

COONS) submitted an amendment intended to be proposed by him to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6012. Mr. BOOKER (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6013. Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6014. Mrs. BLACKBURN (for herself and Mr. WARNOCK) submitted an amendment intended to be proposed by her to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6015. Mrs. BLACKBURN (for herself and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6016. Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6017. Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6018. Mrs. MOODY submitted an amendment intended to be proposed by her to the bill S. 4784, supra; which was ordered to lie on the table.

SA 6019. Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 5903.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

**SEC. 225. STANDARDIZATION OF QUANTUM RADIO FREQUENCY SENSING REQUIREMENTS FOR JOINT FORCE APPLICATIONS.**

(a) JOINT REQUIREMENTS FOR QUANTUM RADIO FREQUENCY TECHNOLOGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering, in coordination with the Secretaries of the military departments and the Chairman of the Joint Requirements Oversight Council, shall establish standardized joint requirements for quantum radio frequency sensing technology for use across the joint force.

(2) REQUIREMENTS CONTENT.—The requirements established under paragraph (1) shall include, at a minimum—

(A) performance thresholds for ultra-wide-band spectrum sensing, including minimum frequency coverage from 1 megahertz through 12 gigahertz, with objective coverage extending to 100 gigahertz;

(B) interoperability standards for integration with existing electronic warfare, signals intelligence, and tactical communications systems, including compatibility with Single Channel Ground and Airborne Radio System (SINCGARS) and Joint Tactical Radio System (JTRS) waveforms;

(C) size, weight, and power requirements for deployment on ground vehicles, surface vessels, unmanned systems, and manned aircraft platforms;

(D) performance specifications for operation in contested and congested electromagnetic spectrum environments, including resilience against electronic attack and interference;

(E) interface standards enabling multi-channel simultaneous reception across radar warning, communications intercept, spectrum monitoring, and tactical communications functions; and

(F) scalability requirements supporting miniaturization through integrated photonics and photonic-integrated circuits for future chip-scale implementations.

(b) TECHNOLOGY DEVELOPMENT ROADMAP.—Not later than 270 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall update the Quantum Science Critical Technology Area roadmap to include a dedicated section on quantum radio frequency sensing technology that—

(1) incorporates the joint requirements established under subsection (a);

(2) identifies near-term (0 to 2 years), mid-term (2 to 5 years), and far-term (5 to 10 years) development milestones for quantum radio frequency sensing technology;

(3) specifies minimum investment levels required from each military department to achieve roadmap milestones;

(4) identifies workforce requirements, including quantum scientists, photonics engineers, and radio frequency systems integrators;

(5) assesses the industrial base for quantum sensing components, including domestic sources for rubidium or cesium vapor cells, precision laser systems, and integrated photonics; and

(6) establishes technology readiness-level transition gates and criteria for advancement to acquisition programs of record.

(c) TRANSITION TO PROGRAMS OF RECORD.—

(1) DESIGNATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall designate a lead military department for the development and acquisition of a joint quantum radio frequency sensing system, in consultation with the Joint Requirements Oversight Council.

(2) PROGRAM INITIATION.—The designated lead military department shall initiate a program of record for a quantum radio frequency sensing system not later than fiscal year 2029, subject to successful completion of—

(A) technology readiness assessment demonstrating achievement of Technology Readiness Level 6 or higher for the core Rydberg atomic sensing subsystem;

(B) operational assessment demonstrating interoperability with joint force electronic warfare and communications systems at a combatant command exercise or service-level network modernization experiment; and

(C) independent cost estimate for production and lifecycle costs across planned joint force platforms.

(d) PILOT PROGRAM FOR QUANTUM RADIO FREQUENCY INTEGRATION.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall establish a pilot program to demonstrate integration of quantum radio frequency sensing technology on operationally relevant platforms across at least two military departments.

(2) SELECTION CRITERIA.—Platforms selected for the pilot program shall include at

least one representative from each of the following categories:

(A) Ground-based tactical vehicles or command posts.

(B) Naval surface vessels or submarines.

(C) Manned or unmanned aircraft.

(D) Fixed or deployable spectrum monitoring installations.

(3) DURATION AND FUNDING.—

(A) DURATION.—The pilot program shall have a duration of not more than three years.

(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$50,000,000 for each of fiscal years 2028, 2029, and 2030 to carry out this subsection.

(e) COORDINATION WITH NATIONAL LABORATORIES AND INDUSTRY.—The Under Secretary of Defense for Research and Engineering, in implementing this section, shall coordinate with—

(1) the National Institute of Standards and Technology, for development of measurement standards and calibration protocols for quantum radio frequency sensors;

(2) the Department of Energy National Laboratories, including the National Quantum Initiative Quantum Computing Research Centers, for fundamental research on Rydberg atomic physics and integrated photonics;

(3) defense industrial base companies with demonstrated capability in quantum sensing system integration and field deployment, including those that have successfully completed government evaluations of Rydberg-based RF receivers; and

(4) academic institutions with established quantum information science and engineering programs.

(f) REPORTING REQUIREMENTS.—

(1) INITIAL REPORT.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Research and Engineering shall submit to the congressional defense committees a report that includes—

(A) the joint requirements established under subsection (a);

(B) the updated technology roadmap under subsection (b);

(C) the designation of the lead military department under subsection (c)(1);

(D) the status of the pilot program under subsection (d), including platforms selected and initial integration timelines; and

(E) an assessment of investment levels required from each military department to achieve roadmap milestones.

(2) ANNUAL UPDATES.—Beginning in the year following submission of the initial report under paragraph (1), and annually thereafter through fiscal year 2032, the Under Secretary shall include in the annual report on Critical Technology Areas required under section 217(c) of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Public Law 116-283; 10 U.S.C. 4001 note) a section specifically addressing quantum radio frequency sensing technology, including progress against roadmap milestones and transition to programs of record.

(g) DEFINITIONS.—In this section:

(1) INTEGRATED PHOTONICS.—The term “integrated photonics” means photonic devices and circuits manufactured on semiconductor or other wafer-scale substrates, enabling miniaturization of optical components for quantum-sensing applications.

(2) QUANTUM RADIO FREQUENCY SENSING TECHNOLOGY.—The term “quantum radio frequency sensing technology” means radio frequency detection and measurement systems that utilize Rydberg atomic states, including highly excited atoms exhibiting extreme sensitivity to electromagnetic fields, to convert radio frequency (RF) signals to the optical

domain for detection without traditional antennas or solid-state analog receivers.

(3) **RYDBERG ATOMIC STATES.**—The term “Rydberg atomic states” means electronic states of atoms with very high principal quantum numbers, typically achieved by laser excitation of alkali atoms such as rubidium or cesium, which exhibit sensitivity to radio frequency electric fields.

**SA 5904.** Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 587. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS TO JAMES O. RATLIFF FOR ACTS OF VALOR IN THE REPUBLIC OF VIETNAM.**

(a) **WAIVER OF TIME LIMITATIONS.**—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the Secretary of the Army may award the Distinguished-Service Cross under section 7272 of such title to James O. Ratliff for the acts of valor in the Republic of Vietnam described in subsection (b).

(b) **ACTS OF VALOR DESCRIBED.**—The acts of valor referred to in subsection (a) are the actions of James O. Ratliff on June 18, 1968, during a combat mission near the village of Ap Go Cong, Republic of Vietnam.

**SA 5905.** Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1230. SENSE OF CONGRESS ON ILLEGAL ABDUCTION OF UKRAINIAN CHILDREN BY THE RUSSIAN FEDERATION.**

(a) **FINDINGS.**—Congress makes the following findings:

(1) Since the Russian Federation’s full-scale invasion of Ukraine in February 2022, the military forces of the Russian Federation and the Government of the Russian Federation have abducted, forcibly transferred, or facilitated the illegal deportation of at least 20,000 Ukrainian children.

(2) The Russian Federation’s abduction, forcible transfer, and facilitation of the illegal deportation of Ukrainian children has left countless children and families with devastating physical and psychological trauma.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that Congress—

(1) condemns the Russian Federation’s abduction, forcible transfer, and facilitation of the illegal deportation of Ukrainian children; and

(2) implores the Russian Federation to work with the international community to ensure the return, without delay, of all forc-

ibly transferred Ukrainian children to their families.

**SA 5906.** Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1230. MODIFICATION OF REQUIREMENTS FOR TRANSFERS OF UNITED STATES DEFENSE ARTICLES AND DEFENSE SERVICES AMONG BALTIC STATES.**

(a) **EXEMPTIONS FROM REQUIREMENT FOR CONSENT TO TRANSFER.**—

(1) **RETRANSFERS AMONG BALTIC STATES.**—

(A) **IN GENERAL.**—Notwithstanding the requirements of section 3(a)(2) of the Arms Export Control Act (22 U.S.C. 2753(a)(2)) and section 505(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2314(a)(1)), retransfers of defense articles related to United States-origin mobile rocket artillery systems among Estonia, Lithuania, and Latvia shall not require prior Presidential consent.

(B) **EXPIRATION.**—The authority provided in subparagraph (A) shall cease to have effect on the date that is 10 years after the date of the enactment of this Act.

(2) **AGREEMENTS.**—

(A) **CONSENT TO TRANSFER NOT REQUIRED.**—

An agreement between the United States and a Baltic state under section 3 of the Arms Export Control Act (22 U.S.C. 2753) with respect to defense articles or defense services related to mobile rocket artillery systems provided by the United States shall not require the Baltic state to seek approval from the United States to transfer the defense article or defense service to any other Baltic state.

(B) **MODIFICATION.**—With respect to any agreement under section 3(a)(2) of the Arms Export Control Act (22 U.S.C. 2753(a)(2)) in effect as of the date of the enactment of this Act that requires the consent of the President before a Baltic state may transfer a defense article or defense service related to mobile rocket artillery systems provided by the United States, at the request of any Baltic state, the United States shall modify such agreement so as to remove such requirement with respect to such a transfer to any other Baltic state.

(b) **COMMON COALITION KEY.**—The Secretary of Defense shall establish among the Baltic states a common coalition key or other technological solution within the Baltic states for the purpose of sharing ammunition for High Mobility Artillery Rocket Systems (HIMARS) among the Baltic states for training and operational purposes.

(c) **DEFINITIONS.**—In this section:

(1) **BALTIC STATE.**—The term “Baltic state” means the following:

- (A) Estonia.
- (B) Lithuania.
- (C) Latvia.

(2) **DEFENSE ARTICLE; DEFENSE SERVICE.**—The terms “defense article” and “defense service” have the meanings given such terms in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

**SA 5907.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for

military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_ . EXTENSION OF OVERTIME PAY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK OUTSIDE THE UNITED STATES FOR NAVAL VESSELS.**

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking “September 30, 2026” and inserting “September 30, 2028”.

**SA 5908.** Mrs. MURRAY (for herself, Ms. ROSEN, Mr. KING, Mr. BENNET, and Mr. KELLY) submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_ . AUTHORITY FOR INDIVIDUALS AWARDED PURPLE HEART TO TRANSFER UNUSED POST-9/11 EDUCATIONAL ASSISTANCE TO A FAMILY MEMBER.**

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

**“§3319A. Authority for recipients of Purple Heart to transfer unused Post-9/11 Educational Assistance to a family member**

“(a) **IN GENERAL.**—The Secretary shall permit an individual described in subsection (b) who is entitled to educational assistance under this chapter to elect to transfer to one or more of the dependents specified in subsection (c) a portion of such individual’s entitlement to such assistance, subject to the limitation under subsection (d).

“(b) **ELIGIBLE INDIVIDUALS.**—An individual referred to in subsection (a) is any veteran who is awarded, after being discharged or released from service in the active military, naval, air, or space service, the Purple Heart for service in the Armed Forces occurring on or after September 11, 2001.

“(c) **ELIGIBLE DEPENDENTS.**—

“(1) **TRANSFER.**—An individual approved to transfer an entitlement to educational assistance under this section may transfer the individual’s entitlement to an eligible dependent or a combination of eligible dependents.

“(2) **DEFINITION OF ELIGIBLE DEPENDENT.**—For purposes of this subsection, the term ‘eligible dependent’ has the meaning given the term ‘dependent’ under subparagraphs (A), (D), and (I) of section 1072(2) of title 10.

“(d) **LIMITATION ON MONTHS OF TRANSFER.**—The total number of months of entitlement transferred by an individual under this section may not exceed 36 months.

“(e) **DESIGNATION OF TRANSFERREE.**—An individual transferring an entitlement to educational assistance under this section shall—

“(1) designate the dependent or dependents to whom such entitlement is being transferred; and

“(2) designate the number of months of such entitlement to be transferred to each such dependent.

“(f) REVOCATION AND MODIFICATION.—  
“(1) MODIFICATION OR REVOCATION.—

“(A) IN GENERAL.—An individual transferring entitlement under this section may modify or revoke at any time the transfer of any unused portion of the entitlement so transferred.

“(B) NOTICE.—The modification or revocation of the transfer of entitlement under this paragraph shall be made by the submittal of written notice of the action to the Secretary.

“(2) PROHIBITION ON TREATMENT OF TRANSFERRED ENTITLEMENT AS MARITAL PROPERTY.—Entitlement transferred under this section may not be treated as marital property, or the asset of a marital estate, subject to division in a divorce or other civil proceeding.

“(g) COMMENCEMENT OF USE.—A dependent to whom entitlement to educational assistance is transferred under this section may not commence the use of the transferred entitlement, in the case of entitlement transferred to a child, until either—

“(1) the completion by the child of the requirements of a secondary school diploma (or equivalency certificate); or

“(2) the attainment by the child of 18 years of age.

“(h) ADDITIONAL ADMINISTRATIVE MATTERS.—

“(1) USE.—The use of any entitlement to educational assistance transferred under this section shall be charged against the entitlement of the individual making the transfer at the rate of one month for each month of transferred entitlement that is used.

“(2) NATURE OF TRANSFERRED ENTITLEMENT.—Except as provided under subsection (e)(2) and subject to paragraphs (5) and (6), the recipient of entitlement transferred under this section is entitled to educational assistance under this chapter in the same manner as the individual from whom the entitlement was transferred.

“(3) RATE OF PAYMENT.—The monthly rate of educational assistance payable to a dependent to whom entitlement referred to in paragraph (2) is transferred under this section shall be payable at the same rate as such entitlement would otherwise be payable under this chapter to the individual making the transfer.

“(4) DEATH OF TRANSFEROR.—

“(A) IN GENERAL.—The death of an individual transferring an entitlement under this section shall not affect the use of the entitlement by the dependent to whom the entitlement is transferred.

“(B) DEATH PRIOR TO TRANSFER TO DESIGNATED TRANSFEREES.—(1) In the case of an eligible individual whom the Secretary, in consultation with the Secretary of Defense, has approved to transfer the individual's entitlement under this section who, at the time of death, is entitled to educational assistance under this chapter and has designated a transferee or transferees under subsection (e) but has not transferred all of such entitlement to such transferee or transferees, the Secretary shall transfer the entitlement of the individual under this section by evenly distributing the amount of such entitlement between all such transferees who would not be precluded from using some or all of the transferred benefits due to the expiration of time limitations found in paragraph (5) of this subsection or section 3321 of this title, notwithstanding the limitations under subsection (f).

“(ii) If a transferee cannot use all of the transferred benefits under clause (1) because of expiration of a time limitation, the unused benefits will be distributed among the other designated transferees who would not be precluded from using some or all of the transferred benefits due to expiration of

time limitations found in paragraph (5) of this subsection or section 3321 of this title, unless or until there are no transferees who would not be precluded from using the transferred benefits because of expiration of a time limitation.

“(C) DEATH PRIOR TO DESIGNATION OF TRANSFEREES.—In the case of an eligible individual whom the Secretary, in consultation with the Secretary of Defense, has approved to transfer the individual's entitlement under this section who, at the time of death, is entitled to educational assistance under this chapter and has eligible dependents but has not designated a transferee or transferees under subsection (e), the Secretary shall transfer the entitlement of the individual under this section by evenly distributing the amount of such entitlement between all such eligible dependents who would not be precluded from using some or all of the transferred benefits due to the expiration of time limitations found in paragraph (5) of this subsection or section 3321 of this title, notwithstanding the limitations under subsection (f).

“(5) LIMITATION ON AGE OF USE BY CHILD TRANSFEREES.—

“(A) IN GENERAL.—A child to whom entitlement is transferred under this section may use the benefits transferred without regard to the 15-year delimiting date specified in section 3321 of this title, but may not, except as provided in subparagraph (B) or (C), use any benefits so transferred after attaining the age of 26 years.

“(B) PRIMARY CAREGIVERS OF SERIOUSLY INJURED MEMBERS OF THE ARMED FORCES AND VETERANS.—

“(i) IN GENERAL.—Subject to clause (ii), in the case of a child who, before attaining the age of 26 years, is prevented from pursuing a chosen program of education by reason of acting as the primary provider of personal care services for a veteran or member of the Armed Forces under section 1720G(a) of this title, the child may use the benefits beginning on the date specified in clause (iii) for a period whose length is specified in clause (iv).

“(ii) INAPPLICABILITY FOR REVOCATION.—Clause (i) shall not apply with respect to the period of an individual as a primary provider of personal care services if the period concludes with the revocation of the individual's designation as such a primary provider under section 1720G(a)(7)(D) of this title.

“(iii) DATE FOR COMMENCEMENT OF USE.—The date specified in this clause for the beginning of the use of benefits by a child under clause (i) is the later of—

“(I) the date on which the child ceases acting as the primary provider of personal care services for the veteran or member concerned as described in clause (i);

“(II) the date on which it is reasonably feasible, as determined under regulations prescribed by the Secretary, for the child to initiate or resume the use of benefits; or

“(III) the date on which the child attains the age of 26 years.

“(iv) LENGTH OF USE.—The length of the period specified in this clause for the use of benefits by a child under clause (i) is the length equal to the length of the period that—

“(I) begins on the date on which the child begins acting as the primary provider of personal care services for the veteran or member concerned as described in clause (i); and

“(II) ends on the later of—

“(aa) the date on which the child ceases acting as the primary provider of personal care services for the veteran or member as described in clause (i); or

“(bb) the date on which it is reasonably feasible, as so determined, for the child to initiate or resume the use of benefits.

“(C) EMERGENCY SITUATIONS.—In any case in which the Secretary determines that an individual to whom entitlement is transferred under this section has been prevented from pursuing the individual's chosen program of education before the individual attains the age of 26 years because the educational institution or training establishment closed (temporarily or permanently) under an established policy based on an Executive order of the President or due to an emergency situation, the Secretary shall extend the period during which the individual may use such entitlement for a period equal to the number of months that the individual was so prevented from pursuing the program of education, as determined by the Secretary.

“(6) SCOPE OF USE BY TRANSFEREES.—The purposes for which a dependent to whom entitlement is transferred under this section may use such entitlement shall include the pursuit and completion of the requirements of a secondary school diploma (or equivalency certificate).

“(7) ADDITIONAL ADMINISTRATIVE PROVISIONS.—The administrative provisions of this chapter shall apply to the use of entitlement transferred under this section, except that the dependent to whom the entitlement is transferred shall be treated as the eligible individual for purposes of such provisions.

“(i) OVERPAYMENT.—In the event of an overpayment of educational assistance with respect to a dependent to whom entitlement is transferred under this section, the dependent and the individual making the transfer shall be jointly and severally liable to the United States for the amount of the overpayment for purposes of section 3685 of this title.

“(j) REGULATIONS.—(1) The Secretary shall, in consultation with the Secretary of Defense, prescribe regulations for purposes of this section.

“(2) Such regulations shall specify—

“(A) the manner of authorizing the transfer of entitlements under this section;

“(B) the eligibility criteria in accordance with subsection (b); and

“(C) the manner and effect of an election to modify or revoke a transfer of entitlement under subsection (f)(1).

“(k) TRANSFER BY DEPENDENT.—In the case of an individual who transfers entitlement to educational assistance under this section who dies before the dependent to whom entitlement to educational assistance is so transferred has used all of such entitlement, such dependent may transfer such entitlement to another eligible dependent in accordance with the provisions of this section.

“(l) COORDINATION.—The Secretary of Veterans Affairs and the Secretary of Defense shall coordinate with each other to facilitate the transfer of entitlement under this section.”.

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

“3319A. Authority for recipients of Purple Heart to transfer unused Post-9/11 Educational Assistance to a family member.”.

**SA 5909.** Mr. SHEEHY (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

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

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

**SEC. \_\_\_\_ ENHANCEMENT OF DIPLOMATIC ENGAGEMENT ON INTERNATIONAL BIODEFENSE, BIOSECURITY, AND BIOTECHNOLOGY MATTERS.**

(a) **IN GENERAL.**—The Secretary of State shall advance United States foreign policy goals to improve cooperation in the field of international biodefense, biosecurity, and biotechnology matters with United States allies and partners, including by carrying out the activities described in this section.

(b) **POLICY DEVELOPMENT.**—The Secretary of State, acting through the Under Secretary for Arms Control and International Security if the Secretary so delegates, in coordination with the Under Secretary for Political Affairs and the Permanent Representative of the United States to the North Atlantic Treaty Organization (NATO), shall pursue enhanced biodefense cooperation within NATO, including by—

(1) advocating for the prioritization of policy development within NATO relating to biodefense, including in the areas of biotechnology, biosurveillance, and countermeasures in the field of biological threats;

(2) identifying and evaluating opportunities to strengthen NATO planning, policies, and activities relating to biodefense and biotechnology;

(3) pursuing potential revisions or amendments to the NATO Chemical, Biological, Radiological, and Nuclear Defence Policy to further enhance biodefense efforts in NATO;

(4) coordinating with NATO member states to prioritize and implement measures described in the NATO Chemical, Biological, Radiological, and Nuclear Defence Policy;

(5) strengthening NATO interoperability and allied forces capabilities in resilience, detection, attribution, emergency response, and recovery in the event of a weaponized biological attack;

(6) evaluating opportunities for expanded NATO capabilities to research, develop, and deploy biotechnology for international security purposes; and

(7) promoting adherence by NATO member states to the highest standards of safety and security in biological research.

(c) **COOPERATION WITH UNITED STATES ALLIES AND PARTNERS.**—The Secretary of State, acting through the Under Secretary for Arms Control and International Security if the Secretary so delegates, in coordination with the Under Secretary for Political Affairs, shall pursue international biotechnology, biosecurity, and biodefense cooperation with United States allies and partners, including—

(1) exploring potential areas of cooperation with countries that are major non-NATO allies in biotechnology, biosecurity, and biodefense matters;

(2) coordinating with allied and partner countries, including NATO countries, on formulation of export control policies in the field of biotechnology, including items that may be identified as dual-use items that would pose a substantial risk to national security if used for military end-uses, such as items that could enable the development of bioweapons;

(3) promoting adherence by United States allies and partners to the highest standards of safety and security in biological research; and

(4) collaborating on efforts to enforce the Biological Weapons Convention.

**(d) STRATEGIES.**—

(1) **NATO BIODEFENSE STRATEGY.**—The Secretary of State, acting through the Under Secretary for Arms Control and Inter-

national Security if the Secretary so delegates, in coordination with the Under Secretary for Political Affairs, shall develop a strategy, to be known as the “NATO Biodefense Strategy”, which shall include—

(A) an assessment of current cooperation between the United States and NATO member states in biotechnology, biosurveillance, biological threat countermeasures, and other biodefense capabilities;

(B) an identification of strategic planning and deployment gaps in NATO relating to biotechnology and biodefense;

(C) recommendations to address gaps identified under subparagraph (B), including through coordination with NATO member states, capability development, and coordination mechanisms; and

(D) an assessment of current Department of State cooperation with other United States Government agencies in biodefense, biotechnology, biosecurity, biosurveillance, and biological threat countermeasures.

(2) **INTERNATIONAL BIOTECHNOLOGY, BIOSECURITY, AND BIODEFENSE COOPERATION STRATEGY.**—The Secretary of State, acting through the Under Secretary for Arms Control and International Security if the Secretary so delegates, in coordination with the Under Secretary for Political Affairs, shall develop a strategy, to be known as the “International Biotechnology, Biosecurity, and Biodefense Cooperation Strategy”, which shall include—

(A) proposals for commitments or agreements under which the United States and United States allies and partners, including countries that are major non-NATO allies, may expand cooperation on international security matters relating to biotechnology, biosecurity, and biodefense;

(B) an assessment of the feasibility and effectiveness of coordinating export control efforts, in addition to existing export control regimes such as the Wassenaar Arrangement and the Australia Group, related to biotechnology items that may pose national security risks if used for military end uses; and

(C) an overview of nonproliferation, anti-terrorism, demining, and related (NADR) programs and funds for the purposes of enhancing capabilities and capacities to address international biosecurity threats and recommendations for the use of Department of State programs and funds, including NADR programs and funds, to expand cooperation outlined in subparagraph (A) and increase the effectiveness of export control efforts identified in subparagraph (B).

(3) **LIMITATION.**—The strategies developed under paragraphs (1) and (2) shall be limited to addressing threats posed by biological agents and toxins as such terms are defined in section 178 of title 18, United States Code.

**(e) REPORT.**—

(1) **IN GENERAL.**—Not later than 270 days after the date of the enactment of this Act, the Secretary of State, acting through the Under Secretary for Arms Control and International Security if the Secretary so delegates, shall submit to the appropriate congressional committees a report that contains the strategies required by subsection (d).

(2) **FORM.**—The report required by this subsection shall be submitted in unclassified form but may include a classified annex if submitted separately from the unclassified portion.

(f) **CONGRESSIONAL BRIEFING.**—Not later than 90 days after the date of the enactment of this Act, the Under Secretary for Arms Control and International Security shall provide a briefing to the appropriate congressional committees in response to significant developments relating to—

(1) the contents of the report required by subsection (e); and

(2) other material developments in biotechnology and biosecurity globally that may affect United States national security interests.

**(g) DEFINITIONS.**—In this section—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of the Representatives.

(2) the term “biodefense” means actions to counter biological threats, reduce risks, and prepare for, respond to, and recover from biological incidents;

(3) the term “biological threat” means entities involved with, or a situation involving, a biological hazard that can potentially cause a biological incident;

(4) the term “Biological Weapons Convention” means the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow April 10, 1972, and entered into force March 26, 1975.

(5) the term “biosecurity” means policies, practices, and controls that reduce the risk of loss, theft, misuse, diversion of, or intentional unauthorized release of biological materials;

(6) the term “biosurveillance” means the process of gathering, integrating, interpreting, and communicating essential information and indications related to all-hazard threats or disease activity affecting human, animal, plant, and environmental health to achieve early detection and provide early warning and contribute to overall situational awareness of the health aspects of a biological incident to support and enhance decision-making at all levels;

(7) the term “biotechnology” means the use of biological processes, organisms, or systems for manufacturing, research, or medical purposes, including genetic engineering, synthetic biology, and bioinformatics; and

(8) the term “countries that are major non-NATO allies” means countries designated pursuant to section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k).

**SA 5910.** Mr. SHEEHY (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ ANNUAL LIST OF PRC ENTITIES CARRYING OUT MINING INVOLVING FORCED LABOR OR CAUSING ENVIRONMENTAL HARM IN AFRICAN COUNTRIES.**

**(a) DEFINITIONS.**—In this section:

(1) **ARTISANAL AND SMALL-SCALE MINING.**—The term “artisanal and small-scale mining” means a form of mining common in the developing world that—

(A) typically employs rudimentary and low-cost extractive technologies and manual labor-intensive techniques;

(B) is frequently subject to limited regulation; and

(C) often features inhumane, harsh, and dangerous working conditions.

(2) **CRITICAL MINERAL.**—The term “critical mineral” has the meaning given that term in

section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)).

(3) ENVIRONMENTAL HARM TO A PROTECTED AREA.—The term “environmental harm to a protected area” means damage to the environment of a protected area, such as—

(A) contamination of water resources, streams, rivers, lakes, or other bodies of water, including wells, aquifers, or soil;

(B) soil degradation or erosion; or

(C) degradation of aquatic or terrestrial ecosystems or biodiversity loss.

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

(5) LARGE-SCALE MINING.—The term “large-scale mining” means capital-intensive, usually highly mechanized, typically industrial-scale mining carried out by large commercial entities.

(6) PRC ENTITY.—The term “PRC entity” means—

(A) an entity under the ownership, control, or influence of—

(i) the Government of the People’s Republic of China;

(ii) the Chinese Communist Party; or

(iii) a military, intelligence, or paramilitary entity of the Chinese Communist Party or the People’s Republic of China;

(B) an entity that is organized under the laws of, or otherwise subject to the jurisdiction of, the People’s Republic of China (including Hong Kong and Macau);

(C) an entity majority-owned, majority-controlled, or majority-financed by an entity described in subparagraph (A) or (B); or

(D) a parent, subsidiary, affiliate, or contractor of an entity described in subparagraph (A), (B), or (C), including a joint venture in which an entity described in subparagraph (A), (B), or (C) holds a controlling interest.

(7) PROTECTED AREA.—The term “protected area” means any area that has received protected status in the country in which the area is located, such as a national park, game refuge, ecosystem reserve, or other nature preserve.

(8) RELEVANT CONGRESSIONAL COMMITTEES.—The term “relevant congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) IN GENERAL.—Not less frequently than once each year during the 5-year period beginning on the date of the enactment of this Act, the Secretary of State shall submit to the relevant congressional committees, and make publicly available, including on the internet, a list of—

(1) each PRC entity that the Secretary reasonably assesses is carrying out mining, including large-scale mining or artisanal and small-scale mining, of critical minerals, gold, or iron in the Democratic Republic of the Congo, Nigeria, Guinea, Zambia, South Africa, Zimbabwe, or any other country in Africa—

(A) using forced labor; or

(B) in a manner that causes environmental harm to a protected area in the country concerned; and

(2) each mine, mining zone, or concession at which such mining is carried out.

(c) DEVELOPMENT OF LIST.—In developing each list required by subsection (b), the Secretary of State shall—

(1) use open-source information, including from press sources and academic, non-profit, and other non-state research organizations or individual researchers, and information received, collected, or otherwise obtained by United States embassies; and

(2) consult with the Secretary of Labor, through the Bureau of International Labor

Affairs of the Department of Labor, the Secretary of Commerce, the Secretary of the Treasury, the Director of National Intelligence, and other heads of Federal departments and agencies, and the foreign country counterparts of such individuals in the countries specified in subsection (b)(1).

(d) FORM.—Each list required by subsection (b) shall be made publicly available and submitted to the relevant congressional committees in unclassified form, but the version submitted to the relevant congressional committees may include a classified annex, if warranted.

**SA 5911.** Mr. SHEEHY (for himself and Mr. PADILLA) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1510A. PROCUREMENT OF COMMERCIAL SPACE-BASED DATA TO SUPPORT WILDFIRE RESILIENCE.**

(a) PROCUREMENT.—Subject to the availability of appropriations for such purpose, the Secretary of the Air Force, acting through the Commercial Space Office and in coordination with the FireGuard program of the National Guard and the Commander of the United States Northern Command, shall procure space-based commercial data and end products to support the efforts of the Department of Defense and the wildfire mission of the United States Northern Command by delivering timely, effective military support to the Federal Government and State, local, and Tribal governments to protect military readiness and installations, provide emergency military support to civil authorities, and conduct proactive wildland fire management.

(b) AUTHORIZED SHARING.—The Secretary may share space-based commercial data and end products procured under subsection (a) with State, local, and Tribal governments to assist with firefighting efforts.

**SA 5912.** Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_\_. LIMITATION RELATING TO RECLASSIFICATION OF HIGHLEVEL WASTE.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2027 for the Department of Energy may be obligated or expended by the Secretary of Energy to apply the interpretation of high-level radioactive waste described in the notice published by the Secretary titled “Supplemental Notice Concerning U.S. Department of Energy Interpretation of High-Level Radioactive Waste” (84 Fed. Reg. 26835), or a successor notice, with respect to such waste located in the State of Washington.

**SA 5913.** Ms. BLUNT ROCHESTER submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

**SEC. \_\_\_\_\_. NATIONAL TALENT STRATEGY ACT.**

(a) SHORT TITLE.—This section be cited as the “National Talent Strategy Act of 2026”.

(b) TALENT WORKING GROUP.—

(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this Act, the Secretary of Labor shall establish a working group to be known as the “American Talent Working Group” (in this section referred to as the “Working Group”) to serve as a standing forum for aligning Federal policy, funding, and data infrastructure related to education, workforce, and talent.

(2) COMPOSITION.—The Working Group shall be composed of the following:

(A) The Secretary of Commerce.

(B) The Secretary of Defense.

(C) The Secretary of Health and Human Services.

(D) The Secretary of Homeland Security.

(E) The Secretary of Labor.

(F) The Secretary of Education.

(G) The Secretary of Energy.

(H) The Secretary of Agriculture.

(I) The Chief Executive Officer of the Corporation for National and Community Service.

(J) The Secretary of Transportation.

(K) A representative from the Council of Economic Advisers.

(L) A representative from the Domestic Policy Council.

(M) The Chief Executive Officer of the Internal Revenue Service.

(N) The Director of the Office of Management and Budget.

(O) The Commissioner of Labor Statistics.

(P) The Director of the Office of Personnel Management.

(Q) The Director of the Office of Science and Technology Policy.

(R) The Director of the National Science Foundation.

