided for them;

Whereas the Jewish-American community has grown to over 6,000,000 people, representing approximately 2 percent of the population of the United States in 2024;

Whereas Jewish Americans have served in government, won Nobel prizes, led universities and corporations, advanced medicine and philanthropy, created and performed in enduring works of performing and visual art, written great novels, become emblems of justice as members of the Supreme Court, and so much more;

Whereas, since the founding of the United States, more than 1,000,000 Jewish-American men and women are estimated to have served in the United States Armed Forces, participating in every major American conflict;

Whereas at least 18 Jewish-American members of the Armed Forces have received the Medal of Honor, the United States highest award for military valor in combat, of which 4 were presented posthumously;

Whereas, according to his Medal of Honor citation, on June 30, 1862, during the Civil War, United States Army Private Benjamin B. Levy, “a drummer boy, took the gun of a sick comrade, went into the fight, and when the color bearers were shot down, carried the Union colors and saved them from capture”;

Whereas, according to his posthumous Medal of Honor citation, on October 26, 1918, during World War I in France, United States Army Sergeant William Sawelson heard “a wounded man in a shell hole . . . calling for water,” and “left shelter and crawled through heavy machinegun fire to where the

man lay, giving him what water he had in his canteen,” and after returning to obtain more water, “was killed by a machinegun bullet”;

Whereas, according to his posthumous Medal of Honor citation, on July 7, 1944, in the Battle of Saipan during World War II, United States Army Captain Ben L. Salomon was serving as a surgeon when Japanese troops “started overrunning his hospital,” and he “stood a rearguard position in which he had no hope of personal survival, allowing the safe evacuation of the wounded . . . before being killed himself”;

Whereas, according to his posthumous Medal of Honor citation, between July 23, 1950, and April 20, 1953, during the Korean War, United States Army Corporal Tibor Rubin, a Holocaust survivor who immigrated to the United States, was “severely wounded . . . and subsequently captured by Chinese forces” but “chose to remain in Chinese prison despite offers of an early release” and, instead, “risked his own safety . . . to find food for other soldiers and provide medical care to the sick and wounded prisoners”;

Whereas, according to his posthumous Medal of Honor citation, on July 12, 2018, in Afghanistan, United States Army Sergeant First Class Christopher A. Celiz “voluntarily exposed himself to intense enemy machinegun and small-arms fire . . . thereby allowing U.S. and partnered forces to regain the initiative, maneuver to a secure location, and begin treatment of a critically wounded partnered force member,” whose life was saved and, after being hit by enemy fire, he “motioned to the aircraft to depart rather than remain behind” to evacuate him, sacrificing his own life “to protect his team”;

Whereas the bravery and valiance of Jewish-American servicemembers, including those that made the ultimate sacrifice, illustrate the profound contributions that the Jewish-American community has made to defending the United States Constitution, freedom, and the American way of life;

Whereas, since Hamas’ deadly attack on Israel, on October 7, 2023, antisemitism in the United States has reached record highs with incidents targeting Jews and those who are perceived as Jewish;

Whereas, on May 21, 2025, 2 Israeli Embassy staff members, Yaron Lischinsky and Sarah Lynn Milgrim, were fatally shot outside the Capital Jewish Museum in Washington, DC, and the suspect shouted, “Free Palestine”;

Whereas, on June 1, 2025, in Boulder, Colorado, several individuals took part in a peaceful walk organized by “Run for Their Lives”, showing support for the hostages still held captive by Hamas;

Whereas, during this walk, an individual shouted “Free Palestine” and threw 2 lit Molotov cocktails into the crowd, resulting in multiple injuries, including severe burns, and the death of Karen Diamond, an 82-year-old woman from Boulder, Colorado;

Whereas, according to American Jewish Committee, 91 percent of American Jews say they feel less safe as a Jewish person in the United States due to violent attacks on American Jews in the past year;

Whereas, according to the Jewish Federations of North America, 50 percent of Jewish institutions with a physical presence, such as synagogues, community centers, and day schools, lack the resources to adequately protect themselves against these rising threats;

Whereas, according to the American Jewish Committee, 73 percent of Jewish adults report experiencing antisemitism online, including on social media;

Whereas, according to Hillel International, 85 percent of Jewish college students have