(3) ACTIVITIES.—The Working Group shall—

(A) drive the development of the Federal strategic talent plan outlined in subsection (c);

(B) meet not less often than once a year to report on workforce development activities to improve communication and alignment of programs;

(C) identify challenges and barriers to the reach, utilization, and successful outcomes of workforce development programs;

(D) submit a report, not later than 30 days after the date of a meeting, to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives summarizing key points from the meeting, common barriers identified, and any recommendations;

(E) engage regularly with State and local governments, business leaders, labor organizations, and institutions of higher education; and

(F) ensure that workforce programs are aligned with updates to the President’s List of Critical and Emerging Technologies (CET) and consider related skills needs and talent development strategies.

(c) COMPREHENSIVE FEDERAL STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Labor, in coordination with the Working Group and with representatives from industries and labor organizations (as defined in section 2 of the National Labor Relations Act (29 U.S.C. 152)) that are connected with Federal workforce development programs, shall develop a comprehensive Federal strategic talent plan that complies with each of the following:

(A) Evaluates all workforce programs across the Federal Government and provides analysis on program participation, program outcomes for participants, program effectiveness in meeting statutory goals, identifies areas of overlap among programs, and identifies areas where programs could have more efficient strategic alignment.

(B) Identifies and evaluates barriers to national workforce readiness with a focus on the following areas, and identifies the capacity of existing national workforce development programs to support reducing the identified barriers:

(i) Industries of importance to national security and national defense.

(ii) Industries projected to have significant job growth in the next decade.

(iii) Industries of importance to global economic competitiveness.

(iv) Domestic manufacturing and industrial capacity.

(v) Industries that offer consistent, high-wage career pathways for workers.

(C) Creates an interagency strategic plan to—

(i) address barriers identified in subparagraph (B) through existing or new Federal workforce development initiatives;

(ii) increase labor force participation across populations;

(iii) increase the reach of Federal workforce programs to populations such programs are intended to serve;

(iv) increase utilization of apprenticeships registered under the Act of August 16, 1937 (commonly known as the “National Apprenticeship Act”; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); and

(v) support workers affected by automation or other disruptive impacts of artificial intelligence and emerging technologies.

(D) Includes recommendations to Congress to resolve inefficiencies and address barriers in Federal workforce development programs.

(2) UPDATE.—The comprehensive Federal strategic talent plan developed under paragraph (1) shall—

(A) be submitted to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives; and

(B) be updated every 2 years.

**SA 5914.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TIMBER PRODUCTION EXPANSION GUARANTEED LOAN PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means an individual or entity that

owns or operates a sawmill or other wood-processing facility located in a rural area (as defined in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a))) of the United States.

(2) ELIGIBLE FEDERAL LAND.—The term “eligible Federal land” means any unit of Federal land, including Indian forest land or rangeland, that has been identified by the Secretary, in coordination with the Secretary of the Interior, as high or very high priority for ecological restoration involving vegetation removal under subsection (b).

(3) PROGRAM.—The term “Program” means the Timber Production Expansion Guaranteed Loan Program of the Department of Agriculture.

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(b) IDENTIFICATION OF ELIGIBLE FEDERAL LAND.—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every 5 years thereafter, the Secretary, in coordination with the Secretary of the Interior, shall—

(1) review Federal land under the jurisdiction of the Secretary or the Secretary of the Interior; and

(2) identify units of Federal land that, as determined by the Secretaries, are high or very high priority for ecological restoration involving vegetation removal.

(c) LOAN GUARANTEES.—

(1) IN GENERAL.—The Secretary, in coordination with the Secretary of the Interior, shall provide loan guarantees under the Program to eligible entities seeking to establish, reopen, retrofit, expand, or improve a sawmill or other wood-processing facility located within a 250-mile radius of, a unit of eligible Federal land, if the presence of a sawmill or other wood-processing facility would, or does, substantially decrease the cost of conducting ecological restoration projects involving vegetation removal on the eligible Federal land, as determined by the Secretary, in coordination with the Secretary of the Interior.

(2) CONDITIONS.—A loan guarantee under the Program shall be provided in accordance with such conditions as the Secretary determines to be necessary.

(3) MAXIMUM AMOUNT.—The Secretary may provide a total of not more than \$220,000,000 in loan guarantees under the Program.

**SA 5915.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. PROTECTING U.S. FISHERS FROM ILLEGAL FOREIGN FLAGS.**

(a) SHORT TITLE.—This section may be cited as the “Protecting U.S. Fishers from Illegal Foreign Flags Act of 2026”.

(b) AMENDMENTS TO THE HIGH SEAS DRIFTNET FISHING MORATORIUM PROTECTION ACT.—Section 609 of the High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826j) is amended—

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

“(E) Any nation that allows vessels to be operated under the laws of the nation without confirming a genuine link (as described in Article 5(1) of the United Nations Convention on the High Seas, done at Geneva on

April 29, 1958 and entered into force September 30, 1962) between the nation and the persons or entities with beneficial ownership and control of the vessel, and that, as a result, fails to effectively exercise flag state responsibilities as described in subparagraphs (A) through (C).”; and

(2) in subsection (e), by striking paragraph (2) and inserting the following:

“(2) SECRETARY TO AMEND TERM WITHIN LEGISLATIVE GUIDELINES.—Not later than 90 days after the date of enactment of the Protecting U.S. Fishers from Illegal Foreign Flags Act of 2026, the Secretary shall amend the definition of the term ‘illegal, unreported, or unregulated fishing’ published at part 300.201 of title 50, Code of Federal Regulations (as in effect on the date of enactment of such Act) to be consistent with section 3532(6) of the Maritime SAFE Act (16 U.S.C. 8001(6)).”.

**SA 5916.** Mr. SHEEHY (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle F—Limiting Foreign Assistance to the Taliban**

**SEC. 1271. SHORT TITLE.**

This subtitle may be cited as the “No Tax Dollars for Terrorists Act”.

**SEC. 1272. STRATEGY TO OPPOSE FOREIGN ASSISTANCE BY FOREIGN COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS TO THE TALIBAN.**

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) to oppose the provision of foreign assistance by foreign countries and nongovernmental organizations to the Taliban, particularly those countries and organizations that receive United States-provided foreign assistance; and

(2) to review United States-provided foreign assistance to such foreign countries and nongovernmental organizations that have provided foreign assistance to the Taliban.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report identifying, to the extent possible—

(1) foreign countries and nongovernmental organizations that have provided foreign assistance to the Taliban, including—

(A) the amount of United States-provided foreign assistance each country or organization receives, if any;

(B) the amount of foreign assistance each country or organization has provided to the Taliban; and

(C) a description of how the Taliban has utilized such foreign assistance; and

(2) efforts the United States has taken since August 2021 to oppose foreign countries and nongovernmental organizations from providing foreign assistance to the Taliban, particularly those foreign countries and organizations that receive United States-provided foreign assistance.

(c) STRATEGY AND REPORTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall develop and implement a strategy to discourage foreign countries and nongovernmental organizations from providing foreign assistance to the Taliban. The strategy shall include efforts to support Afghan women and girls who

are suffering under Taliban edicts, in a way that does not support the Taliban, and efforts to relocate eligible, fully vetted, at-risk Afghans and Afghan allies located inside and outside of Afghanistan to the United States or third countries.

(2) REPORTS.—

(A) INITIAL REPORT.—Not later than the date on which the strategy required by paragraph (1) is completed, the Secretary of State shall submit to the appropriate congressional committees a report detailing the strategy and a plan for its implementation.

(B) SUBSEQUENT REPORTS.—Not later than 180 days after the date on which the strategy required by paragraph (1) is completed, and every 180 days thereafter for 5 years, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of the strategy, including the impact of the strategy in discouraging foreign countries and nongovernmental organizations from providing financial or material support to the Taliban.

(C) ADDITIONAL REPORT.—

(i) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on the decision to terminate the bounty on Sirajuddin Haqqani and other key members of the Haqqani Network under the Rewards for Justice Program.

(ii) MATTERS TO BE INCLUDED.—The report required by this subparagraph shall include the following:

(I) The status of the bounty on Sirajuddin Haqqani, Abdul Aziz Haqqani, and Yahya Haqqani under the Rewards for Justice program and the rationale for any changes made since September 1, 2021.

(II) An identification of members of the Haqqani Network who are Specially Designated Global Terrorists and the status of the designation of the Haqqani Network as a foreign terrorist organization.

(III) A description of any United States Government engagements with Sirajuddin Haqqani, Abdul Aziz Haqqani, Yahya Haqqani, or the Haqqani Network since September 1, 2021.

(IV) Whether new information has emerged relating to the involvement of the Haqqani Network in terrorist attacks targeting the United States Military or United States civilians.

(iii) FORM.—The report required by this subparagraph shall be submitted in unclassified form but may include a classified annex.

**SEC. 1273. REPORT ON DIRECT CASH ASSISTANCE PROGRAMS IN AFGHANISTAN.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on United States Government-funded direct cash assistance programs in Afghanistan during the period beginning on August 1, 2021, and ending on the date that is 30 days after the date of enactment of this Act.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall, with respect to such direct cash assistance programs, include—

(1) a general description of the types of implementing partners and recipients;

(2) a description of method of payments;

(3) a description of how and where currency exchanges occur;

(4) a description of how hawalas are used and the oversight mechanism in place regarding use of hawalas to transfer funds; and

(5) a description of how oversight is conducted, including information on how the Department of State prevents the Taliban from accessing cash assistance under such programs.

(c) HAWALA DEFINED.—In this section, the term “hawala” means a system of transferring money through a network of money lending brokers.

**SEC. 1274. REPORT ON STATUS OF AFGHAN FUND.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter for 5 years, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on the status of the Afghan Fund.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall, to the extent possible, include—

(1) a list of Taliban members working at Da Afghanistan Bank or serving on the Bank’s board; and

(2) a description of—

(A) the Taliban’s influence over Da Afghanistan Bank;

(B) the Afghan Fund’s board of trustees, including how the Fund’s trustees were vetted and selected, and what United States agencies were involved in the vetting and selection process;

(C) the conditions necessary for funds in the Afghan Fund to be released to Da Afghanistan Bank;

(D) how the Afghan Fund’s board of trustees will decide on the type and appropriateness of the Fund’s activities, including what kind of information will inform the board’s decisions and how the board will collect and verify this information; and

(E) a description of what controls have been put into place to ensure funds are not diverted to or misused by the Taliban or other actors when the Fund begins making disbursements.

**SEC. 1275. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**

In this subtitle, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

**SA 5917.** Mr. CORNYN (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1210. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF LATIN AMERICAN AND CARIBBEAN LAW ENFORCEMENT AGENCIES TO DISRUPT PRC ORGANIZED CRIMINAL GROUPS.**

(a) SHORT TITLE.—This section may be cited as the “Eliminate PRC Organized Crime Act”.

(b) IN GENERAL.—Chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2291 et seq.) is amended by adding at the end the following:

**“SEC. 490A. PROGRAM TO PROVIDE ASSISTANCE TO BUILD THE CAPACITY OF LATIN AMERICAN AND CARIBBEAN LAW ENFORCEMENT AGENCIES TO DISRUPT PRC ORGANIZED CRIMINAL GROUPS.**

“(a) IN GENERAL.—Notwithstanding section 660, the Secretary of State may establish a program to provide assistance to strengthen the capacity of law enforcement agencies of

the countries described in subsection (e) to help such agencies collect information on, disrupt, and prosecute transnational criminal organizations linked to the People’s Republic of China (referred to in this section as ‘PRC’) that are engaged in narcotics trafficking, money laundering, illicit finance, transnational repression, illegal, unreported, and unregulated (IUU) fishing, foreign interference, and other related activities the Secretary determines are appropriate.

“(b) COORDINATION.—Assistance authorized under subsection (a) shall be provided in coordination with the Attorney General and, if appropriate, the Director of National Intelligence.

“(c) ASSISTANCE DESCRIBED.—Assistance authorized under subsection (a) may include—

“(1) consultation between law enforcement agencies in the countries described in subsection (e) and Federal, State, and local law enforcement agencies with experience investigating, disrupting, and prosecuting PRC-linked transnational criminal organizations that are operating in the United States or abroad;

“(2) training regarding financial investigations, money laundering and illicit finance prosecution, and asset forfeiture related to PRC-linked transnational criminal organizations;

“(3) technical assistance, including digital forensics, telecommunications intercept coordination, and all-source and open-source intelligence relevant to PRC-linked transnational criminal organizations; and

“(4) support for vetting and screening programs to ensure foreign law enforcement agencies receiving assistance are not compromised by PRC-linked transnational criminal organizations, in accordance with the prohibition under section 487.

“(d) RELATIONSHIP CERTAIN CERTIFICATIONS.—

“(1) IN GENERAL.—Notwithstanding a determination under section 490(a)(1) that a country has demonstrably failed to adhere to its obligations under applicable international counternarcotics agreements, assistance authorized under subsection (a) may be provided to such country if the Secretary of State determines that providing such assistance is in the national interest of the United States.

“(2) NOTIFICATION.—The Secretary of State may not provide assistance pursuant to paragraph (1) unless not later than 15 days before providing such assistance, the Secretary submits to the appropriate congressional committees a determination that providing such assistance is in the national interest of the United States.

“(e) COUNTRIES DESCRIBED.—The foreign countries described in this subsection are countries in Latin America and the Caribbean where PRC-linked transnational criminal organizations engage in criminal activities, including narcotics trafficking, money laundering, illicit finance, human trafficking, illegal, unreported, and unregulated (IUU) fishing, and foreign interference.

“(f) REPORT ON PRC ORGANIZED CRIME IN LATIN AMERICA.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of State, shall submit a report to the appropriate congressional committees that—

“(A) identifies all United States assistance provided to countries under this section, including each country that received assistance and a description of the assistance provided, including assistance amount and intended outcomes;

“(B) summarizes known organized criminal activity by PRC-linked transnational criminal organizations taking place in Latin America or the Caribbean; and

“(C) summarizes all known instances of the PRC providing law enforcement assistance or support to the countries described in subsection (e) to facilitate or disrupt such criminal activity;

“(D) analyzes the status of PRC efforts to negotiate, conclude, or expand bilateral policing and law enforcement cooperation agreements with the countries described in subsection (e);

“(E) analyzes patterns, behaviors, and linkages involving PRC-linked transnational criminal organizations operating in Latin America and Caribbean countries, as compared to such organizations operating in other continents, regions, and jurisdictions, to identify cross-regional patterns that inform regional threat assessments; and

“(F) identifies any mutual legal assistance treaty requests or other such assistance submitted by each county that receives assistance described in subparagraph (A), and the status of such requests.

“(2) CLASSIFIED FORM.—To the extent possible, the report required under paragraph (1) shall be submitted in unclassified form, with a classified annex, if necessary.

“(g) DEFINITIONS.—In this section:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations of the Senate;

“(B) the Select Committee on Intelligence of the Senate;

“(C) the Committee on Appropriations of the Senate;

“(D) the Committee on the Judiciary of the Senate;

“(E) the Caucus on International Narcotics Control of the Senate;

“(F) the Committee on Foreign Affairs of the House of Representatives;

“(G) the Permanent Select Committee on Intelligence of the House of Representatives;

“(H) the Committee on Appropriations of the House of Representatives; and

“(I) the Committee on the Judiciary of the House of Representatives.

“(2) PRC-LINKED TRANSNATIONAL CRIMINAL ORGANIZATION.—The term ‘PRC-linked transnational criminal organization’ means an organization that—

“(A) includes 1 or more foreign person;

“(B) engages in or facilitates an ongoing pattern of serious criminal activity involving the jurisdictions of at least 2 foreign states, including the People’s Republic of China, or 1 foreign state and the United States;

“(C) threatens the national security, foreign policy, or economy of the United States; and

“(D) meets any other criteria the Secretary determines to be appropriate.”.

**SA 5918.** Mr. HUSTED submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 12. REVIEW OF EFFECTIVENESS OF EXPORT CONTROLS AND OF THREATS POSED BY EXPLOITATION OF VULNERABILITIES IN INFORMATION AND COMMUNICATIONS TECHNOLOGY AND SERVICES.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Commerce for Industry and Security, acting through the Executive Director of the Office of Information and Communications Technology and Services, shall complete a review of—

(1) the impact on the effectiveness of United States export controls of operations of United States-domiciled affiliates of covered foreign entities; and

(2) the national security threats posed by the exploitation by foreign adversaries of vulnerabilities in information and communications technology and services.

(b) CONTENTS.—The review required by subsection (a) shall address the following:

(1) Whether United States-domiciled affiliates of covered foreign entities can acquire items that their ultimate parent companies are restricted from accessing as a result of United States export controls.

(2) If such affiliates can acquire those items, the impact on the effectiveness of United States export controls.

(3) The risks to the national security of the United States or the effectiveness of United States export controls, if any, posed by the operation of foreign-adversary controlled information and communications technology and services.

(4) Whether any specific sectors of foreign-adversary controlled information and communications technology and services pose undue risk, such as by undermining the effectiveness of export controls.

(5) What steps, if any, the Under Secretary and the Executive Director intend to take during the year following the review to address the matters described in paragraphs (1) through (4).

(6) Any recommended change to United States law that would help address those matters.

(c) REPORT REQUIRED.—Not later than 30 days after completing the review required by subsection (a), the Under Secretary, acting through the Executive Director, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the results of the review.

(d) DEFINITIONS.—In this section:

(1) AFFILIATE.—The term ‘affiliate’, with respect to an entity, means to be under common ownership or control with another entity.

(2) COVERED FOREIGN ENTITY.—The term ‘covered foreign entity’ means an entity on—

(A) the Entity List maintained by the Bureau of Industry and Security and set forth in Supplement No. 4 to part 744 of title 15, Code of Federal Regulations; or

(B) the Military End-User List maintained by the Bureau of Industry and Security and set forth in Supplement No. 7 to part 744 of title 15, Code of Federal Regulations.

**SA 5919.** Mr. HUSTED submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 10. TEN-YEAR STATUTE OF LIMITATIONS FOR EXPORT CONTROL VIOLATIONS.**

Section 1760 of the Export Control Reform Act of 2018 (50 U.S.C. 4819) is amended by adding at the end the following:

“(g) STATUTE OF LIMITATIONS.—

“(1) TIME FOR COMMENCING PROCEEDINGS.—

“(A) IN GENERAL.—An action, suit, or proceeding for the enforcement of any civil fine, penalty, or forfeiture, pecuniary or otherwise, under this section shall not be entertained if commenced later than 10 years after the date of the violation upon which the civil fine, penalty, or forfeiture is based.

“(B) COMMENCEMENT.—For purposes of this paragraph, the commencement of an action, suit, or proceeding includes the issuance of a charging letter.

“(2) TIME FOR INDICTMENT.—No person shall be prosecuted, tried, or punished for any offense under subsection (a) unless the indictment is found or the information is instituted within 10 years after the latest date of the violation upon which the indictment or information is based.”.

**SA 5920.** Mr. HUSTED submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 10. APPOINTMENT OF HIGHLY QUALIFIED EXPERTS TO BUREAU OF INDUSTRY AND SECURITY.**

(a) IN GENERAL.—The Under Secretary of Commerce for Industry and Security, in order to attract to the Bureau of Industry and Security highly qualified experts in needed occupations (as determined by the Under Secretary), may—

(1) conduct an annual study to identify specific gaps in expertise at the Bureau that have been difficult to fill through the civil service and constrain the Bureau’s ability to effectively fulfil the Bureau’s mandate;

(2) notwithstanding any provision of section 3304 or sections 3309 through 3318 of title 5, United States Code, appoint personnel from outside the civil service (as defined in section 2101 of title 5, United States Code) that have the expertise identified pursuant to paragraph (1) to positions in the Bureau; and

(3) prescribe the rates of basic pay for positions to which employees are appointed under paragraph (2) at rates not in excess of the maximum rate of basic pay authorized for senior-level positions under section 5376 of title 5, United States Code, as increased by locality-based comparability payments under section 5304 of that title, notwithstanding any provision of that title governing the rates of pay or classification of employees in the executive branch.

(b) LIMITATION ON TERM OF APPOINTMENT.—

(1) IN GENERAL.—Except as provided in paragraph (2), the service of an employee under an appointment made pursuant to subsection (a) may not exceed 5 years.

(2) EXTENSIONS.—The Under Secretary may, in the case of a particular employee, extend the period to which service is limited under paragraph (1) by not more than one additional year if the Under Secretary determines that such action is necessary to promote the national security or foreign policy of the United States.

(c) **LIMITATION ON TOTAL ANNUAL COMPENSATION.**—Notwithstanding any other provision of this section or of section 5307 of title 5, United States Code, no additional payments may be paid to an employee appointed under subsection (a) in any calendar year if, or to the extent that, the total annual compensation of the employee will exceed the maximum amount of total annual compensation payable to the Vice President under section 104 of title 3, United States Code.

(d) **LIMITATION ON NUMBER OF EMPLOYEES.**—The number of employees appointed and retained by the Under Secretary under subsection (a) shall not exceed 25 at any time.

(e) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Under Secretary shall submit to the committees specified in paragraph (2) a report that includes—

(A) a list of areas in which the Under Secretary has identified specific gaps in expertise pursuant to subsection (a)(1);

(B) a description of the steps taken by the Under Secretary to appoint personnel with expertise in such areas from within the civil service during the period specified in paragraph (3);

(C) the number of individuals appointed to the Bureau of Industry and Security under the authority provided by this section during the period specified in paragraph (3);

(D) a description of the qualifications of such individuals and their responsibilities during that period; and

(E) a description of the impact of such individuals on carrying out the mission of the Bureau of Industry and Security.

(2) **COMMITTEES SPECIFIED.**—The committees specified in this paragraph are—

(A) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(B) the Committee on Oversight and Government Reform of the House of Representatives; and

(C) the Committee on Foreign Affairs of the House of Representatives.

(3) **PERIOD SPECIFIED.**—The period specified in this paragraph is—

(A) in the case of the first report required by paragraph (1), the 180-day period preceding submission of the report; and

(B) in the case of any subsequent report required by paragraph (1), the one-year period preceding submission of the report.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to waive any requirement regarding background checks or qualifications of applicants to positions with the Bureau of Industry and Security.

(g) **TERMINATION.**—

(1) **IN GENERAL.**—The authority provided by this section shall cease to be effective on the date that is 5 years after the date of the enactment of this section.

(2) **SAVINGS PROVISIONS.**—In the case of an employee who, on the day before the termination date under paragraph (1), is serving in a position pursuant to an appointment under subsection (a)—

(A) the termination of the authority does not terminate the employee's employment in that position before the expiration of the lesser of—

(i) the period for which the employee was appointed; or

(ii) the period to which the employee's service is limited under subsection (b), including any extension made under paragraph (2) of that subsection before the termination of the authority; and

(B) the rate of basic pay prescribed for the position may not be reduced as long as the employee continues to serve in the position without a break in service.

**SA 5921.** Mr. HUSTED submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 12. REPORT ON ARTIFICIAL INTELLIGENCE POWER OF THE PEOPLE'S REPUBLIC OF CHINA.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 3 years, the Secretaries, in consultation with the covered agency heads, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the advanced artificial intelligence capabilities of the PRC, including the efforts by the PRC relating to supply chains for advanced artificial intelligence systems.

(b) **COMPONENTS.**—Each report required under subsection (a) shall also include the following:

(1) An assessment of integrated circuits designed or optimized for advanced artificial intelligence training or inference by leading artificial intelligence chip designers in the PRC, including Huawei Technologies Co., Ltd. and Cambricon Technologies, that includes—

(A) with respect to such integrated circuits, the—

(i) total processing power;

(ii) integer and floating point operations per second at relevant precision levels;

(iii) memory capacity and bandwidth;

(iv) interconnect bandwidth;

(v) power efficiency;

(vi) transistor count and die size;

(vii) process node used per design;

(viii) energy efficiency;

(ix) manufacturing cost and yield assumptions;

(x) ability of the integrated circuit to effectively run artificial intelligence models trained on a different chip designer's integrated circuit, including measurements such as model inference in tokens per second and cost per token with and without a software application layer that improves model translation ability;

(xi) the capability of the most advanced server configuration produced using the chip designer's integrated circuits including such technical specifications like floating point operations per second, memory capacity and bandwidth, energy efficiency, and ability to function at scale; and

(xii) any future specification that becomes relevant to the development of future artificial intelligence capability; and

(B) with respect to such chip designers—

(i) the total number and types of integrated circuits produced in the year preceding submission of such report and the projected production number for the year preceding submission of such report;

(ii) the foundries used in the production of the integrated circuits;

(iii) the software ecosystem, including any parallel computing platforms, programming models, or development frameworks that enable accelerated computing for artificial intelligence training or inference;

(iv) the method and extent to which such integrated circuits are used in other countries, including in the United States; and

(v) the manufacturer's ability to produce a software application layer required to

achieve an improved token per seconds and cost per token rate.

(2) An assessment of leading semiconductor fabrication facilities in the PRC that produce logic integrated circuits for use in advanced artificial intelligence training or inference, including such facilities owned or operated by the Semiconductor Manufacturing International Corporation, that includes, with respect to such facilities, the—

(A) total monthly production capacity per advanced process node with non-planar transistors or 16/14 nm and below and the percentage of that monthly production capacity dedicated to production of logic integrated circuits for use in advanced artificial training or inference;

(B) yield for producing such logic integrated circuits for use in advanced artificial intelligence training or inference at each facility with an assessment of that yield in industry relevant terms, such as compared to PRC firms, compared to non-PRC firms, or how many are in current industry-leading datacenters;

(C) most advanced process node under production;

(D) types and volume of semiconductor manufacturing equipment used, the country of origin for such equipment, and the export control regulatory regime under which such equipment was procured;

(E) collaborations, licit or illicit, between PRC firms or their subsidiaries and non-PRC firms and the advancements those collaborations produce for the PRC firm;

(F) progress PRC firms are making at indigenizing export controlled technologies;

(G) market share PRC firms have in the PRC and internationally; and

(H) year-over-year trends in leading semiconductor fabrication facilities during at least the preceding 5-year period;

(3) An assessment of leading semiconductor fabrication facilities in the PRC that produce memory integrated circuits used for advanced artificial intelligence training or inference, including such facilities owned or operated by ChangXin Memory Technologies or Yangtze Memory Technologies Corp., that includes—

(A) with respect to such circuits, the—

(i) most advanced generation of high-bandwidth memory, including the technical specifications and stack height;

(ii) memory cell area and memory density of other dynamic random access memory integrated circuits; and

(iii) highest number of layers in three-dimensional NOT-AND memory integrated circuits;

(B) with respect to such facilities, the—

(i) yield and total monthly production capacity for memory integrated circuits, including dynamic random access memory such as high-bandwidth memory, and NOT-AND memory; and

(ii) types and volume of semiconductor manufacturing equipment used, including the country of origin of such equipment and the export control regulatory regime such equipment was procured under.

(C) collaborations, licit or illicit, between PRC firms or their subsidiaries and non-PRC firms and the advancements those collaborations produce for the PRC firm;

(D) progress PRC firms are making at indigenizing export controlled technologies;

(E) market share PRC firms have in the PRC and internationally; and

(F) year-over-year trends in the PRC's advanced memory integrated circuit production for a minimum of the 5 previous years.

(4) An assessment of leading semiconductor manufacturing equipment companies in the PRC, including NAURA Technology Group, KINGSEMI, Advanced Micro-Fabrication Equipment Inc., Shanghai Micro Electronics

Equipment, and Shenzhen SiCarrier Technologies Co., Ltd, that includes—

(A) a categorical breakdown of annual unit production volume and technical specifications, including minimum feature size, throughput, and defect rate, of all major equipment classes installed or under development for wafer production in foundries in the PRC, including—

(i) lithography tools, including photolithography, nanoimprint, and electron beam lithography tools;

(ii) etch equipment, including wet etching and dry etching;

(iii) deposition equipment, including chemical vapor deposition, physical vapor deposition, and atomic layer deposition;

(iv) cleaning systems;

(v) chemical mechanical planarization tools;

(vi) ion implantation and diffusion systems;

(vii) wafer inspection, metrology, and process control tools;

(viii) back-end packaging equipment, including wafer dicing equipment and wire bonders;

(ix) capabilities and advancements in advanced packaging technologies;

(x) thermal processing equipment;

(xi) bonding equipment, including thermo compression bonders and hybrid bonders;

(xii) environmental control systems;

(xiii) laser systems; and

(xiv) reticle and photomask writing and inspection tools;

(B) the country of origin and supplier company for each piece of semiconductor manufacturing equipment used in foundries in the PRC for advanced-node logic or high-bandwidth memory production by such companies;

(C) the foreign-sourced subcomponents integrated into the semiconductor manufacturing equipment produced by such companies, including precision motion stages, lasers, electrostatic chucks, optical systems, radio frequency generators, or extreme-purity gas handling systems;

(D) collaborations, licit or illicit, between PRC firms or their subsidiaries and non-PRC firms and the advancements those collaborations produce for the PRC firm;

(E) progress PRC firms are making at indigenizing export controlled technologies;

(F) market share PRC firms have in the PRC and internationally; and

(G) year-over-year trends in leading semiconductor manufacturing equipment companies in the PRC for a minimum of the 5 previous years.

(5) An assessment of electronic design automation (EDA) software used in the design of integrated circuits for advanced artificial intelligence applications in the PRC, including software developed or provided by leading PRC EDA companies such as Empyrean Technology Co., Ltd. and Primarius Technologies Co., Ltd., that includes—

(A) with respect to such software tools, the—

(i) range of design stages supported, including front-end design such as architecture and register-transfer level design, logic synthesis, verification, physical design, place-and-route, timing closure, and final signoff;

(ii) compatibility with advanced process nodes, including sub-7 nanometer technologies, gate-all-around devices, and three-dimensional integration;

(iii) capabilities for designing artificial intelligence-specific components of such integrated circuits, including tensor processing cores, systolic array processing units, matrix multiplier units, and high-bandwidth memory interfaces;

(iv) ability to model and optimize for power, performance, and thermal constraints in artificial intelligence workloads;

(v) scale and performance of the software in handling large designs, such as chips exceeding 50–100 billion transistors; and

(vi) integration with cloud compute resources or distributed workflows for large-scale artificial intelligence chip development;

(B) with respect to such companies, the—

(i) total market share within the PRC and internationally, including the share of advanced-node integrated circuits designed or optimized for advanced artificial intelligence training or inference designs supported by each company; and

(ii) types, volume, and origin of critical technology components used in software development, including intellectual property cores, third-party libraries, verification suites, and artificial intelligence-assisted optimization algorithms;

(C) progress PRC firms are making at indigenizing export-controlled or foreign-origin technologies used in EDA, including high-performance computing integration, advanced verification engines, and proprietary intellectual property cores;

(D) year-over-year trends for the PRC's EDA industry over a minimum of the previous 5 years, including technology adoption, market share, and software capability evolution; and

(E) identification of technical gaps relative to leading global EDA providers, particularly in relation to artificial intelligence-focused design, advanced nodes, and large-scale verification.

(6) An assessment of the advanced artificial intelligence models determined by the Secretaries to be the most relevant to the national security of the United States that were developed by artificial intelligence laboratories or companies based in the PRC, especially those laboratories and companies affiliated with the People's Liberation Army or any university in the PRC, including the most advanced models, open-weight and closed-weight models, based on model size, total compute used during training, benchmark performance, and any other advanced capabilities the Secretaries determine relevant, that includes, with respect to each such model—

(A) the number of model parameters;

(B) the total training compute used, measured in floating-point operations and their relevant precision level;

(C) the model performance on benchmark tasks;

(D) an evaluation of the extent to which the model exhibits advanced cyber offensive capabilities, an advanced understanding of biological and virological application domains, and the ability to substantially automate or accelerate artificial intelligence research, and a comparison of such models to the most advanced artificial intelligence models from United States developers;

(E) if the model is open-weight, an evaluation of the files provided and the security implications of following the developer's deployment instructions;

(F) a description of the algorithmic alignment training used;

(G) the type and scale of compute infrastructure used in training and inference, including the cluster configurations, the number and type of integrated circuits specifically designed or optimized for advanced artificial intelligence training or inference, how such integrated circuits were acquired and from which companies, where those clusters are located, and how they are being accessed;

(H) the manner and extent to which the model is used throughout society in the

PRC, including throughout the following industries or sectors:

(i) the People's Liberation Army;

(ii) the surveillance and intelligence collection functions of the CCP, including the genocide of Uyghur Muslims and other religious and ethnic minorities in the Xinjiang Uyghur Autonomous Region;

(iii) the Government of the PRC;

(iv) business and finance;

(v) education;

(vi) healthcare;

(vii) critical infrastructure sectors, including the power grid and transportation; and

(viii) any other sectors that the Secretaries determines to be relevant, such as high-risk industries where artificial intelligence failure would have outsized safety or mission consequences.

(I) whether and where such models are deployed for public use, including API access or mobile app deployment;

(J) the manner and extent to which such models are diffused in other countries, including the United States;

(K) the alignment of those models to CCP propaganda;

(L) the potential of those models to inject or create vulnerabilities for users or other ways they could be used to further CCP national security objectives;

(M) an assessment of global market share of PRC models and the effect that global market share is enabling the PRC to set artificial intelligence hardware or software standards; and

(N) the total number of tokens inferred globally using the model, the types of hardware utilized for such inference and the percent breakdown between company of origin for such hardware, and the percentage of global inferred tokens attributable to the model.

(7) An assessment of emerging artificial intelligence research in the PRC, based on indicators such as academic publications, patent filings, and research funding, including—

(A) the development of novel artificial intelligence algorithms and techniques, including advancements in reinforcement learning, natural language processing, or computer vision, with a focus on algorithms and techniques most relevant for developing or deploying the most advanced artificial intelligence systems;

(B) advancements in hardware designed to enhance artificial intelligence capabilities, including custom integrated circuits, quantum computing technologies, or neuromorphic computing systems, with a focus on hardware advancements most relevant for developing or deploying the most advanced artificial intelligence systems;

(C) the scale and focus of research efforts, including the number of researchers, institutions, and collaborations involved, and the funding levels and sources, with a focus on those most relevant for developing or deploying the most advanced frontier artificial intelligence systems;

(D) an evaluation of the potential impact of such research on future artificial intelligence capabilities relevant to national security competitiveness; and

(E) a description of licit or illicit methods or tactics such as unauthorized model distillation used by PRC entities to steal non-PRC artificial intelligence related intellectual property.

(8) An assessment of the aggregate public funding and capital flows supporting artificial intelligence development in the PRC, including—

(A) the sum total of the PRC's national, provincial, and municipal investment in artificial intelligence;

(B) subsidies that are underwriting the costs of artificial intelligence development

in areas such as compute, infrastructure, water, and energy;

(C) an assessment of foreign capital investments, including the total amount invested and a breakdown by entity, including the country of origin and the amount invested; and

(D) an assessment of the PRC entities that have received the funding, including the name of the entity and the amount of funding received.

(9) The aggregate artificial intelligence computational capacity in the PRC, including—

(A) a detailed analysis of computational capacity of the 5 most capable PRC entities, including the number and types of integrated circuits and server systems used and their aggregate computational power;

(B) the countries and companies with respect to which the PRC sourced its computational capacity; and

(C) the locations and specifications, including energy and computational capacity, of datacenters used for advanced artificial intelligence training and inference.

(10) An assessment of leading humanoid robot manufacturers in the PRC, including Uniree Robotics and Fourier, that includes—

(A) with respect to such manufacturers, the—

(i) production capacity per year; and

(ii) unit cost and pricing trends for such robots intended for commercial deployment; and

(B) with respect to the humanoid robots produced by such manufacturers—

(i) the number, type, and country and company of origin of the semiconductor components, including integrated circuits, used to build, run, or train such robots;

(ii) the country and company of origin and the technical specifications of critical components used in such robots, including actuators, sensors, and battery systems, and if not PRC, the progress toward indigenization;

(iii) a description of the tasks such robots can perform;

(iv) whether such robots are teleoperated, operated through hard-coded instructions, or function autonomously using artificial intelligence models;

(v) whether inference is performed locally or via remote cloud services;

(vi) the number of such robots deployed across the PRC, including in the military, manufacturing, logistics, health care, security, and personal assistance sectors;

(vii) the extent to which, and ways in which, such robots are diffused in other countries, including in the United States; and

(viii) an assessment of the cybersecurity and other vulnerabilities of PRC origin robot systems.

(11) An assessment of the most advanced or widely used artificial intelligence-powered applications developed by PRC entities or built on PRC artificial intelligence models, including—

(A) the artificial intelligence models used to power these applications, including the company and country of origin for each model and whether the models are open-weight or closed-weight;

(B) the means of deployment and the extent to which such applications are used, including in the United States;

(C) the purposes, capabilities, and promoted uses of the applications;

(D) an analysis of how data collected or generated by the applications is used, including for artificial intelligence model training, surveillance, or other national security-relevant purposes; and

(E) an evaluation of the potential risks posed by these applications to United States

national security, foreign policy objectives, or data privacy.

(12) An assessment of the regulatory framework governing artificial intelligence development, deployment, and usage in the PRC, that includes—

(A) the explicit restrictions on artificial intelligence models, including laws, regulations, and government policies that directly limit or control the development, deployment, or use of artificial intelligence models in the PRC;

(B) an analysis of the implicit restrictions on artificial intelligence models, including censorship, data access limitations, or other indirect controls that may constrain artificial intelligence model capabilities;

(C) how such explicit and implicit restrictions impact the development, deployment, and diffusion of artificial intelligence models both within the PRC and internationally, including the effects on innovation, competitiveness, and national security;

(D) an analysis of efforts by the CCP to acquire greater insight into advanced artificial intelligence and reduce strategic surprise, such as efforts that require advanced artificial intelligence developers to disclose information about artificial intelligence systems or provide models to government entities;

(E) an analysis of efforts in the PRC to assess or mitigate national security or public safety threats from advanced artificial intelligence systems, including efforts to prevent loss of control from autonomous artificial intelligence systems; and

(F) the goals for artificial intelligence development explicitly and implicitly stated by the CCP.

(13) An assessment of the PRC's global artificial intelligence standards diplomacy efforts, including—

(A) mapping the fora where PRC actors aimed to shape global standards;

(B) outlining key policy objectives of PRC;

(C) jurisdictions where PRC-promoted standards, model laws, guidance, or procurement criteria have been adopted or referenced;

(D) the effects on procurement and vendor eligibility; and

(E) opportunities for the United States to shape global artificial intelligence standards and counter PRC efforts when they run contrary to United States interest.

(14) An assessment of the degree to which PRC entities remotely accessed artificial intelligence computational resources, including through cloud services, international data centers, or through circumvention or avoidance of United States export controls.

(15) An assessment of the methods, pathways, quantities, and companies and countries of origin of United States-controlled integrated circuits specifically designed or optimized for advanced artificial intelligence training or inference, including graphics processing units or application-specific integrated circuits, that have been diverted to mainland the PRC, the estimated total compute capacity enabled through these chip diversions, and the percent of the PRC's total compute capacity enabled through these chip diversions.

(16) An assessment of the effectiveness of United States export controls in restricting access by the PRC to artificial intelligence-relevant technologies, including an identification of loopholes within United States export controls and recommendations for legislative and administrative action to strengthen export controls and enforcement that is consistent with United States national security and foreign policy objectives.

(c) **PRIORITIZATION.**—In conducting the assessments required under subsection (b), the Secretaries shall prioritize the identification and analysis of—

(1) semiconductors, semiconductor manufacturing equipment, and critical components of semiconductor manufacturing equipment that are, or are likely to become, critical to the supply chains for the training or inference of the most advanced artificial intelligence systems; and

(2) items that enable or could enable advanced model performance, are associated with systems that pose significant national security or strategic implications to the United States, or are likely to be foundational to the development of future advanced artificial intelligence systems, including those not yet deployed or publicly disclosed.

(d) **REFERENCE CLASS.**—Where applicable, the Secretaries shall provide context to all statistics regarding the PRC's artificial intelligence power in the report by presenting the PRC's capabilities and production numbers in comparison to relevant United States and partner country production numbers and capabilities.

(e) **COORDINATION WITH EXPERT ENTITIES.**—In carrying out this section, the Secretaries may consult and coordinate with other Federal departments and agencies, private industry or research organizations, Federally funded research and development centers, national laboratories, academic institutions, relevant media outlets, or any other entities with expertise in semiconductor technologies, artificial intelligence, or national security that the Secretaries determine relevant.

(f) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form and may contain a classified annex.

(g) **MANDATORY UNCLASSIFIED ELEMENTS.**—In the unclassified portion of the report required under subsection (a), the Secretaries shall include—

(1) the number of integrated circuits specifically designed or optimized for advanced artificial intelligence training or inference produced by leading entities in the PRC in the year preceding submission of such report;

(2) the projected production numbers of integrated circuits from the PRC specifically designed or optimized for advanced artificial intelligence training or inference, including identification of foundries responsible for such production, for the year proceeding submission of such report; and

(3) the extent to which and ways artificial intelligence-relevant technologies in the PRC, including integrated circuits, models, semiconductor manufacturing equipment, and humanoid robots are diffused in other countries, including the United States.

(h) **DEFINITIONS.**—In this section:

(1) **CCP.**—The term “CCP” means the Chinese Communist Party.

(2) **COVERED AGENCY HEADS.**—The term “covered agency heads” means the—

(A) Secretary of Defense;

(B) Secretary of Energy;

(C) Director of National Intelligence;

(D) Director for the White House Office of Science and Technology Policy; and

(E) head of any other relevant Federal department or agency the Secretary determines necessary.

(3) **PRC.**—The term “PRC” means the People's Republic of China.

(4) **SECRETARIES.**—The term “Secretaries” means the Secretary of Commerce and the Secretary of State.

**SA 5922.** Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. INCREASE IN TRANSFER AND MANUFACTURING TAXES FOR FIREARMS REGULATED UNDER THE NATIONAL FIREARMS ACT.**

(a) **TRANSFER TAX.**—Subsection (a) of section 5811 of the Internal Revenue Code of 1986 is amended to read as follows:

“(a) **RATE.**—There shall be levied, collected, and paid on firearms transferred a tax at the rate of \$4,709 for each firearm transferred.”

(b) **MAKING TAX.**—Section 5821(a) of the Internal Revenue Code of 1986 is amended—

(1) in paragraph (1), by striking “\$200” and inserting “\$4,709”, and

(2) in paragraph (2), by striking “\$0” and inserting “\$55”.

(c) **CONFORMING AMENDMENT.**—Section 4182(a) of the Internal Revenue Code of 1986 is amended by striking the second sentence.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to calendar quarters beginning more than 90 days after the date of the enactment of this Act.

**SA 5923.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 3 \_\_\_\_\_. MODIFICATION TO REQUIREMENT OF DEPARTMENT OF DEFENSE TO PROVIDE ALTERNATIVE DRINKING WATER.**

Section 317 of the National Defense Authorization Act for Fiscal Year 2026 (Public Law 119-60; 10 U.S.C. 2701 note) is amended—

(1) in the section heading, by striking “**PERFLUOROOCETANESULFONIC ACID AND PERFLUOROOCETANOIC ACID**” and inserting “**CERTAIN**”;

(2) by striking “perfluorooctanesulfonic acid” each place it appears and inserting “perfluorohexanesulfonic acid, perfluorononanoic acid, hexafluoropropylene oxide dimer acid, perfluorobutanesulfonic acid, perfluorooctanesulfonic acid,”; and

(3) in subsection (a)(2)—

(A) by striking “exceeded the maximum containment level” and inserting “exceeded the lower of the maximum containment level”; and

(B) by striking “Environmental Protection Agency” and inserting “Environmental Protection Agency or a State drinking water standard”.

**SA 5924.** Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. CONTINUITY OF OPERATIONS FOR POSITION OF GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY.**

Section 7104(f) of title 5, United States Code, is amended by adding at the end the following:

“(4)(A) Notwithstanding any other provision of law, if the General Counsel dies, resigns, is removed, or is otherwise unable to perform the functions and duties of the position of General Counsel, and (as of the date of that death, resignation, removal, or beginning of inability to serve) no individual is serving as Acting General Counsel, the Deputy General Counsel shall perform the functions and duties of the position of General Counsel temporarily in an acting capacity until the date on which an individual assumes office as General Counsel or Acting General Counsel.

“(B) An individual serving pursuant to subparagraph (A) shall have all authorities vested in the General Counsel under this chapter, including all authorities described in paragraph (2).

“(C) Subparagraph (A) shall apply if, as of the date of enactment of this paragraph, the offices of General Counsel and Acting General Counsel are both vacant.”

**SA 5925.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 7 \_\_\_\_\_. CODIFICATION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.**

(a) **IN GENERAL.**—Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 1110c. Joint Medical Facility Demonstration Fund**

“(a) **ESTABLISHMENT.**—There is established on the books of the Treasury under the Department of Veterans Affairs a fund to be known as the ‘Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund’ (in this section referred to as the ‘Fund’).

“(b) **USE OF AMOUNTS.**—Amounts in the Fund shall be used to facilitate the joint funding of designated combined Federal medical facilities of the Department of Defense and the Department of Veterans Affairs.

“(c) **TRANSFERS TO FUND.**—

“(1) **IN GENERAL.**—Amounts may be transferred to the Fund by the Secretary of Defense from amounts authorized and appropriated for the Department of Defense and by the Secretary of Veterans Affairs from amounts authorized and appropriated for the Department of Veterans Affairs, as determined by a methodology jointly established by the Secretary of Defense and the Secretary of Veterans Affairs that reflects the mission-specific activities, workload, and costs of provision of health care at the facilities of the Department of Defense and the Department of Veterans Affairs, respectively.

“(2) **TRANSFERS OF AMOUNTS FROM MEDICAL CARE COLLECTIONS.**—Amounts may be transferred to the Fund from medical care collections under the following authorities for

health care provided at designated combined Federal medical facilities of the Department of Defense and the Department of Veterans Affairs:

“(A) Section 1095 of this title.

“(B) Section 1729 of title 38.

“(C) The Act entitled ‘An Act to provide for the recovery from tortiously liable third persons of the cost of hospital and medical care and treatment furnished by the United States’ (Public Law 87-693; 42 U.S.C. 2651 et seq.; commonly known as the ‘Federal Medical Care Recovery Act’).”

“(d) **AVAILABILITY OF AMOUNTS IN FUND.**—

“(1) **IN GENERAL.**—Amounts transferred to the Fund under subsection (c) shall be available to fund the operations of designated combined Federal medical facilities of the Department of Defense and the Department of Veterans Affairs, including capital equipment, real property maintenance, and minor construction projects that are not required to be specifically authorized by law under section 2805 of this title or section 8104 of title 38.

“(2) **CAPTAIN JAMES A. LOVELL FEDERAL HEALTH CARE CENTER.**—Amounts transferred to the Fund by the Secretary of Defense under subsection (c) may be used for facility operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

“(3) **LIMITATION.**—The availability of amounts transferred to the Fund under subsection (c)(2) shall be subject to the provisions of section 1729A of title 38.

“(4) **PERIOD OF AVAILABILITY.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), amounts transferred to the Fund under subsection (c) shall remain available under this subsection until the end of the first fiscal year beginning after the date of the transfer.

“(B) **EXCEPTION.**—Of the amount transferred to the Fund under subsection (c) in a fiscal year, an amount not to exceed two percent of such amount shall remain available under this subsection until the end of the second fiscal year beginning after the date of the transfer.

“(e) **EXECUTIVE AGREEMENT.**—

“(1) **FUND ADMINISTRATION.**—

“(A) **IN GENERAL.**—The Fund shall be administered in accordance with an executive agreement between the Secretary of Defense and the Secretary of Veterans Affairs.

“(B) **GUIDELINES.**—The executive agreement under subparagraph (A) shall be consistent with section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) and shall provide for an independent review of the methodology established under subsection (c)(1).

“(2) **FINANCIAL RECONCILIATION.**—

“(A) **IN GENERAL.**—The executive agreement between the Secretary of Defense and the Secretary of Veterans Affairs under paragraph (1)(A) shall provide for the development and implementation of an integrated financial reconciliation process that meets the fiscal reconciliation requirements of the Department of Defense and the Department of Veterans Affairs.

“(B) **IDENTIFICATION OF CONTRIBUTIONS.**—The process under subparagraph (A) shall permit the Department of Defense and the Department of Veterans Affairs to identify their fiscal contributions to the Fund, taking into consideration accounting, workload, and financial management differences.”

(b) CONFORMING REPEAL.—Section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571), as most recently amended by section 1421 of the Servicemember Quality of Life Improvement and National Defense Authorization Act for Fiscal Year 2025 (Public Law 118–159; 138 Stat. 2129), is repealed.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate and the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives a report indicating medical facilities of the Department of Defense or the Department of Veterans Affairs that either Secretary, or both, considers appropriate to be designated as combined Federal medical facilities of the Department of Defense and the Department of Veterans Affairs.

**SA 5926.** Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 7. FERTILITY TREATMENT FOR CERTAIN MEMBERS OF THE UNIFORMED SERVICES AND DEPENDENTS.**

(a) FERTILITY TREATMENT.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074o the following new section:

**“§ 1074p. Fertility treatment for certain active duty members of the uniformed services and their dependents**

“(a) COVERAGE.—The Secretary of Defense shall ensure that fertility-related care for a member of the uniformed services on active duty (or a dependent of such a member) shall be covered under TRICARE Prime and TRICARE Select.

“(b) IN VITRO FERTILIZATION.—In the case of in vitro fertilization treatment furnished to an individual pursuant to subsection (a), coverage under such subsection shall include—

“(1) not fewer than three completed oocyte retrievals; and

“(2) unlimited embryo transfers provided in accordance with the guidelines of the American Society for Reproductive Medicine, using single embryo transfer when recommended and medically appropriate.

“(c) DEFINITIONS.—In this section:

“(1) The term ‘fertility-related care’ means—

“(A) the diagnosis of infertility; and

“(B) fertility treatment.

“(2) The term ‘fertility treatment’ includes the following:

“(A) In vitro fertilization or other treatments or procedures in which human oocytes, embryos, or sperm are handled when clinically appropriate.

“(B) Sperm retrieval.

“(C) Egg retrieval.

“(D) Preservation of human oocytes, embryos, or sperm.

“(E) Artificial insemination, including intravaginal insemination, intracervical insemination, and intrauterine insemination.

“(F) Transfer of reproductive genetic material.

“(G) Medications as prescribed or necessary for fertility.

“(H) Fertility treatment coordination.

“(I) Such other information, referrals, treatments, procedures, testing, medications, laboratory services, technologies, and services facilitating reproduction as determined appropriate by the Secretary of Defense.

“(3) The term ‘infertility’ means a disease, condition, or status characterized by—

“(A) the failure to establish a pregnancy or to carry a pregnancy to live birth after regular, unprotected sexual intercourse in accordance with the guidelines of the American Society for Reproductive Medicine;

“(B) the inability of an individual to reproduce without medical intervention either as a single individual or with the partner of the individual; or

“(C) the findings of a licensed physician based on the medical, sexual, and reproductive history, age, physical findings, or diagnostic testing of the individual.”

(b) PROGRAM ON FERTILITY TREATMENT COORDINATION.—Chapter 55 of title 10, United States Code, is amended by adding at the end the following new section:

**“§ 1110c. Program on fertility-related care coordination**

“(a) IN GENERAL.—The Secretary of Defense shall establish a program on the coordination of fertility-related care by the Secretary for purposes of ensuring patients receive timely fertility-related care.

“(b) TRAINING AND SUPPORT.—In carrying out the program established under subsection (a), the Secretary shall provide to community health care providers training and support with respect to the unique needs of members of the uniformed services and the dependents of such members.

“(c) FERTILITY-RELATED CARE DEFINED.—In this section, the term ‘fertility-related care’ has the meaning given that term in section 1074p of this title.”

(c) CONFORMING AMENDMENT.—Section 1079(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(21) Fertility-related care shall be provided in accordance with section 1074p of this title.”

(d) EXCLUSION FROM CONTRACTS FOR FORMER MEMBERS AND THEIR DEPENDENTS.—Section 1086 of title 10, United States Code, is amended—

(1) in subsection (c), in the matter preceding paragraph (1), by striking “subsection (d)” and inserting “subsections (d) and (j)”; and

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

“(j) A plan contracted for under subsection (a) may not include coverage for services under section 1074p of this title for former members of the uniformed services or dependents of former members of the uniformed services.”

(e) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations or subregulatory guidance regarding the implementation of the amendments made by this section.

(f) APPLICATION.—The amendments made by this section shall apply with respect to services provided on or after October 1, 2028.

(g) RULES OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed—

(1) to provide new benefits to or alter existing benefits for former members of the uniformed services or the dependents of former members of the uniformed services; or

(2) to authorize the Secretary of Defense to make payments related to human cloning,

artificial womb technology, or international surrogacy.

**SA 5927.** Ms. DUCKWORTH (for herself and Mr. CURTIS) submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle F—South China Sea Strategy Act of 2026**

**SEC. 1281. SHORT TITLE.**

This subtitle may be cited as the “South China Sea Strategy Act of 2026”.

**SEC. 1282. UNITED STATES POLICY.**

It is the policy of the United States—

(1) to support the importance of the freedom of navigation, overflight, and unfettered commerce in the South China Sea, in a manner consistent with international law to preserve United States economic interests in the region;

(2) to commit to a rules-based approach to resolving maritime disputes;

(3) to counter efforts by the People's Republic of China (PRC) to unilaterally change the status quo and treat the South China Sea as its unilateral dominion, undermining regional stability and contravening the PRC's prior commitments to resolve disputes peacefully and through appropriate legal venues; and

(4) to engage with allies and partners in a concerted, coordinated manner to support a strategic, consistent approach to diplomatic engagement on issues and crises that affect United States interests in the South China Sea, including to ensure the safety of United States citizens in the region.

**SEC. 1283. SOUTH CHINA SEA DIPLOMATIC ENGAGEMENT STRATEGY.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall, in consultation with the Secretary of Defense, submit to the appropriate congressional committees a Strategy for Diplomatic Engagement on the South China Sea to ensure that the United States Government is operating strategically to maximize our efficient engagement on South China Sea matters.

(b) ELEMENTS.—The Strategy listed in subsection (a) shall—

(1) describe the overarching goals of United States engagement with allies and partners, including with littoral states, on security, diplomatic, legal, and economic matters in the South China Sea;

(2) designate an office at the Department of State tasked with the lead responsibility for coordinating the execution of each goal described in paragraph (1);

(3) analyze the successes of the Department of State's existing mechanisms, programs, and forums for advancing United States goals in the South China Sea through bilateral, multilateral, subnational, civil society, and private sector avenues with allies and partners, including littoral states, and identify gaps in engagement;

(4) detail plans to deepen bilateral engagement with each littoral state around pressures, threats, and opportunities in the South China Sea identified as priorities in previous bilateral engagements;

(5) detail plans to convene and increase the frequency of collective engagements with littoral states, including Taiwan and additional

allies and partners as appropriate, around themes of shared importance, including—

- (A) bolstering defense capabilities;
- (B) reinforcing maritime law enforcement capacity and governance;
- (C) responding to grey-zone tactics, including coordinated illegal, unreported, and unregulated fishing;
- (D) managing maritime territorial disputes to reduce the likelihood of security crises and conflicts;
- (E) preparing crisis management and response mechanisms to avoid unnecessary escalation;
- (F) building resilience to foreign malign influence and interference in the South China Sea;
- (G) supporting economic development and resilience to economic coercion from foreign adversaries; and
- (H) addressing additional factors assessed by the Secretary of State to be causing a direct risk to United States interests in the South China Sea; and

(6) detail plans for coordination with the interagency and foreign governments to address crisis management for scenarios below the threshold of armed conflict that would require heightened interagency and international engagement.

(c) **CLASSIFICATION.**—The strategy submitted under subsection (a) shall be submitted in unclassified form but may include a classified annex.

**SEC. 1284. STRATEGY EXECUTION.**

(a) **IDENTIFICATION OF NECESSARY PROGRAMS AND RESOURCES.**—Not later than 360 days after the date of the enactment of this Act, the Secretary of State shall identify and submit to the appropriate congressional committees any necessary program, policy, or budgetary resources required to support implementation of the Strategy for Diplomatic Engagement on the South China Sea for fiscal years 2027, 2028, and 2029.

(b) **BRIEFING.**—Not later than 30 days after the submission of the assessment described in subsection (a), the Secretary of State shall brief the appropriate congressional committees on the implementation of the Strategy for Diplomatic Engagement on the South China Sea.

**SEC. 1285. DEFINITIONS.**

In this subtitle:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate; and

(B) the Committee on Foreign Affairs of the House of Representatives.

(2) **LITTORAL STATES.**—The term “littoral states” means—

- (A) Brunei;
- (B) Indonesia;
- (C) Malaysia;
- (D) the Philippines; and
- (E) Vietnam.

**SEC. 1286. RULE OF CONSTRUCTION.**

(a) **RULE OF CONSTRUCTION REGARDING CONTINUED UNITED STATES POLICY TOWARD TAIWAN AND THE GOVERNMENT OF THE PRC.**—Nothing in this subtitle may be construed as a change to the One China Policy of the United States, which is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the three United States–People’s Republic of China Joint Communiqués, and the Six Assurances.

**SA 5928.** Mr. KELLY submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. BINATIONAL RAPID RESPONSE PROTOCOL.**

(a) **SHORT TITLE.**—This section may be cited as the “Nicholas Douglas Quets United States–Mexico Rapid Response for Victims of Crime Act”.

(b) **FINDINGS.**—Congress finds the following:

(1) On October 18, 2024, while traveling from Arizona along the southern United States border in the Mexican state of Sonora near Puerto Peñasco, Nicholas Quets was attacked and shot by armed criminals associated with the Sinaloa Cartel at an unauthorized cartel-controlled highway checkpoint, resulting in the tragic death of the 31-year-old American.

(2) The brutal murder of Nicholas Quets reflects the ongoing threat posed by transnational criminal organizations and cartel violence in the region.

(3) The violence perpetrated by drug cartels and other criminal organizations endangers innocent civilians, undermines the rule of law, and threatens the safety of United States citizens traveling abroad.

(4) Binational coordination in investigations like that of Nicholas Quets’ death can often be delayed or incomplete, which may deny the administration of justice for victims and their families.

(5) Each year, millions of United States citizens travel to Mexico for tourism, work, and family purposes.

(6) In certain cases involving serious crimes, including homicide, kidnapping, and organized criminal violence, delays or gaps in coordination between authorities may hinder investigations and the delivery of justice for victims and their families.

(7) Enhanced binational coordination, communication, and investigative cooperation is essential to ensure effective responses to serious crimes involving United States citizens in Mexico.

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that a robust, binational rapid response protocol is necessary to ensure efficient communication and coordination between United States and Mexican authorities when responding to serious crimes involving United States citizens in Mexico.

(d) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; the

(D) the Committee on the Judiciary of the House of Representatives.

(2) **PROTOCOL.**—The term “Protocol” means the binational rapid response protocol for serious crimes committed against United States citizens in Mexico established pursuant to subsection (e).

(3) **SERIOUS CRIMES.**—The term “serious crimes” includes—

(A) homicides and suspicious deaths;

(B) kidnappings and abductions;

(C) disappearances;

(D) violent crimes involving, or suspected to be involving, organized criminal groups or cartels; and

(E) other violent crimes designated by the Secretary of State.

(e) **ESTABLISHMENT.**—The Secretary of State, in coordination with the Attorney

General, shall engage with the Government of Mexico to negotiate and establish a binational rapid response protocol for serious crimes committed against United States citizens in Mexico.

(f) **PURPOSE.**—The Protocol shall aim to ensure timely coordination between United States and Mexican authorities in responding to and investigating serious crimes committed against United States citizens in Mexico.

(g) **RECOMMENDED ELEMENTS.**—In negotiating the Protocol, the Secretary of State shall seek to include procedures that provide—

(1) mechanisms for the prompt notification of relevant United States and Mexican authorities when a serious crime involving a United States citizen occurs;

(2) secure and reliable communication channels between designated law enforcement and diplomatic authorities in both countries;

(3) procedures to ensure the timely securing of crime scenes and the protection of relevant physical evidence;

(4) agreed-upon standards and procedures for preserving and documenting evidence in a manner that supports potential prosecutions in either country’s jurisdiction;

(5) procedures to facilitate the timely sharing of investigative leads, intelligence, and forensic information between United States and Mexican authorities, consistent with the laws of each country;

(6) the designation of appropriate points of contact within the Government of Mexico and procedures to facilitate requests for international extradition and timely coordination for extradition to United States;

(7) the designation of appropriate points of contact within relevant United States and Mexican agencies responsible for coordinating responses to incidents covered by the Protocol;

(8) the designation of a point of contact within the United States Government responsible for communicating with the victim or the victim’s family and providing timely updates regarding investigative developments and available assistance;

(9) procedures for coordination between United States consular officials and Mexican authorities regarding support for victims and their families; and

(10) opportunities for joint training, planning, or exercises to ensure effective implementation of the Protocol.

(h) **PROGRESS REPORT.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the Protocol is established, the Secretary of State shall submit a report to the appropriate congressional committees that describes—

(1) the progress made toward negotiating the Protocol;

(2) the status of cooperation with the Government of Mexico relating to crimes against United States citizens while they are in Mexico; and

(3) any additional legislative or diplomatic steps the Secretary determines would improve coordination and accountability in such cases.

(i) **IMPLEMENTATION REPORT.**—Not later than 180 days after the establishment of the Protocol, and annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees that describes—

(1) the status of the implementation of such protocol;

(2) actions taken by United States and Mexican authorities under the protocol;

(3) the extent to which the protocol has improved coordination in covered cases; and

(4) any recommendations for improving the protocol.

(j) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to limit the sovereignty of the United States or of Mexico;

(2) to require the Government of Mexico to adopt investigative procedures inconsistent with existing Mexican law; or

(3) to alter the existing authorities of United States law enforcement or consular officials.

**SA 5929.** Mr. KELLY submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. BORDER TRAVEL SAFETY.**

(a) SHORT TITLE.—This section may be cited as the “Nicholas Douglas Quets Border Travel Safety Act”.

(b) FINDINGS.—Congress finds the following:

(1) On October 18, 2024, while traveling from Arizona along the southern border in the Mexican state of Sonora near Puerto Peñasco, Nicholas Quets was attacked and shot by armed criminals associated with the Sinaloa Cartel at an unauthorized cartel-controlled highway checkpoint, which resulted in the tragic death of the 31-year-old American.

(2) The brutal murder of Nicholas Quets reflects the ongoing threat posed by transnational criminal organizations and cartel violence in the region.

(3) Nicholas Quets was shot while traveling along the Altar-Caborca highway (Federal Highway 2) in Sonora, which is frequently listed under a “Reconsider Travel” advisory due to cartel activity in the area.

(4) The Department of State issues Travel Advisories to inform United States citizens and other travelers of safety and security risks in foreign countries and regions.

(5) Department of State Travel Advisories identify certain foreign regions, including areas near United States land borders, that present elevated safety or security risks due to criminal activity, violence, kidnapping, or other threats.

(6) Individuals entering or departing the United States through land ports of entry may not be aware that nearby areas identified in Department of State Travel Advisories pose heightened safety or security risks.

(7) Clear and visible signage at land ports of entry and surrounding areas would improve traveler awareness of such risks and promote public safety.

(c) SENSE OF CONGRESS.—It is the sense of Congress that clear and visible signage displaying travel advisories at land ports of entry along the land boundary between the United States and Mexico are necessary to improve traveler awareness of safety or security risks due to criminal activity, violence, kidnapping, or other threats.

(d) DEFINITIONS.—In this section:

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

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

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Foreign Affairs of the House of Representatives.

(2) LAND PORT OF ENTRY.—The term “land port of entry” means a port of entry along an international land border between the United States and Mexico or Canada.

(3) TRAVEL ADVISORY.—The term “Travel Advisory” means the country-specific or region-specific safety advisory issued by the Department of State to inform travelers of security risks abroad.

(e) WARNING SIGNAGE FOR TRAVELERS NEAR LAND PORTS OF ENTRY ALONG THE SOUTHERN BORDER.—

(1) ESTABLISHMENT.—The Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection, and in consultation with the Secretary of State and the Administrator of the General Services Administration, shall establish and carry out a program to install and maintain warning signage informing travelers of dangerous areas or routes near the southern border of the United States that have been identified in relevant Department of State Travel Advisories.

(2) RESPONSIBILITIES OF SECRETARY OF STATE.—The Secretary of State shall—

(A) identify areas or routes near the United States land border with Mexico that are designated as dangerous in any Department of State Travel Advisory;

(B) provide the Commissioner of U.S. Customs and Border Protection with updated advisory information necessary for the content of warning signage; and

(C) provide the Secretary of Homeland Security with the appropriate content and messaging of such signage.

(3) COORDINATION.—In carrying out this section, the Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection, shall coordinate with the Secretary of State, appropriate State transportation and public safety agencies, and relevant State, local, and tribal government officials.

(f) PLACEMENT OF SIGNAGE.—

(1) IN GENERAL.—The Secretary of Homeland Security, acting through the Commissioner of U.S. Customs and Border Protection, shall, to the maximum extent practicable, install, maintain, and update warning signage described in this section.

(2) LOCATIONS.—Warning signage developed pursuant to this section shall be placed—

(A) at appropriate United States land ports of entry along the border with Mexico, in coordination with relevant Mexican authorities;

(B) on all roadways and routes approaching, and in areas immediately adjacent to, such ports of entry where travelers are likely to cross the international boundary;

(C) at any additional locations determined appropriate by the Secretary of Homeland Security, in consultation with State and local transportation authorities, to ensure adequate traveler awareness;

(D) in locations that are clearly visible to motorists and pedestrians; and

(E) in sufficient proximity to allow travelers to make informed travel decisions.

(3) COORDINATION WITH STATE AND LOCAL AUTHORITIES.—In placing signage pursuant to this subsection, the Secretary of Homeland Security shall coordinate with, and may enter into agreements, as may be necessary, with—

(A) State departments of transportation;

(B) local government officials; and

(C) other appropriate authorities responsible for roadway infrastructure near the international border of the United States.

(4) CONTENT OF SIGNAGE.—Signage required under this section shall, to the maximum extent practicable—

(A) clearly warn travelers of nearby areas or routes identified as dangerous in Department of State Travel Advisories;

(B) provide a reference to additional safety information, including the Department of State travel advisory website or a QR code linking to such information;

(C) be displayed in a format that can be swiftly and easily updated to reflect changes to applicable Department of State Travel Advisories, and may include incident alerts from the Department of State;

(D) be displayed in English and Spanish, and any additional languages the Secretary, in consultation with the Department of State, determines appropriate; and

(E) include any other safety information the Secretary of State determines appropriate.

(g) REVIEWS AND UPDATES.—

(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Secretary of State, shall—

(A) annually review warning signage to ensure accuracy and visibility; and

(B) update such signage as necessary to reflect changes in Department of State Travel Advisories.

(2) IDENTIFICATION OF CRITICAL CHANGES.—The Secretary of State shall notify the Secretary of Homeland Security whenever critical changes have occurred that require warning signage to be updated.

(h) REPORTS TO CONGRESS.—

(1) IMPLEMENTATION REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of State and the Commissioner of U.S. Customs and Border Protection, shall submit a report to the appropriate congressional committees that describes—

(A) the implementation of the signage program required under this section;

(B) the locations where signage has been installed;

(C) plans for updating such signage; and

(D) any recommendations for improving traveler awareness of dangerous areas identified in Travel Advisories.

(2) GAO REPORT.—The Comptroller General of the United States shall submit a report to the appropriate congressional committees that—

(A) describes the efficacy of the travel advisory warnings for travelers; and

(B) indicates whether there are modernizations to warning delivery that the Department of State or the Department of Homeland Security could undertake to ensure travelers have adequate awareness to potential travel-related dangers.

(i) NO ADDITIONAL APPROPRIATIONS.—

(1) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out this section.

(2) USE OF EXISTING RESOURCES.—The Secretary of Homeland Security and the Secretary of State shall carry out their respective responsibilities under this section using amounts otherwise appropriated or made available to their respective departments.

**SA 5930.** Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 529E. CORRECTION OF NATIONAL GUARD ACTIVATION ORDERS AND PERSONNEL RECORDS ASSOCIATED WITH CERTAIN CONTINGENCY OPERATIONS.**

(a) IDENTIFICATION OF AFFECTED PERSONNEL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chief of the National Guard Bureau and the Secretary of the Air Force, shall identify members of the Air National Guard whose activation orders, deployment records, pay, allowances, tax documentation, or other personnel records were adversely affected by transitions between named military operations conducted during 2025 and 2026, including Operation Southern Spear, Operation Absolute Resolve, Operation Spartan Shield, and Operation Epic Fury.

(b) CORRECTION OF RECORDS.—The Secretary of Defense shall take such actions as may be necessary to—

(1) ensure that official military personnel records accurately reflect the dates and locations of service performed in support of each named operation, including correct mission attribution records, deployment documentation, operational duty-location records, and other activation or mobilization records for personnel identified pursuant to subsection (a);

(2) correct any pay, allowance, entitlement, tax-exclusion eligibility, or debt-related discrepancies resulting from inaccurate or incomplete activation or deployment records; and

(3) ensure that no member experiences a loss of eligibility for any Federal benefit, entitlement, or service-connected determination, including benefits administered by the Department of Veterans Affairs, as a result of inaccuracies described in subsection (a).

(c) REPORT AND BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report and provide a briefing on the implementation of this section. Such report shall include—

(1) the number of personnel identified under subsection (a);

(2) the status of corrections made pursuant to subsection (b);

(3) any unresolved issues affecting pay, allowances, tax records, personnel records, deployment histories, or other military records;

(4) an assessment of the factors that caused activation-order discrepancies, personnel-record inaccuracies, pay and entitlement errors, debt assessments, tax-reporting issues, and other administrative deficiencies associated with transitions between named military operations during 2025 and 2026, including Operation Southern Spear and Operation Epic Fury;

(5) an assessment of any limitations within the Department of Defense regulations, policies, personnel systems, orders-management systems, funding authorities, or administrative processes that contributed to such discrepancies and deficiencies;

(6) a description of actions taken or planned to ensure timely correction of activation orders, deployment records, pay records, tax documentation, and other affected personnel records; and

(7) an assessment of whether additional authorities are required to ensure accurate and timely correction of National Guard and Reserve activation and deployment records.

**SA 5931.** Mr. WELCH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appro-

priations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, insert the following:

**SEC. 320C. REQUIREMENT FOR USE OF ALTERNATIVE SOLID WASTE DISPOSAL SYSTEMS.**

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall deploy, use, and sustain alternative solid waste disposal systems at any location where the Secretary determines open-air burn pits—

(1) exist at any military installation or other location where members of the Armed Forces are housed, either temporarily or permanently, including an enduring location, a contingency location, a military facility associated with an access agreement with a host nation, a main operating base, a forward operating site, or a cooperative security location;

(2) are operated by the Department of Defense or a contractor of the Department;

(3) contain waste generated by activities of the Department; or

(4) are in need, or could be used, for the safe disposal of illicit contraband or medical waste.

**SA 5932.** Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1218. PROHIBITION ON USE OF FUNDS TO ASSIST IN ANNEXATION OF THE WEST BANK.**

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act, or otherwise made available for fiscal year 2027 for the Department of Defense, may be obligated or expended to carry out any activity that recognizes the sovereignty of Israel over territory of the West Bank and Gaza.

(b) CIVILIAN USE.—None of the funds authorized to be appropriated by this Act, or otherwise made available for fiscal year 2027 for the Department of Defense, may be obligated or expended to carry out any activity to transfer weapons for civilian use in the West Bank.

**SA 5933.** Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 317 the following:

**SEC. 317A. IDENTIFICATION AND REPORTING OF CERTAIN OPEN-AIR BURN PITS NOT CONTROLLED BY DEPARTMENT OF DEFENSE.**

(a) POLICY REVISION.—Not later than 180 days after the date of the enactment of this

Act, the Secretary of Defense shall revise the policy of the Department of Defense governing the use of open-air burn pits to require operational commanders to identify, and report to the commander of the relevant combatant command and the Joint Staff Logistics Directorate, the presence of open-air burn pits described in subsection (b).

(b) OPEN-AIR BURN PIT DESCRIBED.—An open-air burn pit described in this subsection is an open-air burn pit not controlled by the Department of Defense used to dispose of non-Department generated waste that is—

(1) located within 4000 meters of an installation of the Department of Defense, a military installation, or any other location where members of the Armed Forces are housed, either temporarily or permanently, including an enduring location, a contingency location, a military facility associated with an access agreement with a host nation, a main operating base, a forward operating site, or a cooperative security location; or

(2) located within 4000 meters of members of the Armed Forces and operated by an ally or partner of the United States, host nation forces, or a local entity that may result in exposure of such members.

(c) TESTING REQUIREMENT.—Each operational commander shall collect and evaluate air quality data in and around the area of any open-air burn pit identified pursuant to subsection (a) for the purpose of documenting the effects of open-air burning at such open-air burn pit, including, to the extent feasible, by conducting air quality testing in and around such area for toxins commonly associated with open-air burn pits.

(d) WATCH LIST UPDATE.—The Secretary of Defense shall ensure that any open-air burn pit identified pursuant to subsection (a) is included in the official watch list of the Department of known burn pits.

(e) HEALTH RECORD DOCUMENTATION.—The Secretary of Defense shall ensure that documented exposure risks associated with open-air burn pits identified pursuant to subsection (a), including the air quality data collected under subsection (c), are incorporated into the individual health records of potentially exposed members of the Armed Forces pursuant to section 704 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C. 1074f note) for tracking purposes.

(f) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report containing—

(1) the location of each open-air burn pit identified pursuant to subsection (a);

(2) the results of the collection and evaluation of air quality data under subsection (c); and

(3) any updates to the watch list of the Department consistent with the requirement under subsection (d) made as of the date of the submission of such report, and the planned timeline of the Secretary for subsequent updates.

(g) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committees on Armed Services of the Senate and the House of Representatives; and

(2) the Committees on Veterans’ Affairs of the Senate and the House of Representatives.

**SA 5934.** Mr. WELCH submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VII add the following:

**SEC. 771. SUPPLEMENTATION OF HEALTH RECORDS OF DECEASED VETERANS.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly take actions necessary to ensure that the health records of the Department of Defense and the Department of Veterans Affairs may be updated with observed health conditions and other relevant health information of a deceased enrollee by—

(1) an individual designated by such deceased enrollee; or

(2) if no such individual is designated, an immediate family member of such deceased enrollee.

(b) DESIGNATION.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly provide for a process by which an individual may make a designation for purposes of subsection (a)(1).

(c) NO MODIFICATION OF HEALTH INFORMATION.—Notwithstanding the privacy regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191), at part 160 of title 45, Code of Federal Regulations, and subparts A, C, and E of part 164 of such title (or any successor regulations), any update under subsection (a) shall supplement information contained in the health records of a deceased enrollee and shall not modify information contained in such records.

(d) DEFINITIONS.—In this section:

(1) DECEASED ENROLLEE.—The term “deceased enrollee” means any individual who, at the time of his or her death—

(A) was enrolled in the patient enrollment system of the Department of Veterans Affairs established and operated under section 1705(a) of title 38, United States Code; or

(B) was entitled to care under the TRICARE program, as defined in section 1072 of title 10, United States Code.

(2) IMMEDIATE FAMILY MEMBER.—The term “immediate family member”, with respect to a deceased enrollee, means—

(A) the spouse, parent, brother, sister, or adult child of the individual; or

(B) an adult person to whom the individual stands in loco parentis.

**SA 5935.** Mr. BARRASSO (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**Subtitle Strategic Subsea Cables Act of 2026**

**SEC. 1. SHORT TITLE.**

This subtitle may be cited as the “Strategic Subsea Cables Act of 2026”.

**SEC. 2. DEFINITIONS.**

In this subtitle:

(1) AGENCY.—The term “agency” has the meaning given the term in section 3502 of title 44, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(3) APPROPRIATE FEDERAL AGENCIES.—The term “appropriate Federal agencies” means the following:

(A) The Department of Commerce.

(B) The Department of Defense.

(C) The Office of the Director of National Intelligence.

(D) The Department of State.

(E) The Federal Communications Commission.

(F) The Department of the Treasury.

(G) The Department of Justice.

(H) Any additional Federal agencies, as determined by the President.

(4) CRITICAL UNDERSEA INFRASTRUCTURE.—The term “critical undersea infrastructure” refers to both subsea communications infrastructure and subsea energy infrastructure.

(5) INTERAGENCY COMMITTEE.—The term “interagency committee” means the entity established under section 1(b).

(6) NON-FEDERAL ENTITY.—The term “non-Federal entity” means any nongovernmental entity that is an individual, organization, or business involved in the operation, maintenance, repair, or construction of critical undersea infrastructure, including critical undersea infrastructure owners.

(7) SABOTAGE.—The term “sabotage” means actions, or preparations for future actions, taken with the intent to cause defective production, operation, or damage to critical undersea infrastructure, including the confidentiality, availability, and integrity of data transmitted via subsea communications infrastructure.

(8) SUBSEA ENERGY INFRASTRUCTURE.—The term “subsea energy infrastructure” means a subsea cable, pipeline, or other equipment installed on, beneath, or within the seabed, including—

(A) to transmit electricity, including via subsea electricity cables, subsea electricity transformers, or equipment related to the support of offshore energy production installations;

(B) to transport natural gas, oil, or hydrogen between land-based or off-shore infrastructure; and

(C) associated landing stations and facilities.

(9) SUBSEA COMMUNICATIONS INFRASTRUCTURE.—The term “subsea communications infrastructure” has the same meaning as “submarine cable system”, as defined in section 1.70001(h) of title 47, Code of Federal Regulations, and any subsequent update to such meaning.

**PART I—INTERNATIONAL COORDINATION AND ENGAGEMENT ON CRITICAL UNDERSEA INFRASTRUCTURE**

**SEC. 1. FINDINGS.**

Congress makes the following findings:

(1) Sabotage of critical undersea infrastructure poses a growing threat to United States and allied security and economic prosperity.

(2) In recent years, numerous critical undersea infrastructure sites were destroyed or damaged, including—

(A) in January 2022, the reported damage to subsea communications infrastructure connecting the Norwegian mainland with the Norwegian archipelago of Svalbard, home of SvalSAT, the largest commercial satellite ground station on Earth;

(B) in September 2022, the reported damage to 3 of the 4 trunklines of the Nord Stream

1 and Nord Stream 2 natural gas pipelines, at sites northeast and southeast of the Danish island of Bornholm in the Western Baltic Sea;

(C) in February 2023, the reported damage to subsea communications infrastructure connecting the main island of Taiwan to the Matsu Islands in the Taiwan Strait;

(D) in October 2023, the reported damage to the Finland-to-Estonia Balticconnector natural gas pipeline spanning the Gulf of Finland, in addition to the reported damage to subsea communications cables connecting Estonia and Sweden and Finland and Estonia;

(E) in November 2024, the reported damage to the Finland-to-Germany C-Lion1 subsea communications cables and the Lithuania-to-Sweden BCS subsea communications cable in the central Baltic Sea;

(F) in December 2024, the reported damage to the Finland-to-Estonia EstLink2 subsea electricity interconnection cable and nearby subsea communications cables in the Gulf of Finland;

(G) in January 2025, the reported damage to the Trans-Pacific Express subsea communications cable connecting Taiwan to the United States, the Republic of Korea, and Japan;

(H) in February 2025, the reported damage to a subsea communications cable connecting the main island of Taiwan with the Penghu Islands in the Taiwan Strait;

(I) in January 2026, the reported damage to subsea communications cables from Latvia in the Central Baltic Sea linking Liepaja and Sventoji; and

(J) in January 2026, the reported damage to the Elisa cable connecting Finland and Estonia involving a vessel named the *Fitburg*.

(3) In February 2024, NATO Defense Ministers established the Critical Undersea Infrastructure Network to coordinate information and threat intelligence sharing among private and public sector actors to protect critical undersea infrastructure.

(4) In January 2025, following critical undersea infrastructure sabotage in the Baltic Sea in December 2024, the North Atlantic Treaty Organization (NATO) launched Baltic Sentry to strengthen the protection of critical undersea infrastructure.

(5) On February 21, 2025, the European Union published an EU Action Plan on Cable Security to include the development and deployment of an Integrated Surveillance Mechanism for Submarine cables work to establish a dedicated regional hub in the Baltic Sea to serve as a test bed of the integrated surveillance approach.

(6) The Association of Southeast Asian States (ASEAN) published guidelines for Strengthening Resilience and Repair of Submarine Cables and most recently announced plans to “build a secure, diverse and resilient submarine cable network” and “to facilitate the expeditious deployment, repair, maintenance, removal, and protection of submarine cables, between ASEAN Member States”.

(7) On July 1, 2025, the Quad, represented by the United States, India, Japan, and Australia, met to reaffirm its commitment to the Quad Partnership on Cable Connectivity and Resilience. In the meeting, the Quad underscored the need for digital infrastructure collaboration, organizing a subsea cables forum to be hosted by the United States and India and encouraging regulatory harmonization between Quad partners. Through this initiative, the Quad seeks to defend and promote resilient, secure, and transparent digital infrastructure across the Indo-Pacific region.

**SEC. 2. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) critical undersea infrastructure represents vital strategic and economic links

between the United States and its partners and allies;

(2) according to NATO, “undersea cables carry an estimated \$10 trillion in transfers every day; two-thirds of the world’s oil and gas is either extracted at sea or transported by sea; and around 95 percent of global data flows are transmitted via undersea cables”;

(3) since Russia’s full-scale invasion of Ukraine in 2022, there has been a marked increase in high-profile suspected sabotage incidents resulting in damage to critical undersea infrastructure, especially across Northern Europe and East Asia;

(4) the United States Government has an important role to play in advancing United States interests in international bodies that oversee the protection of critical undersea infrastructure, including promoting network resilience and redundancy, and advancing regulations in support of these goals;

(5) the United States Government should play a more active role in NATO initiatives such as the NATO Maritime Centre for the Security of Critical Undersea Infrastructure, the Critical Undersea Infrastructure Coordination Cell, the Critical Undersea Infrastructure Network, and the NATO-EU Task Force on the Resilience of Critical Infrastructure, allied maritime security efforts such as the Joint Expeditionary Force, Indo-Pacific initiatives, including the Quad Partnership for Cable Connectivity and Resilience, and international organizations such as the International Cable Protection Committee (ICPC), in order to advance United States national security and economic interests;

(6) the United States should lead efforts to promote the deployment of resilient critical undersea infrastructure networks, enhance situational awareness, strengthen preparedness, and formalize collective responses among allies and partners through enhanced information sharing and coordination; and

(7) while critical undersea infrastructure owners and other associated private sector stakeholders carry significant responsibility in safeguarding this infrastructure, the United States Government and allied foreign governments need to play a greater role.

**SEC. 3. ENHANCING UNITED STATES GOVERNMENT ENGAGEMENT WITH RELEVANT INTERNATIONAL BODIES TO SAFEGUARD UNITED STATES INTERESTS.**

(a) **IN GENERAL.**—The Secretary of State, in coordination with the interagency committee, as appropriate, shall seek to increase United States Government engagement with relevant international bodies to advance United States national security and economic interests as it relates to critical undersea infrastructure.

(b) **REPORT.**—Not later than one year after the date of the enactment of this Act, and annually thereafter for 5 years, the Secretary of State shall submit a report to the appropriate congressional committees that includes the following:

(1) A description of how increased United States Government engagement with relevant international bodies, including in coordination with the United States domestic subsea cable industry, could support United States national security objectives as it relates to the protection of critical undersea infrastructure.

(2) A description of key objectives for promoting and protecting United States national security interests within relevant international bodies.

(3) A description of how the People’s Republic of China entities leverage their engagement with relevant international bodies to further their strategic interests.

(4) A description of how encouraging other countries and regional bodies to engage with relevant international bodies can better en-

sure coordinated, consistent global subsea communications infrastructure policies.

(5) A description of international bodies relevant for critical undersea infrastructure where the United States should increase its diplomatic engagement.

**SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO CRITICAL UNDERSEA INFRASTRUCTURE SABOTAGE.**

(a) **IN GENERAL.**—The President, in coordination with the Secretary of State and the Secretary of the Treasury, shall impose the sanctions described in subsection (c) with respect to any foreign person that the President determines, on or after the date of the enactment of this Act, is responsible for acts of sabotage or facilitates acts of sabotage against critical undersea infrastructure, including—

(1) any foreign vessel or entity the owner or operator of which knowingly—

(A) commits acts of sabotage; or  
(B) conducts preparatory surveillance, logistical support, security, or other services that facilitate or enable an act of sabotage; and

(2) any foreign person that the President determines knowingly—

(A) owns, operates, or manages the vessel or entity described in paragraph (1);

(B) provides underwriting services or insurance or reinsurance necessary for such a vessel or entity;

(C) facilitates deceptive or structured transactions to support a vessel or entity described in paragraph (1);

(D) provides port or logistics services or facilities for technology upgrades or installation of equipment for, or retrofitting or tethering of, a vessel described in paragraph (1) for the purpose of evading sanctions;

(E) provides documentation, registration, or flagging services for a vessel described in paragraph (1) for the purpose of evading sanctions; or

(F) serves as a captain, principal officer, or senior leadership of such a vessel or entity.

(b) **SANCTIONS DESCRIBED.**—The sanctions described in this subsection are the following:

(1) **BLOCKING OF PROPERTY.**—The President may exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a foreign person described in subsection (a), if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

(A) **VISAS, ADMISSION, OR PAROLE.**—An alien described in subsection (a) shall be—

(i) inadmissible to the United States;  
(ii) ineligible to receive a visa or other documentation to enter the United States; and  
(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) **CURRENT VISAS REVOKED.**—

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

(ii) **IMMEDIATE EFFECT.**—A revocation under clause (i) shall—

(I) take effect immediately; and  
(II) automatically cancel any other valid visa or entry documentation that is in the possession of the alien.

(c) **IMPLEMENTATION; PENALTIES.**—

(1) **IMPLEMENTATION.**—The President may exercise all authorities provided under sec-

tions 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) **PENALTIES.**—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to any person that violates, attempts to violate, conspires to violate, or causes a violation of any prohibition of this section, or an order or regulation prescribed under this section, to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of such Act (50 U.S.C. 1705(a)).

(d) **EXCEPTIONS.**—

(1) **EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND LAW ENFORCEMENT ACTIVITIES.**—Sanctions under this section shall not apply with respect to the admission or parole of an alien to the United States if admitting or paroling the alien is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations of the United States; or

(B) to carry out or assist authorized law enforcement activity in the United States.

(2) **EXCEPTION TO COMPLY WITH INTELLIGENCE ACTIVITIES.**—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(3) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—

(A) **IN GENERAL.**—A requirement to block and prohibit all transactions in all property and interests in property under this section shall not include the authority or requirement to impose sanctions on the importation of goods.

(B) **GOOD DEFINED.**—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(4) **EXCEPTION FOR HUMANITARIAN ASSISTANCE.**—Sanctions under this section shall not apply to—

(A) the conduct or facilitation of a transaction for the provision of agricultural commodities, food, medicine, medical devices, or humanitarian assistance, or for humanitarian purposes; or

(B) transactions that are necessary for or related to the activities described in subparagraph (A).

(5) **EXCEPTION FOR SAFETY OF VESSELS AND CREW.**—Sanctions under this section shall not apply with respect to a person providing provisions to a vessel otherwise subject to sanctions under this section if such provisions are intended for the safety and care of the crew aboard the vessel, the protection of human life aboard the vessel, or the maintenance of the vessel to avoid any environmental or other significant damage.

(e) **DEFINITIONS.**—In this section:

(1) **ADMISSION; ADMITTED; ALIEN.**—The terms “admission”, “admitted”, and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) **AGRICULTURAL COMMODITY.**—The term “agricultural commodity” has the meaning given that term in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602).

(3) **FOREIGN PERSON.**—The term “foreign person” means an individual or entity that is not a United States person.

(4) **MEDICINE.**—The term “medicine” has the meaning given the term “drug” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(5) **MEDICAL DEVICE.**—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(6) **UNITED STATES PERSON.**—The term “United States person” means—

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

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

(C) any person in the United States.

(f) **NATIONAL SECURITY INTERESTS WAIVER.**—The President may waive the application of sanctions under this section if, before issuing the waiver, the President submits to the appropriate congressional committees—

(1) a certification in writing that the issuance of the waiver is in the national security interests of the United States; and

(2) a report explaining the basis for the certification.

**SEC. 5. REPORT ON ACTIVITIES BY THE PEOPLE'S REPUBLIC OF CHINA AND THE RUSSIAN FEDERATION.**

(a) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for 5 years, the Office of the Director of National Intelligence (ODNI), in coordination with the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies, shall submit a report to the appropriate congressional committees that includes the following:

(1) A description, with respect to the applicable reporting period, of the subsea cable manufacturing, installation, and maintenance capabilities of the People's Republic of China (PRC) and the Russian Federation.

(2) An analysis of the mission, capabilities, and activities of the Main Directorate of Deep-Sea Research (GUGI) of the Armed Forces of the Russian Federation, including—

(A) a description of GUGI operations and capabilities in deep water and littoral infrastructure surveillance, seabed warfare, and sabotage, including recent activity trends and development of new weapons systems;

(B) a description of GUGI's use of ostensibly civilian research vessels to conduct critical undersea infrastructure surveillance, seabed warfare, and potential sabotage;

(C) an assessment of the impact of sanctions on the ability of GUGI to procure advanced technologies and equipment, as well as its efforts to circumvent those sanctions; and

(D) a list of suspected GUGI research or scientific vessels, including vessel names and International Maritime Organization and Maritime Mobile Service Identity numbers, and related equipment that are suspected of engaging in dual-use operations and probing of critical undersea infrastructure.

(3) An analysis of the missions, capabilities, and activities of the Main Directorate of the General Staff of the Armed Forces of the Russian Federation (GRU), including—

(A) a description of GRU operations and capabilities related to physical, electronic, and cyber surveillance, monitoring, and sabotage of critical undersea infrastructure and maritime logistics;

(B) a description of the use of Russian civilian merchant and fishing vessels by the GRU, including a list of fishing and merchant vessel names and International Maritime Organization and Maritime Mobile Service Identity Numbers believed to be involved in surveillance or sabotage activities; and

(C) an assessment of the impact of sanctions on the ability of GUGI to procure advanced technologies and equipment, as well as its efforts to circumvent those sanctions.

(4) An analysis of the missions, capabilities, and activities of the People's Liberation Army, the PRC Coast Guard, the China Ship Scientific Research Center, HMN Technologies, and other PRC-based entities, including unmarked or dual-use maritime militia or commercial vessels related to surveillance, monitoring, and sabotage of critical undersea infrastructure, including—

(A) a description of recent capability developments related to surveilling or sabotaging critical undersea infrastructure, including for both deep-sea and littoral purposes; and

(B) a description of the PRC's use of ostensibly civilian fishing, merchant, and research vessels for sabotage or surveillance of critical undersea infrastructure, including in the Indo-Pacific, Africa, Latin America, Europe, and the Western Hemisphere.

(5) An assessment of cooperation between the Russian Federation and the PRC on surveillance or sabotage of critical undersea infrastructure, including—

(A) any current or planned operational coordination against United States or allied and partner nation targets;

(B) any joint research, development, testing, or evaluation of critical undersea infrastructure surveillance, sabotage, or seabed warfare capabilities;

(C) any technology transfers or joint training related to critical undersea infrastructure surveillance, sabotage, or seabed warfare; and

(D) any coordination in procurement of advanced technologies related to critical undersea infrastructure, surveillance, sabotage, or seabed warfare, or circumvention of sanctions against the Russian Federation.

(6) A list of instances during the previous calendar year in which the United States, or allies and partners of the United States, documented anomalous behavior from vessels, either flagged, crewed, or operated by the PRC or Russia, around critical undersea infrastructure, including—

(A) any official United States Government response to counter the anomalous behavior; and

(B) any coordinated diplomatic action with allies and partners.

(7) An assessment of the extent to which PRC-based entities are involved in laying, maintaining, and repairing United States-invested cables.

(b) **INITIAL AND SUBSEQUENT REPORTS.**—The initial report required under subsection (a) shall cover the period between January 1, 2022, through the date of the enactment of this Act. Subsequent reports required by subsection (a) shall cover the previous calendar year for the reporting period.

(c) **CLASSIFICATION.**—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

**SEC. 6. REPORT ON POTENTIAL SABOTAGE OF CRITICAL UNDERSEA INFRASTRUCTURE.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies, shall submit to the Select Committee on Intelligence of the Senate, the Permanent Select Committee on Intelligence of the House of Representatives, and the appropriate congressional committees a report that includes the assessment of the intelligence community, including dissen- sents from individual agencies, of the likely cause and, if applicable, the attribution of

the following instances of reported sabotage of critical undersea infrastructure:

(1) In January 2022, the reported damage to the subsea communications infrastructure connecting the Norwegian mainland with the Norwegian archipelago of Svalbard.

(2) The September 2022 sabotage of three of the four trunklines of the Nord Stream 1 and Nord Stream 2 natural gas pipelines, at sites northeast and southeast of the Danish island of Bornholm in the Western Baltic Sea, including—

(A) an assessment of the activities of Russian military vessels, including those with undersea warfare capabilities, at any of the Nord Stream blast sites in the months leading up to the incident;

(B) a description of any Russian civilian or military vessels intercepted or diverted from the blast sites in the aftermath of the sabotage or vessels or underwater unmanned vehicles that gained access to the blast sites;

(C) an assessment of the technical feasibility of a small group of divers conducting the Nord Stream sabotage using the rental boat “Andromeda” in the weather and sea conditions present at the time;

(D) an assessment of whether the Russian Federation's documented practice of recruiting or coercing Ukrainians or other third country nationals to conduct sabotage operations on land targets is applicable to a maritime context;

(E) an assessment of the fees and penalties for failure to honor gas delivery contracts that Gazprom or other Russian entities potentially faced due to the throttling of gas deliveries via the Nord Stream 1 pipeline in 2021;

(F) an assessment of the insurance implications for Nord Stream 1 and 2, as well as its insurers and Western financiers, depending on the identity of the perpetrator;

(G) a description of the law enforcement investigations by regional governments, the scope of their investigations, and their outcomes;

(H) an assessment of whether any Russian vessels documented in close proximity to the Nord Stream blast sites in the months leading up to or immediately after the incident, including those with undersea surveillance or warfare capabilities, were present at other suspected sabotage sites either before or after the incident in question; and

(I) any information on potential attribution received from allied or partner nation communications through diplomatic or intelligence channels.

(3) In February 2023, the reported damage to subsea communications infrastructure connecting the main island of Taiwan to the Matsui Islands in the Taiwan Strait.

(4) In October 2023, the reported damage to the Finland-to-Estonia Baltic connector natural gas pipeline, in addition to subsea communications infrastructure connecting Estonia and Sweden and Finland and Estonia.

(5) In November 2024, the reported damage to the Finland-to-Germany C-Lion1 subsea communications cable and the Lithuania-to-Sweden BCS subsea communications cable in the central Baltic Sea.

(6) In December 2024, the reported damage to the Finland-to-Estonia EstLink2 subsea electricity interconnection cable and nearby subsea communications cables in the Gulf of Finland.

(7) In January 2025, the reported damage to the Trans-Pacific Express subsea communications infrastructure connecting Taiwan to the United States, the Republic of Korea, and Japan.

(8) In February 2025, the reported damage to a subsea communications cable connecting the main island of Taiwan with the Penghu Islands in the Taiwan Strait.

(9) In January 2026, the reported damage to subsea communications cables from Latvia in the Central Baltic Sea connecting Liepaja and Svetoji.

(10) In January 2026, the reported damage to the Elisa cable connecting Finland and Estonia involving a vessel called the Fitburg.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SEC. 7. ENGAGING FOREIGN PARTNERS TO STRENGTHEN THE SECURITY OF CRITICAL UNDERSEA INFRASTRUCTURE.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) as international critical undersea infrastructure expands, there are increasing challenges to the proper installation, maintenance, repair, and protection of international subsea cables that have the potential to undermine United States and foreign partner national security interests;

(2) the United States is uniquely positioned to provide technical, material, and other forms of support to international partners to enhance the resilience of international critical undersea infrastructure;

(3) the United States Government should enhance its diplomatic efforts to work alongside trusted allies to help foreign governments improve efforts to quickly and effectively install, maintain, repair, and protect international critical undersea infrastructure; and

(4) given the importance of critical undersea infrastructure to United States and allied energy security and prosperity, adversaries are increasingly prioritizing capabilities designed to target United States and allied subsea energy infrastructure.

(b) COMMITMENT OF PERSONNEL AND RESOURCES.—The Secretary of State shall devote sufficient personnel and resources towards—

(1) engaging with foreign countries, in coordination with other relevant Federal agencies, to improve security and reduce barriers to the installation, monitoring, maintenance, and repair of critical undersea infrastructure; and

(2) working with allies and partners to improve response times to address critical undersea infrastructure sabotage, including, as appropriate, by improving the coordination of cable repair vessel deployments.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the next 5 years, the Secretary of State, in coordination with other relevant Federal agencies, shall submit to the appropriate congressional committees a report that outlines efforts by the United States Government in the prior calendar year to work with international allies and partners to strengthen the security of and reduce barriers to the monitoring, maintenance, repair, and protection of critical undersea infrastructure, including—

(1) a list of current foreign policies or laws that create barriers to United States-led efforts to install, maintain, repair, and protect critical undersea infrastructure; and

(2) progress made in the previous calendar year as a result of United States engagement with allies and partners.

**PART II—DEPARTMENT OF STATE CRITICAL UNDERSEA INFRASTRUCTURE EXPERTISE**

**SEC. 1. EXPANDING CRITICAL UNDERSEA INFRASTRUCTURE-RELATED EXPERTISE AT THE DEPARTMENT OF STATE.**

(a) IN GENERAL.—The Secretary of State shall assign not fewer than four full-time equivalent individuals, of which not fewer than two individuals shall be assigned to the

Bureau for Cyberspace and Digital Policy to cover subsea communications infrastructure, in order to support the Department of State's interagency engagement on matters related to critical undersea infrastructure, including—

(1) critical undersea infrastructure protection and resilience;

(2) coordination with United States allies and partners; and

(3) United States engagement in international bodies that cover critical undersea infrastructure.

(b) ASSIGNMENT.—The Bureau for Cyberspace and Digital Policy may not dual-hat currently employed personnel in meeting the minimum hiring requirement outlined in subsection (a).

(c) NOTIFICATION.—Not later than 15 days after fulfilling the hiring requirement in subsection (a), the Secretary of State shall notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(d) INTERNATIONAL COOPERATION ON CRITICAL UNDERSEA INFRASTRUCTURE SABOTAGE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on how the United States Government plans to prioritize diplomatic engagement within relevant international bodies to spur increased information sharing between allied and partner governments and relevant private sector companies regarding threats to, and the sabotage of, critical undersea infrastructure.

**PART III—SUBSEA COMMUNICATIONS INFRASTRUCTURE COORDINATION, CONSTRUCTION, AND REPAIR**

**SEC. 1. IMPROVING UNITED STATES GOVERNMENT COORDINATION OF SUBSEA COMMUNICATIONS INFRASTRUCTURE.**

(a) FINDINGS.—Congress makes the following findings:

(1) According to a December 2024 United States Federal Government white paper, “There currently exists no forum in which the full scope of the [subsea] cable industry can effectively collaborate with the U.S. government to identify and address shared challenges.”

(2) United States Federal Government responsibilities for the protection of subsea communications infrastructure, damage reporting, information and intelligence sharing, and emergency response are overseen by various government actors through a multitude of mechanisms spanning several Federal departments and agencies.

(3) In order for the subsea cable industry to align with United States economic and security interests and help industry prepare security risk mitigation measures, the United States Government must provide the industry a clearer concept of operations, assessed risks to cable supply chain and infrastructure, enhanced and standardized security measures, defined lines of effort in cases of emergency, and definitive cost analysis.

(b) ESTABLISHMENT.—Not later than one year after the date of the enactment of this Act, the President shall establish an interagency committee (referred to in this subtitle as the “interagency committee”) comprised of the heads of the appropriate Federal agencies, or their designees, to lead United States Government efforts to—

(1) protect and improve the resilience of subsea communications infrastructure;

(2) effectively collaborate with non-Federal entities, including relevant members of the subsea cable industry, to identify and address shared challenges to subsea communications infrastructure security and resilience;

(3) coordinate United States Government policies to improve subsea communications infrastructure security and resilience; and

(4) address other matters related to subsea communications infrastructure deemed appropriate and necessary by the President.

(c) COORDINATION.—The President shall direct the interagency committee to conduct an overview of the United States Federal Government's operational authorities for subsea communications infrastructure security and resilience. The overview shall include an interagency concept of operations for partnering with non-Federal entities, including subsea communications infrastructure owners and operators, to secure and repair subsea communications infrastructure systems in a variety of crisis scenarios; and

(d) ANALYSIS OF SUBSEA COMMUNICATIONS INFRASTRUCTURE SABOTAGE.—

(1) IN GENERAL.—The President shall direct the heads of the appropriate Federal agencies to develop strategies to coordinate closely within the interagency process and with subsea communications infrastructure industry stakeholders to review sabotage and other threats to subsea communications infrastructure, including by leveraging analysis from industry-wide data, to—

(A) identify trends;

(B) refine attributions, particularly in cases of subsea communications infrastructure sabotage;

(C) identify high-risk geographic areas for subsea communications infrastructure construction;

(D) identify Federal Government functions and private sector engagement methods to support the security of subsea communications infrastructure; and

(E) inform future risk mitigation efforts to reduce damage to subsea communications infrastructure.

(2) STRATEGY ELEMENTS.—The strategies required under paragraph (1) shall include—

(A) resourcing requirements;

(B) coordination with United States allies and partners and relevant subsea communications infrastructure industry stakeholders; and

(C) the necessary technical expertise to make attributions for subsea communications infrastructure sabotage.

(e) REPORT.—Not later than 30 days after establishing the required interagency committee under subsection (b), the President shall submit to Congress a report that includes the following elements:

(1) Any resources required to sufficiently staff the interagency committee and United States Federal agencies overseeing the objectives outlined in subsection (b).

(2) A detailed plan for how the interagency committee will advance the objectives outlined in subsection (b).

**SEC. 2. STRENGTHENING INFORMATION SHARING BETWEEN UNITED STATES GOVERNMENT AND PRIVATE SECTOR ACTORS ON SUBSEA COMMUNICATIONS INFRASTRUCTURE.**

(a) PUBLIC-PRIVATE SECTOR INFORMATION SHARING.—Consistent with the necessary protections of classified information, the sourcing of relevant intelligence material, and privacy and civil liberties, all appropriate Federal agencies shall, with the approval of the interagency committee and in direct coordination with the Office of the Director of National Intelligence, including, as appropriate, with intelligence sharing partnerships with trusted allies, in support of the installation, maintenance, repair, and protection of subsea communications infrastructure, issue procedures to establish and promote—

(1) the timely sharing of classified information regarding subsea communications infrastructure sabotage, any indications of potential sabotage, and other threats to subsea

communications infrastructure held by members of the interagency committee with non-Federal entities that possess the necessary security clearances;

(2) the timely sharing between the interagency committee and non-Federal entities of information related to subsea communications infrastructure sabotage, information relating to indications of potential sabotage, or authorized uses under this subtitle, in the possession of the interagency committee that may be declassified and shared at an unclassified level;

(3) the timely sharing by the interagency committee to non-Federal entities, and the voluntary, cooperative sharing by non-Federal entities to the interagency committee, of unclassified, including controlled unclassified, information regarding subsea communications infrastructure sabotage, indications of potential sabotage, and other threats to subsea communications infrastructure;

(4) the timely sharing by the interagency committee to non-Federal entities, and the voluntary cooperative sharing by non-Federal entities to the interagency committee, when and if appropriate, of information relating to indications of potential subsea communications infrastructure sabotage or authorized uses under this title, held by the interagency committee or non-Federal entities about subsea communications infrastructure sabotage, in order to prevent or mitigate any potential adverse effects from such sabotage; and

(5) the timely release of funds to meet cost, schedule, and performance metrics.

(b) **DEVELOPMENT OF PROCEDURES.**—The procedures developed in accordance with this section shall—

(1) ensure the interagency committee has and maintains the capacity to identify and inform subsea communications infrastructure sabotage and indications of potential subsea communications infrastructure sabotage in real time to the appropriate Federal agencies or non-Federal entities consistent with the protection of classified information;

(2) incorporate, whenever possible, existing processes, roles, and responsibilities of members of the interagency committee and non-Federal entities for information sharing, including subsea communications infrastructure-specific information sharing and analysis entities; and

(3) require members of the interagency committee and other appropriate Federal agencies which are sharing subsea communications infrastructure sabotage indicators or defensive measures to employ any applicable security controls to defend against unauthorized access to or acquisition of such information.

(c) **SUBMITTAL TO CONGRESS.**—The Director of National Intelligence, in consultation with the members of the interagency committee, shall—

(1) not later than 180 days after the date of the enactment of this Act, submit to Congress the procedures required under subsection (b); and

(2) not later than one year after submitting such procedures, and annually thereafter for 5 years, submit to Congress a report on the implementation and execution of information sharing with private sector actors in the previous year pursuant to subsection (a).

**SA 5936.** Mr. WYDEN (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . STOP FOREIGN SPYWARE ACT.**

(a) **SHORT TITLE.**—This section may be cited as the “Stop Foreign Spyware Act”.

(b) **AMENDMENTS.**—Section 1030 of title 18, United States Code, is amended—

(1) by striking “(g) Any” and inserting the following:

“(g)(1) **IN GENERAL.**—Any”; and

(2) by inserting after subsection (g)(1), as so redesignated by paragraph (1), the following:

“(2) **FOREIGN PERSONS USING SPYWARE.**—

“(A) **DEFINITIONS.**—In this paragraph:

“(i) **COMMERCIAL SPYWARE.**—The term ‘commercial spyware’ means spyware that is furnished for commercial purposes.

“(ii) **FOREIGN PERSON.**—The term ‘foreign person’ means a non-United States person (as defined in section 2523) located outside the United States; and

“(iii) **SPYWARE.**—The term ‘spyware’ has the meaning given that term in section 1102A(a)(5) of the National Security Act of 1947 (50 U.S.C. 3232a(a)(5)), including the end-to-end systems described in subparagraphs (A) through (D) of that section.

“(B) **VENUE.**—A civil action described in paragraph (1) against a foreign person and in which the alleged violations occurred via the use of commercial spyware, may be instituted in the district court of the United States for any district where—

“(i) any plaintiff resides;

“(ii) any defendant resides, is subject to service, or has an agent; or

“(iii) a person or entity resides, has its principal place of business, or has its place of incorporation (as applicable), if the access or use of such person or entity’s hardware, software, servers, or services gave rise to the alleged violation of this section.

“(C) **CONVENIENCE OF THE FORUM.**—The district court shall not dismiss a civil action described in subparagraph (B) on the grounds of the inconvenience or inappropriateness of the forum chosen.

“(D) **CONSENT TO PERSONAL JURISDICTION.**—For a civil action described in subparagraph (B), a foreign person defendant shall be deemed to have consented to personal jurisdiction in such civil action if the defendant—

“(i) carried out, enabled, or directed the use of commercial spyware that accesses or uses any person or entity’s hardware, software, servers, or services, where such person or entity resides, has its principal place of business, or has its place of incorporation (as applicable), or such hardware, software, servers, or services are located, in the United States; or

“(ii) developed, furnished, sold, licensed, approved the sale or license of, or has an ownership stake in, commercial spyware that accesses or uses any person or entity’s hardware, software, servers, or services, where such person or entity resides, has its principal place of business, or has its place of incorporation (as applicable), or such hardware, software, servers, or services are located, in the United States.

“(E) **RULE OF CONSTRUCTION.**—This paragraph shall be liberally construed to carry out the purpose of Congress to provide relief for persons targeted by foreign commercial spyware, consistent with the United States’ national security and foreign policy interests in countering the counterintelligence threats posed by foreign commercial spyware.”.

(c) **APPLICABILITY.**—This section, and the amendments made by this section, shall apply to any pending case or any cause of action arising on or after the date that is 4 years before the date of enactment of this Act.

**SA 5937.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. EXEMPTION FROM IMMIGRANT VISA LIMIT.**

Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

“(F) Aliens who—

“(i) are eligible for a visa under paragraph (1) or (3) of section 203(a); and

“(ii) have a parent (regardless of whether the parent is living or dead) who was naturalized pursuant to—

“(I) section 405 of the Immigration Act of 1990 (Public Law 101-649; 8 U.S.C. 1440 note); or

“(II) title III of the Act of October 14, 1940 (54 Stat. 1137, chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182, chapter 199).”.

**SA 5938.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 529E. EXCLUSION OF MEMBERS OF ARMED FORCES FROM ASSIGNMENTS ON THE BASIS OF GENDER: PROHIBITION.**

(a) **PROHIBITION ON EXCLUSION.**—

“**§ 652. Exclusion from assignments on the basis of gender**

“(a) **PROHIBITION OF EXCLUSION.**—A member of the Army, Navy, Marine Corps, Air Force, or Space Force may not be excluded from an occupational specialty, career field, or assignment on the basis of gender.

“(b) **ANNUAL REPORT.**—The Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives an annual report that shall include, with respect to the year preceding the date of the report, the following elements:

“(1) A description of any changes to any occupational standards (including any physical requirements), including a description of how such new standard accurately predicts performance of actual, regular, and recurring duties of a military occupation.

“(2) The number of service members, by military occupational specialty and gender, who were involuntarily reclassified or separated (other than for criminal or disciplinary reasons), including the reason for such reclassifications or separations.”.

(b) **CONFORMING AMENDMENT.**—Section 8225 of title 10, United States Code, is repealed.

**SA 5939.** Mr. PETERS (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**TITLE \_\_\_\_\_ SATELLITE CYBERSECURITY SEC. \_\_\_\_\_ 1. DEFINITIONS.**

In this title:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Energy and Commerce, the Committee on Space, Science, and Technology, and the Committee on Homeland Security of the House of Representatives.

(2) **CLEARINGHOUSE.**—The term “clearinghouse” means the commercial satellite system cybersecurity clearinghouse required to be developed and maintained under section 3(b)(1).

(3) **COMMERCIAL SATELLITE SYSTEM.**—The term “commercial satellite system”—

(A) means a system that—

(i) is owned or operated by a non-Federal entity that holds a license issued by the United States for business operations; and

(ii) is composed of not less than 1 earth satellite; and

(B) includes—

(i) any ground support infrastructure for each satellite in the system; and

(ii) any transmission link among and between any satellite in the system and any ground support infrastructure in the system.

(4) **CRITICAL INFRASTRUCTURE.**—The term “critical infrastructure” has the meaning given the term in subsection (e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e)).

(5) **CYBERSECURITY RISK; CYBERSECURITY THREAT.**—The terms “cybersecurity risk” and “cybersecurity threat” have the meanings given those terms in section 2200 of the Homeland Security Act of 2002 (6 U.S.C. 650).

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

**SEC. \_\_\_\_\_ 2. REPORT ON COMMERCIAL SATELLITE CYBERSECURITY.**

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on the actions the Federal Government has taken to support the cybersecurity of commercial satellite systems, including as part of any action to address the cybersecurity of critical infrastructure sectors.

(b) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report on the study conducted under subsection (a), which—

(1) shall include—

(A) information on efforts of the Federal Government, and the effectiveness of those efforts, to—

(i) address or improve the cybersecurity of commercial satellite systems; and

(ii) support related efforts with international entities or the private sector;

(B) information on the resources made available to the public by Federal agencies

to address cybersecurity risks and threats to commercial satellite systems, including resources made available through the clearinghouse;

(C) information on the extent to which commercial satellite systems are reliant on, or relied on by, critical infrastructure;

(D) an analysis of how commercial satellite systems and the threats to those systems are integrated into critical infrastructure risk analyses and protection plans;

(E) information on the extent to which Federal agencies are reliant on commercial satellite systems and how Federal agencies mitigate cybersecurity risks associated with those systems;

(F) information on the extent to which Federal agencies are reliant on commercial satellite systems that are owned wholly or in part or controlled by foreign entities, or that have infrastructure in foreign countries, and how Federal agencies mitigate associated cybersecurity risks;

(G) information on the extent to which Federal agencies coordinate or duplicate authorities and take other actions focused on the cybersecurity of commercial satellite systems; and

(H) as determined appropriate by the Comptroller General of the United States, recommendations to support the cybersecurity of commercial satellite systems, including recommendations on information that should be shared through the clearinghouse; and

(2) shall not include recommendations described in paragraph (1)(H) for new or changing authorities or regulations for Federal agencies.

(c) **CONSULTATION.**—In carrying out subsections (a) and (b), the Comptroller General of the United States shall coordinate with appropriate Federal agencies and organizations, including—

(1) the Department of Commerce;

(2) the Office of the National Cyber Director;

(3) the Department of Homeland Security;

(4) the Department of Defense;

(5) the Department of Transportation;

(6) the Federal Communications Commission;

(7) the National Aeronautics and Space Administration;

(8) the National Executive Committee for Space-Based Positioning, Navigation, and Timing;

(9) the National Space Council;

(10) the Office of Science and Technology Policy;

(11) the Department of Justice; and

(12) the Committee for the Assessment of Foreign Participation in the United States Telecommunications Services Sector.

(d) **BRIEFING.**—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall provide to the appropriate congressional committees a briefing on the study conducted under subsection (a).

(e) **CLASSIFICATION.**—The report submitted under subsection (b) shall be unclassified but may include a classified annex.

**SEC. \_\_\_\_\_ 3. RESPONSIBILITIES OF THE DEPARTMENT OF COMMERCE.**

(a) **DEFINITION.**—In this section, the term “small business concern” has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) **ESTABLISHMENT OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY CLEARINGHOUSE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Secretary of Homeland Security, shall develop and maintain a commercial satellite system cybersecurity clearinghouse for the purpose

of serving as a repository for publicly available resources, guidance, frameworks, voluntary recommendations, and tools.

(2) **REQUIREMENTS.**—The clearinghouse—

(A) shall be publicly available online;

(B) shall contain publicly available commercial satellite system cybersecurity resources, including the voluntary recommendations consolidated under subsection (c)(1);

(C) shall contain appropriate materials for reference by entities that develop, operate, or maintain commercial satellite systems;

(D) shall contain materials specifically aimed at assisting small business concerns with the secure development, operation, and maintenance of commercial satellite systems;

(E) may contain controlled unclassified information distributed to commercial entities through a process determined appropriate by the Secretary; and

(F) may not contain sensitive security or proprietary information in the absence of the establishment and use of a gateway to limit access to approved users, as determined by the Secretary.

(3) **CONTENT MAINTENANCE.**—The Secretary shall maintain current and relevant cybersecurity information on the clearinghouse.

(4) **EXISTING PLATFORM OR WEBSITE.**—To the extent practicable, the Secretary shall establish and maintain the clearinghouse using an online platform, a website, or a capability in existence as of the date of enactment of this Act.

(c) **CONSOLIDATION OF COMMERCIAL SATELLITE SYSTEM CYBERSECURITY RECOMMENDATIONS.**—

(1) **IN GENERAL.**—The Secretary, in coordination with the Secretary of Homeland Security, shall consolidate voluntary cybersecurity recommendations designed to assist in the development, maintenance, and operation of commercial satellite systems.

(2) **REQUIREMENTS.**—The recommendations consolidated under paragraph (1) shall include materials appropriate for a public resource addressing, to the greatest extent practicable, the following:

(A) Risk-based, cybersecurity-informed engineering, including continuous monitoring and resiliency.

(B) Planning for retention or recovery of positive control of commercial satellite systems in the event of a cybersecurity incident.

(C) Protection against unauthorized access to vital commercial satellite system functions.

(D) Physical protection measures designed to reduce the vulnerabilities of a commercial satellite system’s command, control, and telemetry receiver systems.

(E) Protection against jamming, eavesdropping, hijacking, computer network exploitation, spoofing, threats to optical satellite communications, and electromagnetic pulse.

(F) Security against threats throughout a commercial satellite system’s mission lifetime.

(G) Management of supply chain risks that affect the cybersecurity of commercial satellite systems.

(H) Protection against vulnerabilities posed by ownership of commercial satellite systems or commercial satellite system companies by foreign entities.

(I) Protection against vulnerabilities posed by locating physical infrastructure, such as satellite ground control systems, in foreign countries.

(J) As appropriate, and as applicable pursuant to the maintenance requirement under subsection (b)(3), relevant findings and recommendations from the study conducted by

the Comptroller General of the United States under section \_\_\_\_ 2(a).

(K) Any other recommendations to ensure the confidentiality, availability, and integrity of data residing on or in transit through commercial satellite systems only for the purpose described in subsection (b)(1).

(d) IMPLEMENTATION.—In implementing this section, the Secretary shall—

(1) to the extent practicable, carry out the implementation in partnership with the private sector;

(2) coordinate with—

(A) the Secretary of Homeland Security, the Office of the National Cyber Director, the National Space Council, the Director of the National Institute of Standards and Technology, and the head of any other agency with expertise relating to cybersecurity or satellite communications determined appropriate by the Secretary; and

(B) the heads of appropriate Federal agencies with expertise and experience in satellite operations, including the entities described in section \_\_\_\_ 2(c), to enable the alignment of Federal efforts on commercial satellite system cybersecurity and, to the extent practicable, consistency in Federal recommendations relating to commercial satellite system cybersecurity; and

(3) consult with non-Federal entities developing commercial satellite systems or otherwise supporting the cybersecurity of commercial satellite systems, including private, consensus organizations that develop relevant standards.

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter until the date that is 9 years after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report summarizing—

(1) the general status of any partnership with the private sector described in subsection (d)(1);

(2) the results of each consultation with a non-Federal entity described in subsection (d)(3);

(3) the coordination carried out pursuant to subsection (d)(2);

(4) the establishment and maintenance of the clearinghouse pursuant to subsection (b);

(5) the recommendations consolidated pursuant to subsection (c)(1); and

(6) general feedback received by the Secretary on the clearinghouse from non-Federal entities, including overall trends and any proposed changes to the clearinghouse as a result of the feedback.

#### SEC. \_\_\_\_ 4. STRATEGY.

Not later than 120 days after the date of the enactment of this Act, the Secretary, jointly with the National Space Council and the Office of the National Cyber Director, in coordination with the Secretary of Homeland Security, the Director of the Office of Space Commerce, the Director of the Office of Science and Technology Policy, and the heads of other relevant agencies, shall submit to the appropriate congressional committees a strategy to support coordination, information sharing, and voluntary best practices among Federal agencies and private sector stakeholders relating to the cybersecurity of commercial satellite systems, which shall include an identification of—

(1) proposed coordination roles among relevant agencies; and

(2) as applicable, the extent to which cybersecurity threats to commercial satellite systems are addressed in—

(A) critical infrastructure risk analyses and protection plans; and

(B) activities relating to commercial satellite systems.

#### SEC. \_\_\_\_ 5. RULES OF CONSTRUCTION.

Nothing in this title may be construed to—

(1) designate commercial satellite systems or other space assets as a critical infrastructure sector;

(2) infringe upon or alter the authorities of the agencies described in section \_\_\_\_ 2(c);

(3) authorize the development or implementation of any rulemaking or regulatory requirement, including by way of enforcement action or condition on any license or permit for a commercial satellite system; or

(4) modify or expand existing authorities of the Committee on Foreign Investment in the United States or the Committee for the Assessment of Foreign Participation in the United States Telecommunications Service Sector.

**SA 5940.** Mr. PETERS (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1094. AUTHORITY WITH RESPECT TO UNMANNED AIRCRAFT SYSTEM IDENTIFICATION AND DETECTION.

(a) IN GENERAL.—Subchapter III of chapter 201 of title 51, United States Code, is amended by adding at the end the following:

#### “§ 20150. Detecting, identifying, monitoring, and tracking unmanned aircraft systems and unmanned aircraft that threaten certain facilities and assets

“(a) DEFINITIONS.—In this section:

“(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ‘appropriate committees of Congress’ means—

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

“(B) the Committee on Transportation and Infrastructure and the Committee on Science, Space, and Technology of the House of Representatives.

“(2) COVERED FACILITY OR ASSET.—The term ‘covered facility or asset’ means a facility or asset of the Administration that—

“(A) is a NASA center; or

“(B) is located within the property of the National Aeronautics and Space Administration.

“(3) ELECTRONIC COMMUNICATION; INTERCEPT; ORAL COMMUNICATION; WIRE COMMUNICATION.—The terms ‘electronic communication’, ‘intercept’, ‘oral communication’, and ‘wire communication’ have the meanings given those terms in section 2510 of title 18.

“(4) INTELLIGENCE COMMUNITY.—The term ‘intelligence community’ has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(5) PERSONNEL.—

“(A) IN GENERAL.—The term ‘personnel’ means an officer, employee, or contractor of the Administration authorized to perform duties that include safety, security, or protection of people, facilities, or assets.

“(B) USE OF AUTHORITY.—To qualify for use of the authority under subsection (b), a contractor conducting operations under such subsection shall satisfy the following:

“(i) Be directly contracted by the Administration.

“(ii) Be assigned to law enforcement duties within the Office of Protective Services of the Administration.

“(iii) Operate at a Government-owned or Government-leased facility.

“(iv) Not conduct inherently governmental functions.

“(v) Be trained and certified by the Administration to meet the established guidance and regulations of the Administration.

“(vi) Be subject to the penalties specified in section 799 of title 18.

“(6) UNMANNED AIRCRAFT; UNMANNED AIRCRAFT SYSTEM.—The terms ‘unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 44801 of title 49.

“(b) AUTHORITY.—Notwithstanding sections 1030 and 1367 and chapters 119 and 206 of title 18, the Administrator may take, and may authorize personnel with assigned duties that include the security or protection of people, facilities, or assets to take, the actions described in subsection (c) that are necessary to detect, identify, monitor, and track an unmanned aircraft system or unmanned aircraft that poses a credible threat (as defined by the Administrator, in consultation with the Secretary of Transportation) to the safety or security of a covered facility or asset.

“(c) ACTIONS DESCRIBED.—The actions described in this subsection are limited to such actions to detect, identify, monitor, or track the unmanned aircraft systems or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

“(d) REQUIRED COORDINATION.—The Administrator shall develop the actions described in subsection (c) in coordination with the Administrator of the Federal Aviation Administration.

“(e) TRAINING OF PERSONNEL.—The Administrator, in coordination with the Administrator of the Federal Aviation Administration, shall provide training on the actions described in subsection (c) to personnel authorized to take such actions.

“(f) AVIATION SAFETY.—In carrying out any activity under this section, the Administrator shall coordinate with the Administrator of the Federal Aviation Administration in the case of any action authorized under this section that might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of the airspace.

“(g) IDENTIFICATION AND ASSESSMENT OF COVERED FACILITIES OR ASSETS.—

“(1) INVENTORY.—The Administrator shall identify each covered facility or asset.

“(2) RISK-BASED ASSESSMENT.—The Administrator, in coordination with the Administrator of the Federal Aviation Administration, shall conduct a risk-based assessment of each covered facility or asset identified with respect to the risk that a credible threat by an unmanned aircraft system or unmanned aircraft poses to the operation of each such covered facility or asset, that includes an evaluation of the following:

“(A) Threat information specific to each such covered facility or asset.

“(B) Each of the following factors, with respect to potential impacts on the safety and efficiency of the national airspace system and law enforcement and national security needs while carrying out the actions described in subsection (c):

“(i) Potential effects to safety, efficiency, or use of the national airspace system, including potential effects on a manned aircraft, an unmanned aircraft system or unmanned aircraft, aviation safety, airport operations, infrastructure, or air navigation services related to the use of any system or technology for carrying out the actions described in subsection (c).

“(ii) Options for minimizing any identified effect to the national airspace system related to the use of any system or technology, including minimizing any effect to civil aviation or air traffic control systems, for carrying out the actions described in subsection (c).

“(iii) Potential consequences of the impacts of any actions described in subsection (c) to the national airspace system or infrastructure if not detected, identified, monitored, or tracked.

“(iv) The ability to provide reasonable advance notice to aircraft operators consistent with the safety of the national airspace system and the needs of law enforcement and national security.

“(v) The setting and character of the covered facility or asset at issue, including the following:

“(I) Whether the covered facility or asset is located in a populated area or near other structures.

“(II) Whether the covered facility or asset is open to the public.

“(III) Whether the covered facility or asset is used for nongovernmental functions.

“(IV) Any potential for interference with wireless communications or for injury or damage to persons or property.

“(vi) Potential consequences to national security, public safety, or law enforcement if a credible threat posed by an unmanned aircraft system or unmanned aircraft to the covered facility or asset at issue is not detected, identified, monitored, or tracked.

“(C) DISTRIBUTION.—Not later than 180 days after the date of the enactment of this section, and annually thereafter, the Administrator shall distribute to each relevant department or agency (including the Department of Transportation) and the appropriate committees of Congress, through appropriate means, a list of facilities and assets identified as covered facilities or assets.

“(h) TECHNOLOGIES.—Technologies used by the Administration to take actions described in subsection (c) shall be limited to systems or technologies that are included on a list of authorized technologies maintained jointly by the Department of Justice, the Department of Homeland Security, the Department of Defense, the Department of Transportation, the Federal Communications Commission, the National Aeronautics and Space Administration, and the National Telecommunications and Information Administration.

“(i) GUIDANCE AND PROCEDURES.—The Administrator and the Administrator of the Federal Aviation Administration—

“(1) shall issue guidance, and may prescribe appropriate procedures as necessary, for the Administrator to carry out this section; and

“(2) in developing such guidance and procedures, shall consult the Chairman of the Federal Communications Commission, the Assistant Secretary of Commerce for Communications and Information, the Secretary of Transportation, and the head of any other agency determined appropriate by the Administrator.

“(j) COORDINATION.—

“(1) COORDINATION WITH FEDERAL AVIATION ADMINISTRATION.—With respect to the development of guidance under subsection (i), the Administrator—

“(A) shall coordinate with the Administrator of the Federal Aviation Administration; and

“(B) may coordinate with the heads of other agencies, as determined relevant by the Administrator.

“(2) EFFECT ON AVIATION SAFETY.—The Administrator shall coordinate with the Secretary of Transportation and the Administrator of the Federal Aviation Administra-

tion before issuing any guidance or otherwise implementing this section, if such guidance or implementation might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of airspace.

“(k) PRIVACY PROTECTION.—The guidance or procedures issued to carry out an action described in subsection (c) by the Administrator shall ensure the following:

“(1) The interception or acquisition of, access to, or maintenance or use of, any communication to or from an unmanned aircraft system or unmanned aircraft under this section is conducted in a manner consistent with the First and Fourth Amendments to the Constitution of the United States and any applicable provisions of Federal law.

“(2) Any communication to or from an unmanned aircraft system or an unmanned aircraft is intercepted or acquired only to the extent necessary to support an action described in subsection (c).

“(3) Any record of such communication is maintained only for as long as necessary, and in no event for more than 180 days, unless the Administrator, in consultation with the Attorney General, determines that maintenance of such records is necessary to investigate or prosecute a violation of law or to directly support an ongoing security operation.

“(4) Such communications are not disclosed to any person not employed or contracted by the Administration for the purposes of carrying out this section unless the disclosure—

“(A) is necessary to investigate or prosecute a violation of law, including by the Department of Defense or a Federal law enforcement agency;

“(B) would support the enforcement activities of a regulatory agency of the Federal Government in connection with a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to, an action described in subsection (c); or

“(C) is otherwise required by law.

“(1) SEMIANNUAL BRIEFINGS AND NOTIFICATIONS.—

“(1) IN GENERAL.—On a semiannual basis beginning 6 months after the date of the enactment of this section, the Administrator shall provide a briefing to the appropriate committees of Congress on the activities carried out pursuant to this section.

“(2) CONTENT.—Each briefing required under paragraph (1) shall include the following:

“(A) Information relating to policies, programs, and procedures to minimize or eliminate impacts of the actions carried out pursuant to subsection (c) to the national airspace system.

“(B) A description of the following:

“(i) Each instance that an action described in subsection (c) was taken, including any such instance that may have resulted in harm, damage, or loss to a person or to private property.

“(ii) The guidance, policies, or procedures established by the Administrator to address privacy, civil rights, and civil liberties issues implicated by the actions permitted under subsection (c), as well as any changes or subsequent efforts by the Administrator that would significantly affect privacy, civil rights, or civil liberties.

“(iii) Options considered and steps taken by the Administrator to minimize any identified impacts to the national airspace system related to the use of any system or technology, including minimizing any effects to civil aviation or air traffic control systems, for carrying out the actions described in subsection (c).

“(iv) Such consultation conducted by the Administrator with other agencies with respect to each action described under clauses (ii) and (iii).

“(v) Each instance in which a communication intercepted or acquired as a result of an action described in subsection (c) taken during operations of an unmanned aircraft system or unmanned aircraft was—

“(I) held in the possession of the Administrator for more than 180 days; or

“(II) shared with any entity other than the Administration.

“(C) An explanation of how the Administrator—

“(i) informed the public with respect to the possible use of authorities granted under this section; and

“(ii) engaged with Federal, State, local, Tribal, and territorial law enforcement agencies to implement and use such authorities.

“(D) An assessment of whether any gaps or insufficiencies in laws, regulations, or policies impede the ability of the Administration to detect, identify, monitor, or track the credible threat posed by malicious, inappropriate, or unauthorized use of an unmanned aircraft system or unmanned aircraft to the safety or security of a covered facility or asset.

“(E) Recommendations to remedy any such gaps or insufficiencies, including recommendations relating to the potential need for changes in laws, regulations, or policies, as appropriate.

“(3) UNCLASSIFIED FORM.—Each briefing required under paragraph (1) shall be unclassified but may be accompanied by an additional classified briefing.

“(m) SCOPE OF AUTHORITY.—This section may not be interpreted to provide the Administrator with any additional authority other than the authorities described in subsections (b) and (g).

“(n) TERMINATION.—This section shall cease to have effect on September 30, 2031.

“(o) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

“(1) to vest in the Administrator any authority of the head of any other Federal agency;

“(2) to vest in the head of any other Federal agency any authority of the Administrator; or

“(3) to modify the spectrum management authorities of the Assistant Secretary of Commerce for Communications and Information under the National Telecommunications and Information Administration Organization Act (47 U.S.C. 901 et seq.).”

(b) CLERICAL AMENDMENT.—The table of contents for chapter 201 of title 51, United States Code, is amended by inserting after the item relating to section 20149 the following new item:

“20150. Detecting, identifying, monitoring, and tracking unmanned aircraft systems and unmanned aircraft that threaten certain facilities and assets.”

**SA 5941.** Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. COMMERCIAL SPACE ACTIVITY ADVISORY COMMITTEE.**

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish a Commercial Space Activity Advisory Committee (in this section referred to as the “Committee”).

**(b) MEMBERSHIP.**—

(1) **IN GENERAL.**—The Committee shall be composed of 15 members appointed by the Secretary.

**(2) QUALIFICATIONS.**—

(A) **IN GENERAL.**—The Committee shall be composed of representatives from a variety of space policy, engineering, technical, science, legal, academic, and finance fields who have significant experience in the commercial space industry, which may include previous Government experience.

**(B) LIMITATION.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), the Secretary may not appoint as a member of the Committee any employee or official of the Federal Government.

(ii) **EXCEPTION.**—The Secretary may appoint as a member of the Committee a special government employee (as defined in section 202(a) of title 18, United States Code) who serves on 1 or more other Federal advisory committees.

(3) **TERM.**—Each individual appointed as a member of the Committee—

(A) shall be appointed for a term of not more than 4 years; and

(B) during the 2-year period beginning on the date on which such term ends, may not serve as a member of the Committee.

(c) **DUTIES.**—The duties of the Committee shall be—

(1) to advise on the status and recent developments of nongovernmental space activities;

(2) to provide to the Secretary and Congress recommendations on the manner in which the United States may facilitate and promote a safe, sustainable, robust, competitive, and innovative commercial sector that is investing in, developing, and conducting space activities within the jurisdiction of the Department of Commerce, including through the development and implementation of any regulatory framework applicable to the commercial space industry;

(3) to identify, and provide recommendations in response to, any challenge faced by the United States commercial sector relating to—

(A) the application of international obligations of the United States relevant to commercial space sector activities in outer space;

(B) export controls that affect the commercial space sector;

(C) harmful interference with commercial space sector activities in outer space; and

(D) access to adequate, predictable, and reliable radio frequency spectrum;

(4) to review existing best practices for United States entities to avoid—

(A) the harmful contamination of the Moon and other celestial bodies; and

(B) adverse changes in the environment of the Earth resulting from the introduction of extraterrestrial matter; and

(5) to provide information, advice, and recommendations on matters relating to—

(A) United States commercial space sector activities in outer space; and

(B) other commercial space sector activities, as the Committee considers necessary.

(d) **TERMINATION.**—The Committee shall terminate on the date that is 10 years after the date on which the Committee is established.

**(e) DEFINITIONS.**—In this Act:

(1) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce, acting through the Office of Space Commerce.

(2) **STATE.**—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other commonwealth, territory, or possession of the United States.

(3) **UNITED STATES ENTITY.**—The term “United States entity” means—

(A) an individual who is a national of the United States (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))); and

(B) a nongovernmental entity organized or existing under, and subject to, the laws of the United States or a State.

**SA 5942.** Mr. WARNOCK (for himself and Mr. MARSHALL) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 6. PILOT PROGRAM TO PROVIDE COUPONS TO JUNIOR ENLISTED MEMBERS TO PURCHASE FOOD AT COMMISSARIES.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) members of the Armed Forces and their families deserve access to affordable and healthy food options, including during their duty day;

(2) there has been increased awareness about the challenges members and their families face in accessing affordable and healthy food options;

(3) those challenges have been especially acute for unaccompanied junior enlisted members who live in government-provided quarters on military installations; and

(4) the Department of Defense should explore a variety of proposals for expanding the accessibility of healthy and affordable food options to members, especially members who live in unaccompanied housing on military installations.

**(b) PILOT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary of Defense may conduct a pilot program to assess the efficacy of providing junior enlisted members of the Armed Forces a monthly coupon for use in procuring food at commissaries.

**(2) SELECTION OF INSTALLATIONS.**—

(A) **IN GENERAL.**—The Secretary may conduct the pilot program authorized by paragraph (1) at 2 military installations.

(B) **CONSIDERATIONS.**—In selecting installations for the pilot program authorized by paragraph (1), the Secretary shall consider installations with—

(i) large numbers of enlisted members who live in unaccompanied housing;

(ii) the largest ratios of enlisted members to commissioned officers;

(iii) unaccompanied housing that provides access to functioning kitchens that residents may use to prepare meals;

(iv) commissaries that are experimenting with or expanding their selection of nutritious and minimally processed ready-made and easy-to-make food options;

(v) low rates of attendance at dining facilities;

(vi) low customer satisfaction ratings for dining facilities, including installations with complaints about dining facilities submitted

through the Interactive Customer Evaluation system of the Department of Defense; and

(vii) commissaries located within easily accessible distances from unaccompanied housing.

**(3) COUPONS.**—

(A) **AMOUNT.**—The Secretary may determine the amount of the coupons to be provided under the pilot program authorized by paragraph (1).

**(B) USE.**—

(i) **IN GENERAL.**—A coupon provided under the pilot program authorized by paragraph (1) may be used only to purchase food at commissaries.

(ii) **EXCLUSIONS.**—A coupon provided under the pilot program authorized by paragraph (1) may not be used—

(I) to purchase alcoholic beverages or tobacco; or

(II) to pay any deposit fee in excess of the amount of the State fee reimbursement (if any) required to purchase any food or food product contained in a returnable bottle or can, without regard to whether the fee is included in the shelf price posted for the food or food product.

(C) **SUPPLEMENT TO OTHER FOOD ASSISTANCE.**—A coupon provided to a member under the pilot program authorized by paragraph (1) shall be supplement and not supplant—

(i) the basic allowance for subsistence under section 402 of title 37, United States Code; and

(ii) any program to provide meals or rations in kind for which the member is eligible.

(4) **DURATION OF PILOT PROGRAM.**—The pilot program authorized by paragraph (1) shall terminate not later than one year after the pilot program commences.

**(5) REPORT REQUIRED.**—

(A) **IN GENERAL.**—Not later than 90 days after the termination under paragraph (4) of the pilot program authorized by paragraph (1), the Secretary of Defense shall submit to the congressional defense committees a report detailing the results of the pilot program.

(B) **ELEMENTS.**—The report required by subparagraph (A) shall include an assessment of the following:

(i) The use of coupons by members who received coupons under the pilot program.

(ii) The satisfaction of and feedback from such members relating to the coupons.

(iii) The impact of providing the coupons on—

(I) the rates at which such members used commissaries; and

(II) the rates at which such members used dining facilities on their installations.

(iv) Historical rates of use of dining facilities on installations and historical customer satisfaction metrics for such facilities, including the number of complaints with respect to such facilities submitted through the Interactive Customer Evaluation system of the Department of Defense.

**(v) The efficacy of the pilot program in—**

(I) reducing food insecurity rates among junior enlisted members;

(II) increasing the availability of nutritious food options for such members at commissaries; and

(III) increasing the availability of nutritious food options for such members generally, including such members living in unaccompanied housing.

**(c) DEFINITIONS.**—In this section:

(1) **COUPON.**—The term “coupon” means a voucher or monetary benefit for a member of the Armed Forces that may be used only at a commissary for the purchase of food.

(2) **FOOD.**—The term “food” means any food or food product intended for home consumption, including a ready-made food item.

**SA 5943.** Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_\_ . JUSTICE FOR UNITED STATES VICTIMS OF STATE SPONSORED TERRORISM.**

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

(1) by redesignating item (bb) as item (dd);  
(2) by inserting after item (aa) the following:

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

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

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

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

**SA 5944.** Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_ . ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF SERVICEMEMBERS.**

(a) COMMUNICATION IN CONNECTION WITH DEBT COLLECTION.—Section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c) is amended by adding at the end the following:

“(e) COMMUNICATIONS CONCERNING SERVICE-MEMBER DEBTS.—

“(1) DEFINITION.—In this subsection, the term ‘covered individual’ means—

“(A) a covered member or a dependent, as those terms are defined in section 987(i) of title 10, United States Code;

“(B) an individual who was separated, discharged, or released from duty described in subparagraph (A) or (B) of section 987(i)(1) of title 10, United States Code, but only during the 365-day period beginning on the date of separation, discharge, or release;

“(C) a dependent described in subparagraph (A), (D), (E), or (I) of section 1072(2) of title 10, United States Code, of an individual described in subparagraph (B); or

“(D) a member of the Selected Reserve of the Ready Reserve of the reserve components of the Armed Forces, as defined in section 10143 of title 10, United States Code.

“(2) PROHIBITIONS.—A debt collector may not, in connection with the collection of any debt of a covered individual—

“(A) threaten to have the covered individual reduced in rank;

“(B) threaten to have the covered individual’s security clearance revoked; or

“(C) threaten to have the covered individual prosecuted under chapter 47 of title 10, United States Code (commonly known as the ‘Uniform Code of Military Justice’).

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to restrict the ability of a debt collector to provide a covered individual with accurate and lawful information regarding any debt owed by the covered individual (including the amount of such a debt, the status of such a debt, or the consequences of nonpayment with respect to such a debt), if providing that information does not violate paragraph (2) or any other provision of this title.”.

(b) UNFAIR PRACTICES.—Section 808 of the Fair Debt Collection Practices Act (15 U.S.C. 1692f) is amended by adding at the end the following:

“(9) The representation to any covered individual (as defined in section 805(e)(1)) that failure to cooperate with a debt collector will result in—

“(A) a reduction in rank of the covered individual;

“(B) a revocation of the covered individual’s security clearance; or

“(C) prosecution under chapter 47 of title 10, United States Code (commonly known as the ‘Uniform Code of Military Justice’).”.

(c) GAO STUDY.—

(1) DEFINITION.—In this subsection, the term “covered individual” has the meaning given the term in subsection (e) of section 805 of the Fair Debt Collection Practices Act (15 U.S.C. 1692c), as added by this section.

(2) REQUIREMENT.—The Comptroller General of the United States shall conduct a study and submit a report to Congress on the impact of this section, and the amendments made by this section, on—

(A) the timely delivery of information to a covered individual;

(B) military readiness; and

(C) national security, including the extent to which covered individuals with security clearances would be impacted by uncollected debt.

**SA 5945.** Mr. ARMSTRONG submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION E—AMERICAN ENERGY AND MINERAL INFRASTRUCTURE**

**SEC. 4801. SHORT TITLE.**

This division may be cited as the “American Energy and Mineral Infrastructure Act of 2026”.

**SEC. 4802. PROMOTING INTERAGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES.**

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) ENVIRONMENTAL REVIEW.—The term “environmental review” means the process of preparing, for a proposed agency action in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

(A) an environmental impact statement;

(B) an environmental assessment;

(C) a categorical exclusion; and

(D) a finding of no significant impact.

(3) FEDERAL AUTHORIZATION.—The term “Federal authorization” has the meaning given that term in section 15(a) of the Natural Gas Act (15 U.S.C. 717n(a)).

(4) PROJECT-RELATED ENVIRONMENTAL REVIEW.—The term “project-related environmental review” means any environmental review required to be conducted with respect to the issuance of an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f).

(b) COMMISSION RESPONSIBILITIES.—In acting as the lead agency under section 15(b)(1) of the Natural Gas Act (15 U.S.C. 717n(b)(1)) for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f), the Commission shall, in accordance with this section and other applicable Federal law—

(1) be the only lead agency;

(2) coordinate as early as practicable with each agency designated as a participating agency under subsection (d)(3) to ensure that the Commission develops information in conducting its project-related environmental review that is usable by the participating agency in considering an aspect of an application for a Federal authorization for which the agency is responsible; and

(3) take such actions as are necessary and proper to facilitate the expeditious resolution of its project-related environmental review.

(c) DEFERENCE TO COMMISSION.—In making a decision with respect to a Federal authorization required with respect to an application for an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f), each agency shall give deference, to the maximum extent authorized by law, to the scope of the project-related environmental review that the Commission determines to be appropriate.

(d) PARTICIPATING AGENCIES.—

(1) IDENTIFICATION.—The Commission shall identify, not later than 30 days after the Commission receives an application for an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f), any Federal or State agency, local government, or Indian Tribe that may issue a Federal authorization or is required by Federal law to consult with the Commission in conjunction with the issuance of a Federal authorization required for such authorization or certificate.

(2) INVITATION.—

(A) IN GENERAL.—Not later than 45 days after the Commission receives an application for an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f), the Commission shall invite any agency identified under paragraph (1) to participate in the review process for the applicable Federal authorization.

(B) DEADLINE.—An agency invited under subparagraph (A) shall submit a response to the Commission by not later than 30 days after the date the invitation is received, which may be extended by the Commission for good cause for a period of not more than 15 days.

(C) FAILURE TO MEET DEADLINE.—If an agency invited under subparagraph (A) fails to meet the deadline described in subparagraph (B), the agency shall not be considered a participating or cooperating agency.

(3) DESIGNATION AS PARTICIPATING AGENCIES.—Not later than 60 days after the Commission receives an application for an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f), the Commission shall designate an agency identified under paragraph (1) as a participating agency with respect to that application unless the agency informs the Commission, in writing, by the deadline established pursuant to paragraph (2)(B), that the agency—

(A) has no jurisdiction or authority with respect to the applicable Federal authorization;

(B) has no special expertise or information relevant to any project-related environmental review; or

(C) does not intend to submit comments for the record for the project-related environmental review conducted by the Commission.

(e) COMMENT DEADLINE.—The Commission is not required to respond to comments regarding a Federal authorization submitted after the applicable comment period is over.

(f) WATER QUALITY IMPACTS.—

(1) IN GENERAL.—Notwithstanding section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341), a certification under such section shall not be required with respect to a Federal authorization.

(2) COORDINATION.—With respect to any environmental review for a Federal authorization to conduct an activity that will directly result in a discharge into the navigable waters (within the meaning of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.)), the Commission shall identify as an agency under subsection (d)(1) the State in which the discharge originates or will originate, or, if appropriate, the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate.

(3) PROPOSED CONDITIONS.—A State or interstate agency designated as a participating agency pursuant to paragraph (2) may propose to the Commission terms or conditions for inclusion in an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f) that the State or interstate agency determines are necessary to ensure that any discharge described in paragraph (2) conducted pursuant to such authorization or certification will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act (33 U.S.C. 1311, 1312, 1313, 1316, 1317).

(4) COMMISSION CONSIDERATION OF CONDITIONS.—The Commission may include a term or condition in an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f) proposed by a State or interstate agency under paragraph (3) only if the Commission finds with clear and convincing evidence that the term or condition is necessary to ensure that any discharge described in paragraph (2) conducted pursuant to such authorization or certification will comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act (33 U.S.C. 1311, 1312, 1313, 1316, 1317).

(5) COMMISSION DENIAL OF CERTIFICATE.—The Commission may deny an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public conven-

ience and necessity under section 7 of that Act (15 U.S.C. 717f) based on water quality concerns only if the Commission finds with clear and convincing evidence that the proposed project cannot comply with the applicable provisions of sections 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act (33 U.S.C. 1311, 1312, 1313, 1316, 1317).

(g) SCHEDULE.—

(1) DEADLINE FOR FEDERAL AUTHORIZATIONS.—A deadline for a Federal authorization required with respect to an application for an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f) set by the Commission under section 15(c)(1) of that Act (15 U.S.C. 717n(c)(1)) shall be not later than 90 days after the Commission completes its project-related environmental review, unless an applicable schedule is otherwise established by Federal law.

(2) CONCURRENT REVIEWS.—Each Federal and State agency that may consider an aspect of an application for a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f) shall—

(A) carry out the obligations of that agency under applicable law; and

(B) in considering an aspect of an application for a Federal authorization required with respect to an application for an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f), shall—

(i) carry out the obligations of that agency under applicable law concurrently, and in conjunction with, the project-related environmental review conducted by the Commission, pursuant to a schedule established by the Commission not to exceed 270 days, but subject to the condition that the Commission may, at the request of the agency and for good cause, grant a single 60-day extension; and

(ii) not less often than once every 90 days, transmit to the Commission a report describing the progress made in considering such application for a Federal authorization.

(3) FAILURE TO MEET DEADLINE.—If a Federal or State agency, including the Commission, fails to meet a deadline for a Federal authorization set forth in the schedule established by the Commission under section 15(c)(1) of the Natural Gas Act (15 U.S.C. 717n(c)(1)), not later than 5 days after such deadline, the head of the relevant Federal agency (including, in the case of a failure by a State agency, the Federal agency overseeing the delegated authority) shall notify Congress and the Commission of such failure and set forth a recommended implementation plan to ensure completion of the action to which such deadline applied.

(h) CONSIDERATION OF APPLICATIONS FOR FEDERAL AUTHORIZATION.—

(1) ISSUE IDENTIFICATION AND RESOLUTION.—

(A) IDENTIFICATION.—Federal and State agencies that may consider an aspect of an application for a Federal authorization shall identify, as early as possible and not later than 90 days after receipt of a request for the Federal authorization, any issues of concern that may delay or prevent an agency from working with the Commission to resolve such issues and granting the Federal authorization.

(B) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under subparagraph (A) to the heads of the relevant agencies (including, in the case of an issue of concern that is a failure by a State agency, the Federal agency overseeing

the delegated authority, if applicable) for resolution.

(2) REMOTE SURVEYS.—

(A) IN GENERAL.—If a Federal or State agency considering an aspect of an application for a Federal authorization requires the person applying for the Federal authorization to submit data, the agency shall—

(i) consider any such data gathered by aerial or other remote means that the person submits; and

(ii) accept aerial surveys in absence of clear and convincing evidence.

(B) CONDITIONAL APPROVAL.—The agency may grant a conditional approval for a Federal authorization based on data gathered by aerial or remote means, conditioned on the verification of such data by subsequent on-site inspection if the Commission determines that an on-site inspection is likely to materially alter the final determination of the Commission or the grant of the certificate.

(3) APPLICATION PROCESSING.—The Commission, and Federal and State agencies, may allow a person applying for a Federal authorization to fund a third-party contractor to assist in reviewing the application for the Federal authorization.

(i) ACCOUNTABILITY, TRANSPARENCY, EFFICIENCY.—

(1) IN GENERAL.—For an application for an authorization under section 3 of the Natural Gas Act (15 U.S.C. 717b) or a certificate of public convenience and necessity under section 7 of that Act (15 U.S.C. 717f) that requires multiple Federal authorizations, the Commission, with input from any Federal or State agency considering an aspect of the application, shall track and make available to the public on the website of the Commission information related to the actions required to complete the Federal authorizations.

(2) INCLUSIONS.—The information described in paragraph (1) shall include the following:

(A) The schedule established by the Commission under section 15(c)(1) of the Natural Gas Act (15 U.S.C. 717n(c)(1)).

(B) A list of all the actions required by each applicable agency to complete permitting, reviews, and other actions necessary to obtain a final decision on the application.

(C) The expected completion date for each action described in subparagraph (B).

(D) A point of contact at the agency responsible for each such action.

(E) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reasons for the delay.

(j) STRENGTHENING JUDICIAL REVIEW OF NATURAL GAS ACT PROJECTS.—Section 19 of the Natural Gas Act (15 U.S.C. 717r) is amended—

(1) in subsection (b), in the eighth sentence, by striking “certification” and all that follows through the period at the end and inserting “certification as provided in section 1254 of title 28, United States Code.”; and

(2) in subsection (d)—

(A) in paragraph (3), in the first sentence, by striking “If the Court finds” and inserting the following: “Except as provided in paragraph (6), if the Court finds”; and

(B) by adding at the end the following:

“(6) EXCEPTION FOR CERTAIN ORDERS OR ACTIONS.—

“(A) IN GENERAL.—Notwithstanding any other provision of this section, for petitions challenging an order or action taken by the Commission under section 3 or section 7, the court may not set aside, vacate, or otherwise void that order or action.

“(B) COURT ACTION.—Notwithstanding chapter 7 of title 5, United States Code, the Court shall remand the proceeding, without

vacatur or injunction, to the applicable Federal or State agency to take appropriate action if the Court finds that an order or action described in paragraph (1)—

“(i) would prevent the construction, expansion, or operation of the facility subject to section 3 or 7; and

“(ii)(I) is inconsistent with applicable Federal law; or

“(II) is not supported by clear and convincing evidence.”.

**SEC. 4803. IMPROVING WATER QUALITY CERTIFICATIONS.**

Section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341) is amended—

(1) in subsection (a)—

(A) by striking “(a)(1) Any applicant” and all that follows through “No license” in the sixth sentence of paragraph (1) and inserting the following:

“(a) COMPLIANCE WITH APPLICABLE REQUIREMENTS.—

“(1) CERTIFICATION REQUIRED.—

“(A) IN GENERAL.—Any applicant for a Federal license or permit to conduct any activity, including the construction or operation of facilities, which may result in a discharge directly into the navigable waters shall provide the licensing or permitting agency a certification from the State in which the discharge originates or will originate or, if appropriate, from the interstate water pollution control agency having jurisdiction over the navigable waters at the point where the discharge originates or will originate, that any such discharge will comply with the applicable provisions of sections 301, 302, 303, 306, and 307.

“(B) CERTIFICATION OF NO APPLICABLE LIMITATION.—In the case of any discharge described in subparagraph (A) for which there is not an applicable effluent limitation or other limitation under sections 301(b) and 302, and there is not an applicable standard under sections 306 and 307, the State, interstate water pollution control agency, or Administrator, as applicable, shall so certify, except that any such certification shall not be deemed to satisfy section 511(c).

“(C) CERTIFICATION BY THE ADMINISTRATOR.—In any case in which a State or interstate water pollution control agency has no authority to give a certification under subparagraph (A)—

“(i) the certification shall be from the Administrator; and

“(ii) subsection (d) shall apply to the request for certification.

“(D) PROCEDURES REQUIRED.—

“(i) IN GENERAL.—The Administrator and each State and interstate water pollution control agency that has authority to give a certification under this subsection shall establish procedures for public notice in the case of all requests for certification under this subsection by the State, interstate water pollution control agency, or Administrator, as applicable, and, to the extent that the State, interstate water pollution control agency, or Administrator determines it appropriate, procedures for public hearings in connection with specific requests.

“(ii) DECISION CRITERIA.—A decision to grant or deny a request for certification under this subsection shall be based solely on whether the discharge complies with the applicable provisions of sections 301, 302, 303, 306, and 307, and the grounds for that decision shall be set forth in writing and provided to the applicant.

“(iii) DEADLINE FOR REQUESTING ADDITIONAL INFORMATION.—Not later than 90 days after the date on which a State, an interstate water pollution control agency, or the Administrator, as applicable, receives a request for certification under this subsection, the State, interstate water pollution control agency, or Administrator shall identify in

writing any specific additional materials or information necessary for the request for certification to be considered complete pursuant to subsection (d).

“(iv) PUBLICATION REQUIREMENT.—Not later than 30 days after the date of enactment of this clause, the Administrator and each State and interstate water pollution control agency that has authority to give a certification under this subsection shall publish the requirements for a certification under this subsection for an applicant to use to demonstrate to the Administrator, State, or interstate water pollution control agency, as applicable, compliance with the applicable provisions of sections 301, 302, 303, 306, and 307.

“(E) DECISIONMAKING.—

“(i) DEFINITION OF RECEIPT.—In this subparagraph, the term ‘receipt’, with respect to a request for certification under this subsection, means the date on which the State, interstate water pollution control agency, or Administrator, as applicable, initially receives the request for certification, regardless of whether the request for certification is determined to be complete or additional information is requested pursuant to subparagraph (D)(iii).

“(ii) ACTIONS ON A REQUEST.—The State, interstate water pollution control agency, or Administrator, as applicable, may—

“(I) grant a request for certification under this subsection with or without conditions;

“(II) deny the request; or

“(III) waive the requirement for certification under this subsection with respect to the application for the Federal license or permit.

“(iii) FAILURE TO ACT.—

“(I) IN GENERAL.—If a State, an interstate water pollution control agency, or the Administrator, as applicable, fails to act on a request for certification in accordance with clause (ii) within a reasonable period of time to be determined by the Federal licensing or permitting agency (which shall not exceed 1 year after receipt of the request), the requirement for certification under this subsection shall be deemed to be waived with respect to the application for the Federal license or permit.

“(II) NO JUDICIAL REVIEW.—Notwithstanding any other provision of law, a finding of a waiver by the Federal licensing or permitting agency under subclause (I) shall not be subject to judicial review.

“(iv) NO TOLLING.—The 1-year period described in clause (iii) may not be tolled, paused, or extended for any reason, including through requests for additional information, solicitation of public comment, or environmental reviews.

“(F) NO ACTION.—No license”; and

(B) in paragraph (4), in the first sentence, by striking “any discharge into the navigable waters” and inserting “a discharge directly into the navigable waters”;

(2) in subsection (b), by striking “(b) Nothing” and inserting the following:

“(b) COMPLIANCE WITH OTHER PROVISIONS OF LAW SETTING APPLICABLE WATER QUALITY REQUIREMENTS.—Except as provided in subsection (e), nothing”;

(3) in subsection (c), by striking “(c) In order” and inserting the following:

“(c) AUTHORITY OF SECRETARY OF THE ARMY TO PERMIT SPOIL DISPOSAL AREAS BY FEDERAL LICENSEES OR PERMITTEES.—In order”;

and

(4) by striking subsection (d) and inserting the following:

“(d) CERTIFICATION REQUEST REQUIREMENTS.—

“(1) WRITTEN REQUEST REQUIRED.—A request for certification under subsection (a) shall be made in writing to the State, inter-

state water pollution control agency, or Administrator, as applicable.

“(2) REQUIREMENTS FOR COMPLETE REQUEST.—A completed request for certification under subsection (a) shall consist of—

“(A) an identification of each applicant for the Federal license or permit with respect to which certification is requested;

“(B) a statement that information included in the request for certification is truthful, accurate, and complete, to the best knowledge of each applicant;

“(C) in the case of a request for certification with respect to an individual permit or license—

“(i) an identification of the Federal license or permit that is the subject of the application with respect to which the certification is requested;

“(ii) an identification, based on the reasonable belief of the applicant at the time the application is submitted, of any activity the conduct of which is subject to the Federal license or permit identified under clause (i);

“(iii) an identification of—

“(I) the location, point of origin, and characteristics of any discharge that may directly enter the navigable waters; and

“(II) the location of the specific navigable waters that would receive such a discharge;

“(iv) a description of the means that may be used to monitor, control, or manage a discharge identified under clause (iii); and

“(v) a list of all other Federal, interstate, Tribal, State, or local agency authorizations required for the conduct of an activity identified under clause (ii), including a description of any authorizations described in that list that are already received; and

“(D) in the case of a request for certification with respect to the issuance of a general license or a general permit—

“(i) an identification of the proposed categories of activities to be covered by the general license or general permit;

“(ii) a description of the proposed general license or general permit, which may include a draft of the proposed general license or general permit; and

“(iii) an estimate of the number of discharges expected to result from the proposed general license or general permit annually.

“(3) PROHIBITION.—No State or interstate water pollution control agency, nor the Administrator, may, for purposes of a request for certification under subsection (a), require the inclusion of information beyond the information described in paragraph (2).

“(e) CERTIFICATION CONDITIONS.—

“(1) IN GENERAL.—A certification obtained under subsection (a) shall set forth any effluent limitations and other limitations and monitoring requirements necessary to ensure that any discharge subject to a certification under that subsection will comply with the applicable provisions of sections 301, 302, 303, 306, and 307, and any such limitation or requirement shall be imposed by the Federal licensing or permitting agency as a condition on the applicable Federal license or permit subject to the provisions of this section.

“(2) REQUIREMENTS FOR CONDITIONS.—A certifying State or interstate water pollution control agency, or the Administrator, as applicable, may only include a condition on a certification under subsection (a) that requires the applicant to modify an activity of the applicant which may result in a discharge directly into the navigable waters if the State, interstate water pollution control agency, or Administrator determines, based on clear and convincing evidence, that the modification is—

“(A) necessary for the activity to avoid violating an applicable provision of section 301, 302, 303, 306, or 307;

“(B) least burdensome for the applicant, as compared to other possible modifications, taking into account—

- “(i) technical feasibility;
- “(ii) cost;
- “(iii) the purpose of the applicant in proposing the activity;
- “(iv) impacts on the schedule for the activity; and
- “(v) the commercial viability of the proposed condition; and

“(C) consistent with the requirements for the Federal license or permit for which the certification is sought.

“(3) LIMITATIONS ON CONDITIONS FOR HYDROELECTRIC PROJECTS.—A certification obtained under subsection (a) for a hydroelectric project may not include conditions relating to the quantity, timing, or rate of water flow over, through, or around that project.

“(f) REQUIREMENTS FOR DENIAL.—A certifying State or interstate water pollution control agency, or the Administrator, as applicable, may only deny a request for certification under subsection (a) if the State, interstate water pollution control agency, or Administrator determines, based on clear and convincing evidence, that there is no modification to or reasonable condition on the activities of the applicant that could make it possible for the activity to avoid violating an applicable provision of section 301, 302, 303, 306, or 307.

“(g) ENFORCEMENT.—Notwithstanding section 505, any condition imposed on a Federal license or permit by a Federal licensing or permitting agency under this section may only be enforced by that Federal licensing or permitting agency.

“(h) JUDICIAL REVIEW.—

“(1) SCOPE.—This subsection applies to any civil action for the review of a certification under subsection (a).

“(2) JURISDICTION.—

“(A) IN GENERAL.—Notwithstanding section 19(d)(1) of the Natural Gas Act (15 U.S.C. 717r(d)(1)) or any other provision of law, a civil action subject to this subsection shall be filed in a court of appeals of the United States for—

“(i) the judicial circuit in which the applicant is located or has its principal place of business;

“(ii) the judicial circuit for the State in which the project for which the certification under subsection (a) would be issued is or will be located; or

“(iii) the District of Columbia Circuit.

“(B) ORIGINAL AND EXCLUSIVE JURISDICTION.—A court of appeals described in subparagraph (A) shall have original and exclusive jurisdiction over the applicable civil action.

“(C) STANDING.—Notwithstanding any other provision of law, no court shall have jurisdiction to review a civil action subject to this subsection unless the civil action is filed—

“(i) not later than 60 days after the date on which final action on the certification under subsection (a) is taken; and

“(ii) by—

“(I) the applicant; or

“(II) a person who has suffered, or likely and imminently will suffer, direct and irreparable economic harm from the certification, subject to the condition that an organization or association shall satisfy the requirement of this clause only if each member of the organization or association satisfies the requirement.

“(3) EXPEDITED CONSIDERATION.—

“(A) IN GENERAL.—In reviewing a civil action subject to this subsection, a court shall—

“(i) set any petition for review under that civil action for expedited consideration; and

“(ii) subject to subparagraph (B), issue a final decision not later than 120 days after the date on which the civil action is filed.

“(B) EXTRAORDINARY CIRCUMSTANCES.—If a court finds that there are extraordinary circumstances that apply to a civil action subject to this subsection, the court may extend the 120-day period described in subparagraph (A)(ii) by an additional 60 days.

“(4) STANDARD OF REVIEW.—In reviewing the denial of a certification under subsection (a), a court shall find the denial unlawful unless the court finds, based on clear and convincing evidence, that—

“(A) the certifying State or interstate water pollution control agency or the Administrator, as applicable, has demonstrated that no condition would achieve compliance with the applicable provisions of section 301, 302, 303, 306, or 307; and

“(B) the certifying State or interstate water pollution control agency or the Administrator, as applicable, considered specific alternative conditions, including alternatives offered by the applicant, and determined that those alternative conditions would not achieve compliance with applicable provisions of section 301, 302, 303, 306, or 307.

“(5) NONAPPLICANT CHALLENGES.—If a party other than the applicant brings a civil action subject to this subsection against a certification obtained under subsection (a), the nonapplicant party shall demonstrate, with clear and convincing evidence, that the project or activity for which the certification was granted fails to achieve compliance with applicable provisions of section 301, 302, 303, 306, or 307.

“(6) REMEDY.—

“(A) NO VACATUR.—Notwithstanding any other provision of law, no court shall have the authority to set aside, vacate, nullify, or otherwise render unenforceable any certification under subsection (a).

“(B) LIMITED REMEDIES.—In a review of a certification under subsection (a), a court may only affirm or modify the certification, and may remand the certification to the State, interstate water pollution control agency, or the Administrator, as applicable, for corrective action.

“(i) DESCRIPTION OF APPLICABLE PROVISIONS.—For purposes of this section, the applicable provisions of sections 301, 302, 303, 306, and 307 are any applicable effluent limitations and other limitations under section 301 or 302, any water quality standard in effect for a State under section 303, any standard of performance under section 306, and any prohibition, effluent standard, or pretreatment standard under section 307.”

#### SEC. 4804. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM.

(a) IMPROVING WATER QUALITY GENERAL PERMITS.—Section 402(a) of the Federal Water Pollution Control Act (33 U.S.C. 1342(a)) is amended by adding at the end the following:

“(6) GENERAL PERMITS.—

“(A) PERMITS AUTHORIZED.—The Administrator may issue general permits under this section on a State, regional, or nationwide basis, or for a delineated area, for discharges associated with any category of activities the discharges of which are of similar types and from similar sources.

“(B) PERMIT EXPIRATION NOTIFICATION.—If the Administrator does not intend to issue a general permit under this paragraph that covers discharges that are substantially similar to discharges covered by a previously issued general permit, not later than the date that is 2 years before the date on which the previously issued general permit will expire, the Administrator shall publish in the Federal Register a notice of the decision not to reissue the general permit.

“(C) APPLICATION OF PERMIT TERMS OF AN EXPIRED PERMIT.—

“(i) IN GENERAL.—If a general permit issued under this paragraph expires and the Administrator has not published a notice under subparagraph (B), the Administrator shall, until the date described in clause (ii)—

“(I) continue to apply the terms, conditions, and requirements of the expired general permit to any discharge that was covered by the expired general permit; and

“(II) apply those terms, conditions, and requirements to any discharge that would have been covered by the expired general permit (in accordance with any relevant requirements for that coverage) if the discharge had occurred before that expiration.

“(ii) DATE DESCRIBED.—The date referred to in clause (i) is the date that is the earlier of—

“(I) the date on which the Administrator issues a new general permit for discharges substantially similar to those covered by the expired general permit; and

“(II) the date that is 2 years after the date on which the Administrator publishes in the Federal Register a notice described in subparagraph (B).”

(b) NPDES PERMIT TERMS.—Section 402(b)(1)(B) of the Federal Water Pollution Control Act (33 U.S.C. 1342(b)(1)(B)) is amended by striking “five years” and inserting “10 years”.

#### SEC. 4805. PROVIDING CERTAINTY TO PERMITS FOR DREDGED OR FILL MATERIAL.

(a) REDUCING PERMITTING UNCERTAINTY.—

(1) IN GENERAL.—Section 404(c) of the Federal Water Pollution Control Act (33 U.S.C. 1344(c)) is amended—

(A) in the third sentence—

(i) by striking “his findings and his reasons” and inserting “the findings and reasons of the Administrator”; and

(ii) by striking “The Administrator” and inserting the following:

“(4) WRITTEN DETERMINATION.—The Administrator”;

(B) in the second sentence, by striking “Before making such determination,” and inserting the following:

“(3) CONSULTATION.—Before making a determination under paragraph (1),”;

(C) by striking “(c) The Administrator” and inserting the following:

“(c) SPECIFICATION OR USE OF DEFINED AREA.—

“(1) IN GENERAL.—The Administrator”;

(D) in paragraph (1) (as so designated)—

(i) by striking “he is authorized”; and

(ii) by striking “he determines, after notice and opportunity for public hearings,” and inserting “the Administrator determines, during the period described in paragraph (2) and after notice and opportunity for public hearings,”; and

(E) by inserting after paragraph (1) (as so designated) the following:

“(2) PERIOD OF PROHIBITION.—The period during which the Administrator may prohibit the specification (including the withdrawal of specification) of a defined area as a disposal site, or deny or restrict the use of a defined area for specification (including the withdrawal of specification) as a disposal site, under paragraph (1) is the period that—

“(A) begins on the date on which an applicant submits all the information required to complete an application for a permit under this section; and

“(B) ends on the date on which the Secretary issues the permit.”

(2) APPLICABILITY.—The amendments made by paragraph (1) shall apply to a permit application submitted under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) after the date of enactment of this Act.

(b) NATIONWIDE PERMITTING IMPROVEMENT.—

(1) IN GENERAL.—Section 404(e) of the Federal Water Pollution Control Act (33 U.S.C. 1344(e)) is amended—

(A) by striking “(e)(1) In carrying out its functions” and inserting the following:

“(e) GENERAL PERMITS.—

“(1) PERMITS AUTHORIZED.—In carrying out the functions of the Secretary”;

(B) in paragraph (2)—

(i) by striking “(2) No general” and inserting the following:

“(2) TERM.—No general”; and

(ii) by striking “five years” and inserting “10 years”; and

(C) by adding at the end the following:

“(3) CONSIDERATIONS.—In determining the environmental effects of an activity under paragraph (1) or (2), the Secretary—

“(A) shall consider only the effects of any discharge of dredged or fill material resulting from the activity;

“(B) shall consider any effects of a discharge of dredged or fill material into less than 3 acres of navigable waters to be a minimal adverse environmental effect; and

“(C) may consider any effects of a discharge of dredged or fill material into 3 acres or more of navigable waters to be a minimal adverse environmental effect.

“(4) NATIONWIDE PERMITS FOR LINEAR PROJECTS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) LINEAR INFRASTRUCTURE PROJECT.—The term ‘linear infrastructure project’ means a project to carry out any activity required for—

“(I) the construction, expansion, maintenance, modification, or removal of infrastructure and associated facilities for the transmission from a point of origin to a terminal point of communications or electricity; or

“(II) the transportation from a point of origin to a terminal point of people, water, or wastewater.

“(ii) LINEAR PIPELINE PROJECT.—The term ‘linear pipeline project’ means a project to carry out any activity required for the construction, expansion, maintenance, modification, or removal of infrastructure and associated facilities for the transportation from a point of origin to a terminal point of carbon dioxide, fuel, or hydrocarbons, in the form of a liquid, liquescent, gaseous, or slurry substance or supercritical fluid, including oil and gas pipeline facilities.

“(iii) SINGLE AND COMPLETE PROJECT.—The term ‘single and complete project’ has the meaning given the term in section 330.2 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this paragraph).

“(B) RULE.—Notwithstanding any other provision of this section, the Secretary shall issue and maintain general permits on a nationwide basis under this subsection for—

“(i) linear infrastructure projects that result in a discharge of dredged or fill material into less than 3 acres of navigable waters for each single and complete project; and

“(ii) linear pipeline projects that do not result in the loss of navigable waters in an area that is greater than 0.5 acres for each single and complete project.

“(C) PIPELINE THRESHOLD FLOOR.—Nothing in subparagraph (B)(ii) limits the authority of the Secretary to authorize pipeline-related discharges of dredged or fill material into areas of navigable waters that are greater than 0.5 acres but below the 3-acre threshold described in subparagraph (B)(i).

“(5) REISSUANCE OF NATIONWIDE PERMITS.—In determining whether to reissue a general permit issued under this subsection on a nationwide basis—

“(A) no consultation with an applicable State pursuant to section 6(a) of the Endangered Species Act of 1973 (16 U.S.C. 1535(a)) is required;

“(B) no consultation with a Federal agency pursuant to section 7(a)(2) of that Act (16 U.S.C. 1536(a)(2)) is required; and

“(C) the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall be satisfied by preparing an environmental assessment (as defined in section 111 of that Act (42 U.S.C. 4336e)) with respect to the general permit.”.

(2) REGULATORY REVISIONS REQUIRED.—The Secretary of the Army, acting through the Chief of Engineers, shall expeditiously revise the regulations applicable to carrying out section 404(e) of the Federal Water Pollution Control Act (33 U.S.C. 1344(e)) in order to streamline the processes for issuing general permits under that section to promote efficient and consistent implementation of that section.

(3) ADMINISTRATION OF NATIONWIDE PERMIT PROGRAM.—In carrying out section 404(e) of the Federal Water Pollution Control Act (33 U.S.C. 1344(e)), including in revising regulations pursuant to paragraph (2), the Secretary of the Army, acting through the Chief of Engineers, may not finalize or implement any modification to—

(A) general condition 15 (relating to single and complete projects), as included in the final rule of the Corps of Engineers entitled “Reissuance and Modification of Nationwide Permits” (86 Fed. Reg. 2744 (January 13, 2021));

(B) the definition of the term “single and complete linear project”, as included in the final rule described in subparagraph (A); or

(C) the definition of the term “single and complete project” under section 330.2 of title 33, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) JUDICIAL REVIEW.—Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344) is amended—

(1) in subsection (t), by striking “(t) Nothing in the section” and inserting the following:

“(u) SAVINGS PROVISION.—Nothing in this section”; and

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

“(t) JUDICIAL REVIEW.—

“(1) STATUTE OF LIMITATIONS.—Notwithstanding any applicable provision of law—

“(A) an action seeking judicial review of the approval by the Administrator of a State permit program pursuant to this section shall be filed not later than 60 days after the date on which the approval was issued;

“(B) an action seeking judicial review of an individual permit or general permit issued under this section shall be filed not later than 60 days after the date on which the permit was issued; and

“(C) an action seeking judicial review of a verification that an activity involving the discharge of dredged or fill material is authorized by a general permit issued under this section shall be filed not later than 60 days after the date on which the verification was issued.

“(2) LIMITATION ON COMMENCEMENT OF CERTAIN ACTIONS.—Notwithstanding any other provision of law, no action described in subparagraph (A) or (B) of paragraph (1) may be commenced unless the action—

“(A) is filed by a party that submitted a comment—

“(i) during the public comment period for the administrative proceedings related to the action; and

“(ii) which was sufficiently detailed to put the Administrator, the Secretary, or the State, as applicable, on notice of the issue on which the party seeks judicial review; and

“(B) is related to that comment.

“(3) JURISDICTION.—

“(A) IN GENERAL.—Unless otherwise provided by law, a civil action subject to this subsection shall be filed in a court of appeals of the United States for—

“(i) the judicial circuit in which, as applicable—

“(I) the applicant for the applicable permit is located or has its principal place of business; or

“(II) the person seeking the applicable verification is located or has its principal place of business;

“(ii) the judicial circuit for the State, as applicable—

“(I) for which the approval for a State permit program pursuant to this section was sought; or

“(II) in which—

“(aa) the activity for which the permit was sought would be carried out; or

“(bb) the activity for which the verification was sought would be carried out; or

“(iii) the District of Columbia Circuit.

“(B) ORIGINAL AND EXCLUSIVE JURISDICTION.—A court of appeals described in subparagraph (A) shall have original and exclusive jurisdiction over the applicable civil action.

“(C) STANDING.—Notwithstanding any other provision of law, no court shall have jurisdiction to review a civil action subject to this subsection unless the civil action is filed—

“(i) not later than 60 days after the date on which the challenged action was finalized; and

“(ii) by—

“(I) the applicant; or

“(II) a person who has suffered, or likely and imminently will suffer, direct and irreparable economic harm from the approval, permit, or verification, subject to the condition that an organization or association shall satisfy the requirement of this clause only if each member of the organization or association satisfies the requirement.

“(4) STANDARD OF REVIEW.—In reviewing the denial of a permit under this section, a court shall find the denial unlawful unless the court finds, based on clear and convincing evidence, that—

“(A) the Secretary has demonstrated that no condition on the permit would achieve compliance with the applicable provisions of section 301, 302, 303, 306, or 307; and

“(B) the Secretary considered specific alternative conditions, including alternatives offered by the applicant, and determined that those alternative conditions would not achieve compliance with this section.

“(5) NONAPPLICANT CHALLENGES.—If a party other than the applicant brings a civil action subject to this subsection seeking review of a permit under this section, the non-applicant party shall demonstrate, with clear and convincing evidence, that, as applicable, the approval of the State permit program, the project for which the permit was granted, or the project for which verification was provided fails to achieve compliance with this section.

“(6) REMEDIES.—

“(A) ACTIONS RELATING TO PERMIT PROGRAMS.—If a court determines that the Administrator, in issuing the approval of a State permit program under this section, did not comply with this section—

“(i) the court shall remand the matter to the Administrator for further proceedings consistent with the determination of the court; and

“(ii) the court may not vacate, revoke, enjoin, or otherwise limit the authority of the State to issue permits under that State permit program.

“(B) ACTIONS RELATING TO PERMITS.—If a court determines that the Secretary or a State, as applicable, did not comply with the requirements of this section in issuing an individual or general permit under this section, or in verifying that an activity involving a discharge of dredged or fill material is authorized by a general permit issued under this section, as applicable—

“(i) the court shall remand the matter to the Secretary or the State, as applicable, for further proceedings consistent with the determination of the court;

“(ii) with respect to a determination regarding the issuance of an individual or general permit under this section—

“(I) the court may not vacate, revoke, enjoin, or otherwise limit the permit unless the court finds that activities authorized under the permit would present an imminent and substantial danger to human health or the environment for which there is no other equitable remedy available under the law; and

“(II) any injunction or other limitation ordered pursuant to subclause (I)—

“(aa) shall be narrowly tailored to the specific crossing, discharge, segment, or activity found to present an imminent and substantial danger; and

“(bb) may not extend to unrelated crossings, spreads, or project segments that are independently authorized and not the source of the alleged harm; and

“(iii) with respect to a determination regarding a verification that an activity involving a discharge of dredged or fill material is authorized by a general permit issued under this section, the court may not enjoin or otherwise limit the discharge unless the court finds that activities authorized under the permit would present an imminent and substantial danger to human health or the environment for which there is no other equitable remedy available under the law.

“(7) TIMELINE TO ACT ON COURT ORDER.—If a court remands a matter under paragraph (6), the court shall set and enforce a reasonable schedule and deadline, which may not exceed 180 days from the date on which the court remands the matter except as otherwise required by law, for the Administrator, the Secretary, or a State, as applicable, to take such actions as the court may order.”

#### SEC. 4806. HARDBROCK MINING MILL SITES.

(a) MULTIPLE MILL SITES.—Section 2337 of the Revised Statutes (30 U.S.C. 42) is amended by adding at the end the following:

“(c) ADDITIONAL MILL SITES.—

“(1) DEFINITIONS.—In this subsection:

“(A) MILL SITE.—The term ‘mill site’ means a location of public land that is reasonably necessary for waste rock or tailings disposal or other operations reasonably incident to mineral development on, or production from land included in a plan of operations.

“(B) OPERATIONS; OPERATOR.—The terms ‘operations’ and ‘operator’ have the meanings given those terms in section 3809.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection).

“(C) PLAN OF OPERATIONS.—The term ‘plan of operations’ means a plan of operations that an operator must submit and the Secretary of the Interior or the Secretary of Agriculture, as applicable, must approve before an operator may begin operations, in accordance with, as applicable—

“(i) subpart 3809 of title 43, Code of Federal Regulations (or successor regulations establishing application and approval requirements); and

“(ii) part 228 of title 36, Code of Federal Regulations (or successor regulations establishing application and approval requirements).

“(D) PUBLIC LAND.—The term ‘public land’ means land owned by the United States that is open to location under sections 2319 through 2344 of the Revised Statutes (30 U.S.C. 22 et seq.), including—

“(i) land that is mineral-in-character (as defined in section 3830.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection));

“(ii) nonmineral land (as defined in section 3830.5 of title 43, Code of Federal Regulations (as in effect on the date of enactment of this subsection)); and

“(iii) land where the mineral character has not been determined.

“(2) IN GENERAL.—Notwithstanding subsections (a) and (b), where public land is needed by the proprietor of a lode or placer claim for operations in connection with any lode or placer claim within the proposed plan of operations, the proprietor may—

“(A) locate and include within the plan of operations as many mill site claims under this subsection as are reasonably necessary for its operations; and

“(B) use or occupy public land in accordance with an approved plan of operations.

“(3) MILL SITES CONVEY NO MINERAL RIGHTS.—A mill site under this subsection does not convey mineral rights to the locator.

“(4) SIZE OF MILL SITES.—A location of a single mill site under this subsection shall not exceed 5 acres.

“(5) MILL SITE AND LODE OR PLACER CLAIMS ON SAME TRACTS OF PUBLIC LAND.—A mill site may be located under this subsection on a tract of public land on which the claimant or operator maintains a previously located lode or placer claim.

“(6) EFFECT ON MINING CLAIMS.—The location of a mill site under this subsection shall not affect the validity of any lode or placer claim, or any rights associated with such a claim.

“(7) PATENTING.—A mill site under this section shall not be eligible for patenting.

“(8) SAVINGS PROVISIONS.—Nothing in this subsection—

“(A) diminishes any right (including a right of entry, use, or occupancy) of a claimant;

“(B) creates or increases any right (including a right of exploration, entry, use, or occupancy) of a claimant on land that is not open to location under the general mining laws;

“(C) modifies any provision of law or any prior administrative action withdrawing land from location or entry;

“(D) limits the right of the Federal Government to regulate mining and mining-related activities (including requiring claim validity examinations to establish the discovery of a valuable mineral deposit) in areas withdrawn from mining, including under—

“(i) the general mining laws;

“(ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

“(iii) the Wilderness Act (16 U.S.C. 1131 et seq.);

“(iv) sections 100731 through 100737 of title 54, United States Code;

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

“(vi) division A of subtitle III of title 54, United States Code (commonly referred to as the ‘National Historic Preservation Act’); or

“(vii) section 4 of the Act of July 23, 1955 (commonly known as the ‘Surface Resources Act of 1955’) (69 Stat. 368, chapter 375; 30 U.S.C. 612);

“(E) restores any right (including a right of entry, use, or occupancy, or right to conduct operations) of a claimant that—

“(i) existed prior to the date on which the land was closed to, or withdrawn from, location under the general mining laws; and

“(ii) that has been extinguished by such closure or withdrawal; or

“(F) modifies section 404 of division E of the Consolidated Appropriations Act, 2024 (Public Law 118-42).”

(b) ABANDONED HARDBROCK MINE FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a separate account, to be known as the “Abandoned Hardrock Mine Fund” (referred to in this subsection as the “Fund”).

(2) SOURCE OF DEPOSITS.—Any amounts collected by the Secretary of the Interior pursuant to the claim maintenance fee under section 10101(a)(1) of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f(a)(1)) on mill sites located under subsection (c) of section 2337 of the Revised Statutes (30 U.S.C. 42) shall be deposited into the Fund.

(3) USE.—The Secretary of the Interior may make expenditures from amounts available in the Fund, without further appropriations, only to carry out section 40704 of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245).

(4) ALLOCATION OF FUNDS.—Amounts made available under paragraph (3)—

(A) shall be allocated in accordance with section 40704(e)(1) of the Infrastructure Investment and Jobs Act (30 U.S.C. 1245(e)(1)); and

(B) may be transferred in accordance with section 40704(e)(2) of that Act (30 U.S.C. 1245(e)(2)).

(c) CLERICAL AMENDMENTS.—Section 10101 of the Omnibus Budget Reconciliation Act of 1993 (30 U.S.C. 28f) is amended—

(1) by striking “the Mining Law of 1872 (30 U.S.C. 28-28e)” each place it appears and inserting “sections 2319 through 2344 of the Revised Statutes (30 U.S.C. 22 et seq.)”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) in the second sentence, by striking “Such claim maintenance fee” and inserting the following:

“(B) FEE.—The claim maintenance fee under subparagraph (A)”; and

(ii) in the first sentence, by striking “The holder of” and inserting the following:

“(A) IN GENERAL.—The holder of”; and

(B) in paragraph (2)—

(i) in the second sentence—

(I) by striking “the Mining Law of 1872 (30 U.S.C. 28 to 28e)” and inserting “sections 2319 through 2344 of the Revised Statutes (30 U.S.C. 22 et seq.)”; and

(II) by striking “Such claim maintenance fee” and inserting the following:

“(B) FEE.—The claim maintenance fee under subparagraph (A)”; and

(ii) in the first sentence, by striking “The holder of” and inserting the following:

“(A) IN GENERAL.—The holder of”; and

(3) in subsection (b)—

(A) in the second sentence, by striking “The location fee” and inserting the following:

“(2) FEE.—The location fee”; and

(B) in the first sentence, by striking “The claim main tenance fee” and inserting the following:

“(1) IN GENERAL.—The claim maintenance fee”.

#### SEC. 4807. AMENDMENTS TO NEPA.

(a) PURPOSES.—Section 2 of the National Environmental Policy Act of 1969 (42 U.S.C. 4321) is amended—

(1) by striking the section designation and heading and all that follows through “are: To” and inserting the following:

#### “SEC. 2. PURPOSES.

“(a) PURPOSES.—The purposes of this Act are to”; and

(2) by adding at the end the following:

“(b) INTENT.—This Act—

“(1) is a procedural statute intended to ensure Federal agencies consider the environmental impacts of their actions during the decisionmaking process;

“(2) does not mandate particular results; and

“(3) only prescribes a purely procedural process.

“(c) EFFECT.—Nothing in this Act—

“(1) mandates any specific environmental outcome or result; or

“(2) confers substantive rights or imposes substantive duties beyond procedural requirements.”

(b) PROCEDURE FOR DETERMINATION OF LEVEL OF REVIEW.—Section 106 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336) is amended—

(1) in the section heading, by inserting “; SCOPE OF REVIEW” after “LEVEL OF REVIEW”;

(2) in subsection (a)—

(A) in paragraph (2), by striking “109 of this Act,” and inserting “109, a categorical exclusion established by Congress.”;

(B) in paragraph (3), by striking “or”;

(C) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(5) the proposed agency action is an action for which such agency’s compliance with another statute’s requirements serve a similar function as the requirements of this Act with respect to such action; or

“(6) the proposed agency action—

“(A) relates to a project or action that has already been reviewed pursuant to a State or Tribal environmental review statute, ordinance, resolution, regulation, or formally adopted policy; and

“(B) the lead agency determines such review meets the requirements of this Act.”;

(3) in subsection (b)—

(A) in paragraph (2), in the first sentence—

(i) by striking “does not” and inserting “is not likely to”; and

(ii) by striking “109 of this Act,” and inserting “109, a categorical exclusion established by Congress.”; and

(B) in paragraph (3), by striking subparagraph (B) and inserting the following:

“(B) is not required to undertake new scientific or technical research—

“(i) unless the new scientific or technical research is essential to a reasoned choice among alternatives, and the overall costs and time frame of obtaining it are not unreasonable; or

“(ii) after the receipt of an application, as applicable, with respect to such proposed agency action.”; and

(4) by adding at the end the following:

“(c) SCOPE OF REVIEW.—In preparing an environmental document for a proposed agency action, a Federal agency—

“(1) may only consider effects that share a reasonably close causal relationship to, and are proximately caused by, the immediate project or action under consideration; and

“(2) may not consider effects that are speculative, attenuated from the project or action, separate in time or place from the project or action, or in relation to separate existing or potential future projects or actions.

(d) PRESUMPTION OF NEGATIVE IMPACTS OF TAKING NO ACTION RELATING TO TRIBAL TRUST RESOURCES.—For any proposed agency action carried out on, or directly affecting, Tribal trust resources (including land and minerals) that is initiated by the federally recognized Indian Tribe for which the United States holds the affected resources in trust, and for which an environmental document was prepared that included consideration of a no action alternative, there shall be a presumption that the effects of taking no action

will be negative for the federally recognized Indian Tribe.

(e) EFFECT OF THRESHOLD DETERMINATIONS ON OTHER AGENCIES.—If a lead agency determines that an environmental document is not required to be prepared with respect to a proposed agency action under subsection (a), no other Federal agency may prepare an environmental document with respect to the proposed agency action.”

(c) TIMELY AND UNIFIED FEDERAL REVIEWS.—

(1) LEAD AGENCY.—Section 107(a) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(a)) is amended—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking “at the earliest practicable time” and inserting “in accordance with subsection (g)(2)”;

(ii) in subparagraph (D), by striking “carry out the proposed agency action” and inserting “carry out the proposed agency action in accordance with the deadlines described in subsection (g)”;

(iii) in subparagraph (E)—

(I) by striking “a review” and inserting “an environmental review”; and

(II) by striking “such review” and inserting “such environmental review”; and

(B) in paragraph (3)—

(i) in the first sentence, by inserting “(including counties, boroughs, parishes, and other political subdivisions of a State)” after “local agency”; and

(ii) by adding at the end the following: “Such comments from Federal cooperating agencies shall be limited to matters relating to the proposed agency action with respect to which the Federal cooperating agency has jurisdiction by law.”

(2) ONE DOCUMENT.—Section 107(b) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(b)) is amended—

(A) by striking “To the extent practicable,” and inserting the following:

“(1) DOCUMENT.—To the extent practicable,”; and

(B) by adding at the end the following:

“(2) CONSIDERATION TIMING.—

“(A) IN GENERAL.—In preparing an environmental document for a proposed agency action, no Federal agency shall be required to consider any scientific or technical research that becomes publicly available after the earlier of, as applicable—

“(i) the date of receipt of an application with respect to such proposed agency action; and

“(ii) the date of publication of a notice of intent or decision to prepare such environmental document for such proposed agency action.

“(B) APPLICABILITY TO OTHER LAW.—Nothing in this paragraph affects any review of information required under subchapter II of chapter 5 of title 5, United States Code, with respect to comments received during the public comment period as applicable.

“(C) DELAY.—A Federal agency may not delay the issuance of an environmental document or a final agency action, including any decision or determination, on the basis of awaiting new scientific or technical research or information that was not available as of the earlier of the dates described in subparagraph (A).”

(3) STATEMENT OF PURPOSE AND NEED.—Section 107(d) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(d)) is amended by striking the period at the end and inserting “, which shall, where applicable, meet the goals of the applicant.”

(4) DEADLINES.—Section 107(g) of the National Environmental Policy Act of 1969 (42 U.S.C. 4336a(g)) is amended—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (3), (5), and (6), respectively;

(B) by inserting before paragraph (3) (as so redesignated) the following:

“(1) APPLICATIONS FOR AUTHORIZATIONS.—

“(A) NOTIFICATION OF COMPLETE OR INCOMPLETE APPLICATION.—Unless a shorter deadline is specified by law, in connection with a proposed agency action for which an applicant submitted an application for an authorization to an agency, not later than 60 days after the date on which the applicant submits the application to the agency, the agency shall document receipt of the application and—

“(i) notify the applicant that the application is complete; or

“(ii) notify the applicant that the application is incomplete and request, in writing, any additional information that the agency needs—

“(I) to determine that the application is complete; and

“(II) to begin preparation of an environmental document.

“(B) AGENCY DETERMINATION.—

“(i) COMPLETE DETERMINATION.—If an agency determines that an application is complete under subparagraph (A)(i), the agency shall, not later than 60 days after the date on which the agency makes such determination—

“(I) notify the applicant that the agency has determined that—

“(aa) the proposed agency action is excluded pursuant to 1 of the agency’s categorical exclusions;

“(bb) the proposed agency action is not a major Federal action; or

“(cc) no further agency action is required;

“(II) issue a notice of intent to prepare an environmental impact statement for the proposed agency action; or

“(III) notify the applicant that the agency has determined that preparation of an environmental assessment is necessary.

“(ii) INCOMPLETE DETERMINATION.—If an agency requests additional information under subparagraph (A)(ii), the deadline described in clause (i) shall be based on the date on which the agency receives the additional information instead of the date on which the determination is made.

“(2) COOPERATING AGENCIES.—

“(A) IN GENERAL.—Not later than 21 days after the date on which a lead agency issues a notice of intent under paragraph (1)(B)(i)(II) or notifies an applicant under paragraph (1)(B)(i)(III) with respect to a proposed agency action, the lead agency shall—

“(i) identify all agencies that are likely to have environmental review, authorization, or other responsibilities with respect to the proposed agency action; and

“(ii) invite each agency to become a cooperating agency.

“(B) DEADLINE TO ACCEPT INVITATION.—Not later than 21 days after the date on which an agency receives an invitation to become a cooperating agency under subparagraph (A)(ii), the agency shall accept or deny the invitation.

“(C) CONVENING OF COOPERATING AGENCIES.—Not later than 7 days after the deadline described in subparagraph (B) has passed for each agency that received an invitation to become a cooperating agency under subparagraph (A)(ii), the lead agency that sent each invitation shall convene each agency that accepts such an invitation to coordinate on developing the schedule under subsection (a)(2)(D) for the applicable proposed agency action.

“(D) UNIDENTIFIED AGENCIES.—If an agency that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed agency action is not identified under subparagraph (A)(i), the lead agency with respect to the proposed agency action shall—

“(i) invite such unidentified agency to become a cooperating agency by not later than 7 days after the date on which the lead agency becomes aware that the agency has jurisdiction by law or special expertise; and

“(ii) if such agency accepts the invitation, incorporate such agency into the schedule developed under subsection (a)(2)(D) and update such schedule accordingly by not later than 14 days after the date on which the agency accepts the invitation.”;

(C) in paragraph (3) (as so redesignated)—

(i) in the paragraph heading, by striking “IN GENERAL” and inserting “REVIEW TIMELINE”; and

(ii) in the matter preceding subparagraph (A), by striking “paragraph (2)” and inserting “paragraph (5)”;

(D) by inserting after paragraph (3) (as so redesignated) the following:

“(4) DEADLINE FOR FINAL AGENCY ACTION.—

“(A) IN GENERAL.—For any proposed agency action for which an applicant submitted an application for an authorization to an agency, not later than 30 days after completing an environmental impact statement or an environmental assessment for the proposed agency action, the lead agency, and any cooperating agency, shall issue a final agency action.

“(B) PERFORMANCE SCHEDULE.—The agency issuing the final agency action under subparagraph (A) shall include, in the final agency action, a performance schedule for the completion of any other outstanding authorizations.”;

(E) in paragraph (5) (as so redesignated)—

(i) by striking “the deadline described in paragraph (1)” and inserting “a deadline described in this subsection”;

(ii) by striking “, in consultation with the applicant, to” and inserting “if the applicant approves such extension. If the applicant approves such extension, the lead agency shall”;

(F) in paragraph (6) (as so redesignated)—

(i) in subparagraph (A), by striking “A project sponsor may” and inserting “Except as provided in subparagraph (C), a project sponsor may”;

(ii) by adding at the end the following:

“(C) EXCEPTION.—A project sponsor that approved an extension of a deadline under paragraph (5) may not obtain judicial review of a failure to act in accordance with such deadline under subparagraph (A) unless the lead agency fails to meet the new deadline or is delaying for reasons other than those necessary to complete its review.”;

(G) by adding at the end the following:

“(7) CONCURRENT REVIEW.—In carrying out an environmental review, the lead agency and each cooperating agency shall carry out the obligations of that agency under other applicable laws concurrently, and in conjunction, with other required reviews for the proposed agency action, pursuant to the requirements of applicable law, including, if applicable, this Act.”.

(d) PROGRAMMATIC ENVIRONMENTAL DOCUMENTS.—Section 108 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336b) is amended—

(1) in the matter preceding paragraph (1), by striking “When an agency prepares” and inserting the following:

“(a) PROGRAMMATIC ENVIRONMENTAL DOCUMENTS.—When an agency prepares”;

(2) in subsection (a) (as so designated)—

(A) in paragraph (1), by striking “5” and inserting “10”;

(B) in paragraph (2), by striking “5” and inserting “10”;

(3) by adding at the end the following:

“(b) RELIANCE ON PREVIOUSLY COMPLETED ENVIRONMENTAL REVIEWS.—

“(1) ACTIONS THAT ARE SUBSTANTIALLY THE SAME.—A lead agency may satisfy the re-

quirements of this Act with respect to a major Federal action by relying on an environmental assessment, environmental impact statement, or a categorical exclusion determination that the lead agency, another Federal agency, or a project sponsor under the supervision of a Federal agency completed for another major Federal action if the lead agency determines that—

“(A) the new major Federal action is substantially the same as the other major Federal action or, if applicable, an alternative analyzed in such environmental assessment or environmental impact statement; and

“(B) if applicable, the effects of the new major Federal action are substantially the same as the effects analyzed in such environmental assessment or environmental impact statement.

“(2) ACTIONS THAT ARE NOT SUBSTANTIALLY THE SAME.—

“(A) IN GENERAL.—If a new major Federal action is not substantially the same as another major Federal action or an alternative analyzed in an environmental assessment or environmental impact statement completed by the lead agency, another Federal agency, or a project sponsor under the supervision of a Federal agency, the lead agency may modify or augment any such previously completed environmental assessment or environmental impact statement as necessary to satisfy the requirements of this Act with respect to the new major Federal action.

“(B) PUBLIC AVAILABILITY.—The lead agency shall make any environmental assessment or environmental impact statement modified under subparagraph (A) publicly available as a new environmental assessment or environmental impact statement.”.

(e) ADOPTION OF CATEGORICAL EXCLUSIONS.—Section 109 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336c) is amended—

(1) in the matter preceding paragraph (1), in the first sentence, by inserting “, or that was legislatively enacted by Congress,” after “procedures”;

(2) in paragraph (1), by inserting “, or that was established by Congress,” after “procedures”;

(3) in paragraph (2), by inserting “if applicable,” before “consult”.

(f) DEFINITIONS.—Section 111 of the National Environmental Policy Act of 1969 (42 U.S.C. 4336e) is amended—

(1) in paragraph (1), by inserting “, or Congress deems by statute,” after “Federal agency has determined”;

(2) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (11), (12), and (13) as paragraphs (2), (3), (4), (5), (6), (7), (8), (11), (12), (13), and (15), respectively, and moving all paragraphs of the section so as to appear in numerical order;

(3) by inserting before paragraph (2) (as so redesignated) the following:

“(1) AUTHORIZATION.—The term ‘authorization’ means any lease, right-of-way, easement, license, permit, approval, finding, determination, or other administrative decision issued by an agency, or any interagency consultation, that is required or authorized under Federal law in order to construct, modify, or operate a project.”;

(4) in paragraph (10)—

(A) in subparagraph (B)—

(i) in clause (iii)—

(I) by inserting “grants (including capitalization grants), cost share awards,” after “loan guarantees”;

(II) by striking “sufficient” and inserting “complete”;

(III) by striking “subsequent use of such financial assistance or the”;

(ii) in clause (iv), by striking “section 7(a) or (b) and of the Small Business Act ( U.S.C. 636(a)), or” and inserting “subsection (a) or

(b) of section 7 of the Small Business Act (15 U.S.C. 636) or”;

(iii) by redesignating clauses (iv) through (vii) as clauses (vi) through (ix), respectively;

(iv) by inserting after clause (iii) the following:

“(iv) farm ownership and operating loan guarantees by the Farm Service Agency pursuant to section 305 and subtitle B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1925, 1941 et seq.);

“(v) the issuance of a permit or other authorization by a Federal agency where the proposal under consideration is otherwise being evaluated or was previously evaluated by the lead agency in compliance with this Act”;

(v) in clause (viii) (as so redesignated), by striking “entirely”;

(B) by adding at the end the following:

“(C) ADDITIONAL EXCLUSIONS.—An agency action may not be determined to be a major Federal action solely on the basis of the provision of Federal funds, including a grant, loan, loan guarantee, and funding assistance.”;

(5) by inserting after paragraph (13) (as so redesignated) the following:

“(14) REASONABLY FORESEEABLE.—

“(A) IN GENERAL.—The term ‘reasonably foreseeable’, with respect to environmental effects of a proposed agency action, means effects that share a reasonably close causal relationship to, and are proximately caused by, the immediate project or action under consideration.

“(B) EXCLUSIONS.—The term ‘reasonably foreseeable’, with respect to environmental effects of a proposed agency action, does not include effects that are—

“(i) speculative;

“(ii) attenuated from the proposed agency action;

“(iii) separate in time or place from the proposed agency action; or

“(iv) in relation to separate existing or potential future projects.”.

(g) DUTIES OF THE COUNCIL.—Section 204(4) of the National Environmental Policy Act of 1969 (42 U.S.C. 4344(4)) is amended by inserting “energy,” after “health,”.

(h) JUDICIAL REVIEW.—Title I of the National Environmental Policy Act of 1969 is amended—

(1) by redesignating section 112 (42 U.S.C. 4336f) as section 110A, and moving the section so as to appear after section 110; and

(2) by inserting before section 111 the following:

“SEC. 110B. JUDICIAL REVIEW.

“(a) ROLE OF THE COURT.—In reviewing a claim or petition for review of whether a final agency action complies with the requirements of this Act, a court—

“(1) shall afford substantial deference to the agency; and

“(2) may not substitute its judgment for that of the agency with respect to the environmental effects included in the final agency action or the environmental document.

“(b) REMAND.—

“(1) IN GENERAL.—If a court holds, under section 706(2)(A) of title 5, United States Code, that a final agency action does not comply with the requirements of this Act, the only remedy the court may order, notwithstanding chapter 7 of that title, is to remand, without vacatur or injunction, the final agency action to the agency with—

“(A) specific instruction to correct the errors or deficiencies found by the court; and

“(B) a reasonable schedule and deadline to correct such errors or deficiencies, which such deadline may not exceed—

“(i) with respect to an order entered on or after the date of enactment of this section,

the date that is 180 days after the date on which the order was entered; and

“(ii) with respect to an order entered before the date of enactment of this section, the date that is 180 days after that date of enactment.

“(2) CONTINUED EFFECT OF FINAL AGENCY ACTION.—A final agency action remanded under paragraph (1) shall remain in effect while the Federal agency corrects any errors or deficiencies found by the court.

“(3) PROHIBITION.—No court may issue a temporary restraining order or preliminary injunction during consideration of a claim or petition for review described in subsection (a).

“(c) LIMITATIONS ON CLAIMS AND PETITIONS FOR REVIEW.—

“(1) IN GENERAL.—Notwithstanding any other provision of law (except as provided in subparagraph (A) with respect to a shorter deadline), a claim or petition for review described in subsection (a) shall be barred unless—

“(A) the claim or petition for review is filed not later than 150 days after the date on which the final agency action is made public, unless a shorter deadline is specified under Federal law;

“(B) in the case of a final agency action or petition for review for which there was a public comment period on an environmental document, the claim or petition for review—

“(i) is filed by a party that submitted a substantive and unique comment during the public comment period by the noticed comment deadline for the environmental document and the comment was sufficiently detailed to put the applicable Federal agency on notice of the issue on which the party seeks review; and

“(ii) concerns the same subject matter raised in the comment submitted during the public comment period;

“(C) the claim or petition for review is filed by a party that has suffered or imminently will suffer direct harm from the final agency action; and

“(D) the claim or petition for review does not challenge the establishment of a categorical exclusion.

“(2) SUPPLEMENTAL ENVIRONMENTAL DOCUMENTS.—

“(A) IN GENERAL.—If an agency issues a supplemental environmental document in response to a court order remanding a final agency action, the deadline described in paragraph (1)(A) shall be the date on which the agency makes public the agency action for which the supplemental environmental document is prepared.

“(B) LIMITATION.—A claim for review of a final agency action described in subparagraph (A) shall be limited to information contained in the final supplemental environmental document that was not contained in a previous environmental document for the final agency action.

“(3) ACTIONS FOR USE OF TRIBAL TRUST RESOURCES.—

“(A) IN GENERAL.—For any final agency action that authorizes or affects the use of land, minerals, or other resources already held in trust at the time of the final agency action by the United States for the benefit of a federally recognized Indian Tribe, except as provided in subparagraph (B), there shall be no administrative or judicial review of the final agency action or petition for review based on a claim of failure to comply with the requirements of this Act.

“(B) LIMITATION.—Subparagraph (A) shall not apply to actions for administrative or judicial review—

“(i) brought by a federally recognized Indian Tribe for which the United States holds the land, minerals, or other resources in trust; or

“(ii) that involve reasonably foreseeable effects of the final agency action that occur outside the land, minerals, or other resources held in trust by the United States for the benefit of a federally recognized Indian Tribe.

“(d) DEADLINE FOR RESOLUTION.—

“(1) IN GENERAL.—A court shall issue a final judgment on a claim or petition for review described in subsection (a)—

“(A) as expeditiously as practicable; and

“(B) unless a shorter deadline is specified under Federal law, not later than the date that is 180 days after the date on which the agency record for the review is filed with the reviewing court, which shall not be more than 60 days after the filing of the claim or petition for review.

“(2) ACCELERATED DEADLINES.—Nothing in this subsection prevents a court from further expediting review of a claim or petition for review described in subsection (a).

“(3) APPEALS.—

“(A) FILING.—

“(i) IN GENERAL.—A notice of appeal of a final judgment described in this subsection shall be filed not later than 60 days after the final judgment is issued.

“(ii) REMANDED ACTIONS.—In the case of a final agency action remanded under subsection (b), the agency and, if applicable, the applicant, shall have the right to appeal during the pendency of the remand.

“(B) DEADLINE FOR REVIEW.—A court shall issue a final decision on an appeal filed under subparagraph (A)—

“(i) as expeditiously as practicable; and

“(ii) not later than the date that is 180 days after the date on which the appeal is filed.

“(e) NO EFFECT ON REVIEW OF COMPLIANCE WITH OTHER DEADLINES.—Nothing in this section affects the right to obtain review under section 107(g)(6).”.

**SA 5946.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **INFORMATIONAL MATERIALS UNDER THE FOREIGN AGENTS REGISTRATION ACT.**

(a) DEFINITION OF INFORMATIONAL MATERIAL.—Section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611) is amended by inserting after subsection (p) the following:

“(q) INFORMATIONAL MATERIAL.—The term ‘informational material’ means any material that a person disseminating the material believes or has reason to believe will, or that the person intends to in any way, influence any agency or official of the Government of the United States or any section of the public within the United States with reference to—

“(1) formulating, adopting, or changing the domestic or foreign policies of the United States; or

“(2) the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.”.

(b) FILING AND LABELING OF INFORMATIONAL MATERIALS AND REQUESTS FOR INFORMATION OR ADVICE.—Section 4 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 614) is amended—

(1) in the section heading, by striking “POLITICAL PROPAGANDA” and inserting “INFORMATIONAL MATERIALS”;

(2) in subsection (b), by inserting “that states the name of the foreign country in which the foreign principal is located,” after “on behalf of the foreign principal,”; and

(3) by striking subsection (e) and inserting the following:

“(e) INFORMATION FURNISHED TO AGENCIES OR OFFICIALS OF THE UNITED STATES GOVERNMENT.—It shall be unlawful for any person within the United States who is an agent of a foreign principal required to register under the provisions of this Act to transmit, convey, or otherwise furnish to any agency or official of the Government (including a Member or committee of either House of Congress) for or in the interests of such foreign principal any informational material or to request from any such agency or official for or in the interests of such foreign principal any information or advice with respect to any matter pertaining to the political or public interests, policies, or relations of a foreign country or of a political party or pertaining to the foreign or domestic policies of the United States unless the informational material or the request is prefaced or accompanied by a true and accurate statement to the effect that such person is registered as an agent of such foreign principal under this Act.”.

(c) REPORTS TO THE CONGRESS.—Section 11 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 621) is amended by striking “political propaganda” and inserting “informational material”.

**SA 5947.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **DOMESTIC PROCUREMENT REQUIREMENT FOR CRITICAL QUANTUM HARDWARE.**

(a) REQUIREMENT.—Except as provided in subsection (b), beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Defense may not procure any critical quantum hardware unless such hardware is domestically manufactured by an entity 50 percent or more of the ownership interest in which is held by United States persons.

(b) WAIVER.—

(1) AUTHORITY.—During the two-year period beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Defense may waive the requirement under subsection (a) if the Secretary determines that—

(A) the critical quantum hardware is not domestically manufactured in sufficient quantity or of satisfactory quality;

(B) the procurement of domestically manufactured critical quantum hardware would result in a cost increase of more than 25 percent; or

(C) the waiver is necessary to respond to an urgent national security requirement.

(2) SUNSET.—The authority to grant a waiver under paragraph (1) shall terminate on the date that is three years after the date of the enactment of this Act.

(c) NOTIFICATION AND JUSTIFICATION.—Not later than 15 days before granting a waiver

under subsection (b), the Secretary of Defense shall submit to the congressional defense committees a written notification that includes the following:

(1) An identification of the critical quantum hardware to be procured.

(2) A detailed justification for the waiver, including the specific basis under subsection (b)(1) upon which the waiver is being granted.

(3) An assessment of domestic manufacturing capacity for the hardware.

(4) A description of any efforts underway to develop or expand domestic sources for the hardware.

(d) DEFINITIONS.—In this section:

(1) CRITICAL QUANTUM HARDWARE.—The term “critical quantum hardware” means any of the following items designed for use in quantum computing, quantum sensing, or quantum networking systems:

(A) Cryogenic cooling systems, including dilution refrigerators and pulse tube cryocoolers and cryostats.

(B) Laser systems.

(C) Cryogenic wiring assemblies.

(D) Radio frequency and microwave components, including passive components (attenuators and connectors) and active components (traveling-wave parametric amplifiers, Josephson parametric amplifiers, high-electron-mobility transistors, and circulators).

(2) DOMESTICALLY MANUFACTURED.—The term “domestically manufactured” means, with respect to critical quantum hardware, that—

(A) the hardware was assembled in the United States; and

(B) not less than 55 percent of the components of the hardware (as determined based on the cost of such components) were—

(i) produced or manufactured in the United States; or

(ii) mined in the United States (as defined in section 638(1) of the Internal Revenue Code of 1986).

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

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

(B) an entity organized under the laws of the United States or any jurisdiction within the United States.

**SA 5948.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1050. REPORT ON CRITICAL MINERALS FOR USE BY DEPARTMENT OF DEFENSE.**

Not later than October 1, 2026, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes—

(1) for each mineral on the most recent list of critical minerals required by section 7002(c) of the Energy Act of 2020 (30 U.S.C. 1606(c))—

(A) an assessment of whether the mineral is an input required for production of a material integral to the defense industrial base;

(B) a description of the geographical dispersion of deposits of the mineral, refining and processing facilities for the mineral, and recycling facilities for the mineral; and

(C) an assessment of the potential for by-product recovery of the mineral at existing mines by foreign countries, with particular attention to portions of the supply chain that are concentrated in countries of concern such as the People’s Republic of China;

(2) a description of strategic investments, loans and loan guarantees, procurement policy reforms, grants, and other methods available to the Secretary to accelerate materials science, extraction and processing technologies, recycling, and tailing and by-product recovery of critical minerals in the United States, and development of a mining workforce in the United States, to reduce the dependence of the Department of Defense on the People’s Republic of China or other countries of concern;

(3) an assessment of opportunities for strategic international partnerships to increase the security of supply chains for critical minerals; and

(4) an assessment of opportunities for the Secretary to maximize recycling of decommissioned military waste to obtain critical materials.

**SA 5949.** Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1252. REPORT AND BRIEFINGS ON DEFENSE SYSTEMS FOR CO-PRODUCTION WITH INDIA.**

(a) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in cooperation with the Secretary of State, shall submit to the congressional defense committees a report that identifies defense systems, subsystems, critical components, or capabilities suitable for co-production or co-development with India over the subsequent five-year period.

(2) CONSIDERATIONS.—In identifying such systems, the Secretary of Defense shall consider the following:

(A) Operational demand, and documented capability gaps, of the United States and India with respect to co-production and co-development of defense systems, subsystems, critical components, or capabilities.

(B) With respect to the meaningful participation in such co-production and co-development, the industrial capacity of defense firms of India, the Government of India, and any other relevant entity.

(C) The potential to enhance—

(i) supply chain resilience and United States-India interoperability; and

(ii) shared development of—

(I) hardware, such as munitions, combat vehicles, and space technologies; and

(II) capabilities, including software, artificial intelligence platforms, cyber platforms, and other advanced technologies.

(D) Technology security and export control requirements under the Arms Export Control Act (22 U.S.C. 2751 et seq.) and applicable regulations.

(E) The relationship of the Government of India and the defense firms of India with countries of concern, including the People’s Republic of China, Cuba, Iran, the Democratic People’s Republic of Korea, the Russian Federation, and Venezuela, and the risk

of sensitive technology transfer to such countries.

(3) STRATEGY TO ADVANCE CO-PRODUCTION.—The report required by paragraph (1) shall include, for each system identified, a strategy to advance co-production that includes the following:

(A) An identification of the proposed co-production or co-development mechanism, such as Foreign Military Sales, Direct Commercial Sales, a government-to-government agreement, or another arrangement.

(B) An identification of key milestones and a timeline for achieving a co-production or co-development arrangement within the five-year period covered by the report.

(C) An identification of the lead Department of Defense office responsible for execution of such arrangement.

(D) A description of known obstacles and steps to address such obstacles, including any required regulatory, policy, or legislative changes by the United States.

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

(b) BRIEFINGS.—Not later than two years after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall provide the congressional defense committees with a briefing on progress in advancing co-production arrangements for each system identified under subsection (a)(1), including any systems removed from or added to the list and the rationale for so doing.

**SA 5950.** Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle F—Protecting Global Fisheries Act of 2026**

**SEC. 1271. SHORT TITLE.**

This subtitle may be cited as the “Protecting Global Fisheries Act of 2026”.

**SEC. 1272. DEFINITIONS.**

In this subtitle:

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

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives.

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

(4) ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—The term “illegal, unreported, or unregulated fishing” means activities described as illegal fishing, unreported fishing, or unregulated fishing in paragraph 3 of the International Plan of Action to Prevent,

Deter and Eliminate Illegal, Unreported and Unregulated Fishing, adopted at the 24th Session of the Committee on Fisheries of the Food and Agriculture Organization of the United Nations in Rome on March 2, 2001.

(5) UNITED STATES PERSON.—The term “United States person” means—

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

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

(C) any person located in the United States.

**SEC. 1273. INTERNATIONAL COLLABORATION RELATED TO COUNTERING ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.**

(a) STATEMENT OF POLICY.—It is the policy of the United States to prioritize collaboration with appropriate countries that are allies and partners of the United States, and through appropriate international institutions, to combat illegal, unreported, or unregulated fishing.

(b) ACTIONS BY SECRETARIES.—The Secretary of State, the Secretary of Commerce, and the Secretary of Homeland Security may provide direction, as appropriate, to use the voice, vote, and influence of the United States in all appropriate international fora and with appropriate countries that are allies and partners of the United States—

(1) to ensure that cutting edge technology is deployed in accordance with existing or future maritime law enforcement agreements the United States may enter or has entered into; and

(2) to hold accountable those individuals or entities that are responsible or complicit in illegal, unreported, or unregulated fishing, with a particular focus on the harmful actions of the People’s Republic of China.

(c) ADVOCACY AT UNITED NATIONS.—The President may direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to urge the United Nations to take greater action with respect to collaborative global efforts to counter illegal, unreported, or unregulated fishing.

**SEC. 1274. AUTHORIZATION OF IMPOSITION OF SANCTIONS WITH RESPECT TO ILLEGAL, UNREPORTED, OR UNREGULATED FISHING AND TRADE IN ENDANGERED SPECIES.**

(a) DETERMINATIONS AND RECOMMENDATIONS.—The Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Commerce, and the Secretary of the Interior, may recommend to the President that the President impose sanctions as described in subsection (b) with respect to any foreign person or foreign vessel (regardless of ownership) that the Secretaries determine—

(1) is responsible for or complicit in—

(A) illegal, unreported, or unregulated fishing; or

(B) except as part of a conservation effort, the sale, supply, purchase, or transfer (including transportation) of endangered species, as defined in section 3(6) of the Endangered Species Act of 1973 (16 U.S.C. 1532(6));

(2) is a leader or official of an entity, including a government entity, that has engaged in, or the members of which have engaged in, any of the activities described in paragraph (1) during the tenure of the leader or official;

(3) has ever owned, operated, chartered, or controlled a vessel during which time the personnel of the vessel engaged in any of the activities described in paragraph (1); or

(4) has materially assisted, sponsored, or provided financial, material, or techno-

logical support for, or goods or services in support of—

(A) any of the activities described in paragraph (1); or

(B) any foreign person engaged in any such activity.

(b) IMPOSITION OF SANCTIONS.—With respect to a foreign person or foreign vessel that is the subject of a recommendation under subsection (a) or that the Secretary of the Treasury, in consultation with the Secretary of State, the Secretary of Commerce, and the Secretary of the Interior, determines has engaged in activity described in that subsection, the President may impose sanctions, including the following:

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

(2) INADMISSIBILITY TO THE UNITED STATES.—In the case of an alien described in subsection (a), or any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, a foreign person described in subsection (a) that is an entity—

(A) ineligibility for a visa and inadmissibility to the United States; and

(B) revocation of any valid visa or travel documentation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)).

(3) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The President may prohibit any United States financial institution from making loans or providing credits to a foreign person described in subsection (a).

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which a foreign person or foreign vessel described in subsection (a) has any interest.

(c) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall submit a report on the imposition of sanctions under this section to—

(1) the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

(d) EXCEPTIONS.—

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

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

Vienna on April 24, 1963, and entered into force on March 19, 1967, or other international obligations.

(3) EXCEPTION FOR SAFETY OF VESSELS AND CREW.—Sanctions under this section shall not apply with respect to a person providing provisions to a vessel if such provisions are intended for the safety and care of the crew aboard the vessel or the maintenance of the vessel to avoid any environmental or other significant damage.

(4) HUMANITARIAN EXCEPTION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the President may not impose sanctions under this section with respect to any person for conducting or facilitating a transaction for the sale of agricultural commodities, food, medicine, or medical devices or for the provision of humanitarian assistance.

(B) EXCLUSION.—The exception under subparagraph (A) does not include transactions for the sale of food or agricultural commodities obtained through illegal, unreported, or unregulated fishing.

(e) IMPLEMENTATION; PENALTIES.—

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

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

(f) RULEMAKING.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce and the Secretary of the Interior, may promulgate such rules and regulations as may be necessary to carry out the provisions of this section (which may include regulatory exceptions and a process for making determinations and recommendations under subsection (a)).

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

**SEC. 1275. REPORT ON GLOBAL ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.**

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 4 years, the Secretary of State, in consultation with the Secretary of Defense and in coordination with the Secretary of Homeland Security and the Secretary of Commerce, shall submit to the appropriate congressional committees a report that includes—

(A) recommendations to bolster maritime law enforcement agreements with countries that are allies and partners of the United States;

(B) an assessment of—

(i) the global illegal, unreported, or unregulated fishing patterns, strategic goals, and regional priorities of the People’s Republic of China; and

(ii) government and nongovernment resourcing vectors of the People’s Republic of China for illegal, unreported, or unregulated fishing fleets;

(C) an assessment of the efficacy of global forums to respond to illegal, unreported, or unregulated fishing; and

(D) a strategy for the engagement of the United States in such forums.

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

(b) INTERAGENCY WORKING GROUP ON ILLEGAL, UNREPORTED, OR UNREGULATED FISHING.—In preparing the report required by subsection (a), the Secretary of State shall consider the recommendations of the working group on maritime security and illegal, unreported, or unregulated fishing established by section 3551 of the Maritime Security and Fisheries Enforcement Act (16 U.S.C. 8031).

**SA 5951.** Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 10 . . . RESOURCES TO IMPLEMENT DEPARTMENT OF DEFENSE POLICY ON CIVILIAN HARM.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) designate within each component specified in subsection (c) an official responsible for—

(A) implementing and overseeing the implementation of Department of Defense Instruction 3000.17, which was issued pursuant to section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232; 10 U.S.C. 134 note); and

(B) implementing and overseeing the implementation of all other policies of the Department of Defense on the protection of civilians and civilian harm mitigation and response, consistent with the laws of war; and

(2) take all necessary steps to maintain within the Civilian Protection Center of Excellence sufficient staff to carry out the purposes of the Center set forth in section 184(b) of title 10, United States Code, and Department of Defense Instruction 3000.17.

(b) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the implementation of Department of Defense Instruction 3000.17 that includes—

(1) A breakdown of the number of full-time equivalent staff assigned to implementation of the Instruction across the Department, including the locations, offices, and roles of such staff.

(2) A description of the resources required by the Department to effectively implement the Instruction.

(c) COMPONENTS SPECIFIED.—The components specified in this subsection are the following:

- (1) The Office of the Under Secretary for Policy.
- (2) The Joint Staff.
- (3) The United States Central Command.
- (4) The United States Africa Command.
- (5) The United States Special Operations Command.
- (6) The United States European Command.
- (7) The United States Southern Command.
- (8) The United States Indo-Pacific Command.
- (9) The United States Northern Command.

**SA 5952.** Mr. GALLEGO submitted an amendment intended to be proposed by

him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 2873. REPORT ON MILITARY INSTALLATIONS IMPACTED BY CONFLICT WITH ISLAMIC REPUBLIC OF IRAN.**

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on military installations, forward operating bases, and cooperative security locations damaged or impacted during the conflict with the Islamic Republic of Iran.

(b) ELEMENTS.—The report submitted under subsection (a) shall include, for each location included in the report—

(1) a comprehensive cost analysis of the necessary repairs; and

(2) a listing of any munitions downgraded as a result of the conflict with the Islamic Republic of Iran.

**SA 5953.** Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1252. PROHIBITION ON USE OF FUNDS TO DELAY WEAPONS SALES TO TAIWAN.**

None of the funds authorized to be appropriated by this Act or otherwise made available to the Department of Defense for fiscal year 2027 may be used to delay weapons sales to Taiwan to support the self-defense of Taiwan, in contravention of the Taiwan Relations Act (22 U.S.C. 3301 et seq.).

**SA 5954.** Mr. GALLEGO submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. . . . INELIGIBILITY OF ASHLI BABBITT FOR MILITARY FUNERAL HONORS.**

Ashli Babbitt shall be considered to be ineligible for military funeral honors under section 985 of title 10, United States Code. Her illegal actions of participating in the January 6, 2021 insurrection, including crawling through a broken window of a barricaded door leading to the House Speaker's Lobby, disqualify her from such honors.

**SA 5955.** Mr. GALLEGO (for himself and Mr. JUSTICE) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for mili-

tary activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

**SEC. . . . COMMUNITY WATER SYSTEM RISK AND RESILIENCE.**

Section 1433(g) of the Safe Drinking Water Act (42 U.S.C. 300i-2(g)) is amended—

(1) in paragraph (1), by striking “2020 and 2021” and inserting “2027 through 2032”;

(2) in paragraph (2), by striking subparagraph (F) and inserting the following:

“(F) participation in training programs, and the purchase of training manuals and guidance materials, relating to security and resilience, including—

“(i) protecting community water systems from cyberattacks; and

“(ii) responding to cyberattacks;”;

(3) in paragraph (6), by striking “2020 and 2021” and inserting “2027 through 2032”.

**SA 5956.** Mr. Kaine submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. . . . PRE-APPROVAL FOR PURCHASE AND THIRD PARTY TRANSFER OF CERTAIN DEFENSE ARTICLES FOR UKRAINE.**

(a) STATEMENT OF POLICY.—As long as the Russian Federation continues to execute its brutal invasion of Ukraine, it is the policy of the United States—

(1) to welcome long-term investment from allies and partners in the United States defense industrial base; and

(2) to facilitate increased contributions from allies and partners to the defense of Ukraine.

(b) PRE-APPROVAL FOR PURCHASE AND THIRD PARTY TRANSFER OF CERTAIN DEFENSE ARTICLES FOR UKRAINE.—Section 3 of the Arms Export Control Act (22 U.S.C. 2753) is amended by adding at the end the following:

“(h) PURCHASE AND THIRD PARTY TRANSFER: UKRAINE.—

“(1) IN GENERAL.—The transfer of defense articles sold by the United States under this Act shall be approved, and subsections (a), (b), and (d) shall not apply to such a transfer, if—

“(A) the purchaser of the defense articles to be transferred is the government of a member country of the North Atlantic Treaty Organization, the Government of Australia, the Government of Japan, the Government of the Republic of Korea, the Government of Israel, or the Government of New Zealand;

“(B) the recipient of the defense articles to be transferred is the Government of Ukraine;

“(C) the defense articles are 155mm artillery shells, 155mm Excalibur extended range artillery shells, High Mobility Artillery Rocket System (HIMARS) munitions, or Guided Multiple Launch Rocket System (GMLRS) munitions;

“(D) the Government of Ukraine has provided a commitment in writing to the United States Government, including to the Committee on Foreign Relations of the Senate

and the Committee on Foreign Affairs of the House of Representatives, that it will not transfer such defense articles, if not demilitarized, to any other foreign country or person without first obtaining the consent of the President; and

“(E) the Government of Ukraine accepts title and physical custody of the transferred defense articles before December 31, 2030.

“(2) NOTICE TO CONGRESS.—Before a transfer of defense articles to the Government of Ukraine approved under paragraph (1) is made, the President shall promptly notify the Speaker of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate of the intended transfer.

“(3) ANNUAL EXTENSION.—Annually, the Secretary of State may extend the date in paragraph (1)(E) by one year until December 31, 2035, if, before such an extension, the Secretary certifies to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that the Russian Federation is continuing to execute its invasion of Ukraine.

“(4) RULES OF CONSTRUCTION.—

“(A) SELECTION OF DEFENSE ARTICLES.—Nothing in this subsection may be construed to limit—

“(i) the type or quantity of defense articles that may be requested by, or transferred to, the Government of Ukraine; or

“(ii) the timing of such requests or transfers.

“(B) RETRANSFERS.—Any request by the Government of Ukraine to retransfer defense articles received by that Government under this Act remains subject to all relevant provisions of this Act.”

**SA 5957.** Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle A—North Korean Human Rights**

**SEC. 1271. SHORT TITLE.**

This subtitle may be cited as the “North Korean Human Rights Reauthorization Act of 2025”.

**SEC. 1272. FINDINGS.**

Congress makes the following findings:

(1) The North Korean Human Rights Act of 2004 (Public Law 108-333; 22 U.S.C. 7801 et seq.) and subsequent reauthorizations of such Act were the product of broad, bipartisan consensus regarding the promotion of human rights, documentation of human rights violations, transparency in the delivery of humanitarian assistance, and the importance of refugee protection.

(2) The human rights and humanitarian conditions within North Korea remain deplorable and have been intentionally perpetuated against the people of North Korea through policies endorsed and implemented by Kim Jong-un and the Workers’ Party of Korea.

(3) According to a 2014 report released by the United Nations Human Rights Council’s Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea, between 80,000 and 120,000 children, women, and men were being held in political prison camps in North Korea, where they were subjected to deliberate starvation, forced labor,

executions, torture, rape, forced abortion, and infanticide.

(4) North Korea continues to hold a number of South Koreans and Japanese abducted after the signing of the Agreement Concerning a Military Armistice in Korea, signed at Panmunjom July 27, 1953 (commonly referred to as the “Korean War Armistice Agreement”), and refuses to acknowledge the abduction of more than 100,000 South Koreans during the Korean War in violation of the Geneva Convention.

(5) Human rights violations in North Korea, which include forced starvation, sexual violence against women and children, restrictions on freedom of movement, arbitrary detention, torture, executions, and enforced disappearances, amount to crimes against humanity according to the United Nations Commission of Inquiry on Human Rights in the Democratic People’s Republic of Korea.

(6) The Chinese Communist Party and the Government of the People’s Republic of China are aiding and abetting in crimes against humanity by forcibly repatriating North Korean refugees to North Korea where they are sent to prison camps, harshly interrogated, and tortured or executed.

(7) The forcible repatriation of North Korean refugees violates the People’s Republic of China’s freely undertaken obligation to uphold the principle of non-refoulement, under the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (and made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)).

(8) North Korea continues to bar freedom of religion and persecute religious minorities, especially Christians. Eyewitnesses report that Christians in North Korea have been tortured, forcibly detained, and even executed for possessing a Bible or professing Christianity.

(9) United States and international broadcasting operations into North Korea—

(A) serve as a critical source of outside news and information for the North Korean people; and

(B) provide a valuable service for countering regime propaganda and false narratives.

**SEC. 1273. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) promoting information access in North Korea continues to be a successful method of countering North Korean propaganda;

(2) the United States Government should continue to support efforts described in paragraph (1), including by enacting and implementing the Otto Warmbier North Korean Censorship and Surveillance Act of 2021, which was introduced by Senator Portman on June 17, 2021;

(3) because refugees among North Koreans fleeing into China face severe punishments upon their forcible return, the United States should urge the Government of the People’s Republic of China—

(A) to immediately halt its forcible repatriation of North Koreans;

(B) to allow the United Nations High Commissioner for Refugees (referred to in this section as “UNHCR”) unimpeded access to North Koreans within China to determine whether they are refugees and require assistance;

(C) to fulfill its obligations under the Convention Relating to the Status of Refugees, done at Geneva July 28, 1951 (and made applicable by the Protocol Relating to the Status of Refugees, done at New York January 31, 1967 (19 UST 6223)) and the Agreement on the upgrading of the UNHCR Mission in the People’s Republic of China to UNHCR branch office in the People’s Republic of China, done at Geneva December 1, 1995;

(D) to address the concerns of the United Nations Committee Against Torture by incorporating into domestic legislation the principle of non-refoulement; and

(E) to recognize the legal status of North Korean women who marry or have children with Chinese citizens and ensure that all such mothers and children are granted resident status and access to education and other public services in accordance with Chinese law and international standards;

(4) the United States Government should continue to promote the effective and transparent delivery and distribution of any humanitarian aid provided in North Korea to ensure that such aid reaches its intended recipients to the point of consumption or utilization by cooperating closely with the Government of the Republic of Korea and international and nongovernmental organizations;

(5) the Department of State should continue to take steps to increase public awareness about the risks and dangers of travel by United States citizens to North Korea, including by continuing its policy of blocking United States passports from being used to travel to North Korea without a special validation from the Department of State;

(6) the United Nations, which has a significant role to play in promoting and improving human rights in North Korea, should press for access for the United Nations Special Rapporteur and the United Nations High Commissioner for Human Rights on the situation of human rights in North Korea;

(7) the Special Envoy for North Korean Human Rights Issues should be appointed without delay—

(A) to properly promote and coordinate North Korean human rights and humanitarian issues; and

(B) to participate in policy planning and implementation with respect to refugee issues;

(8) the United States should urge North Korea to repeal the Reactionary Thought and Culture Denunciation Law and other draconian laws, regulations, and decrees that manifestly violate the freedom of opinion and expression and the freedom of thought, conscience, and religion;

(9) the United States should expand the Rewards for Justice program to be open to North Korean officials who can provide evidence of crimes against humanity being committed by North Korean officials;

(10) the United States should continue to seek cooperation from all foreign governments—

(A) to allow the UNHCR access to process North Korean refugees overseas for resettlement; and

(B) to allow United States officials access to process refugees for possible resettlement in the United States; and

(11) the Secretary of State, through diplomacy by senior officials, including United States ambassadors to Asia-Pacific countries, and in close cooperation with South Korea, should make every effort to promote the protection of North Korean refugees, escapees, and defectors.

**SEC. 1274. REAUTHORIZATIONS.**

(a) SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.—Section 102(b)(1) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7812(b)(1)) is amended by striking “2022” and inserting “2030”.

(b) ACTIONS TO PROMOTE FREEDOM OF INFORMATION.—Section 104 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7814) is amended—

(1) in subsection (b)(1), by striking “2022” and inserting “2030”; and

(2) in subsection (c), by striking “through 2022” and inserting “thereafter until October 18, 2030”.

(c) REPORT BY SPECIAL ENVOY ON NORTH KOREAN HUMAN RIGHTS ISSUES.—Section 107(d) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817(d)) is amended by striking “through 2022” and inserting “until October 18, 2030”.

(d) REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.—Section 201(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7831(a)) is amended, in the matter preceding paragraph (1), by striking “through 2022” and inserting “until October 18, 2030”.

(e) ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.—Section 203 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7833) is amended—

(1) in subsection (b)(2), by striking “103(15)” and inserting “103(17)”; and

(2) in subsection (c)(1), by striking “2018 through 2022” and inserting “2025 through 2030”.

(f) ANNUAL REPORTS.—Section 305(a) of the North Korean Human Rights Act of 2004 (22 U.S.C. 7845(a)) is amended, in the matter preceding paragraph (1) by striking “through 2022” and inserting “until October 18, 2030”.

**SEC. 1275. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.**

Title I of the North Korean Human Rights Act of 2004 (22 U.S.C. 7811 et seq.) is amended—

(1) in section 103(a) (22 U.S.C. 7813(a)), by striking “Broadcasting Board of Governors” and inserting “United States Agency for Global Media”; and

(2) in section 104(a) (22 U.S.C. 7814(a))—

(A) by striking “Broadcasting Board of Governors” each place such term appears and inserting “United States Agency for Global Media”;

(B) in paragraph (7)(B)—

(i) in the matter preceding clause (i), by striking “5 years” and inserting “10 years”;

(ii) by redesignating clauses (i) through (iii) as clauses (ii) through (iv), respectively;

(iii) by inserting before clause (ii) the following:

“(i) an update of the plan required under subparagraph (A);” and

(iv) in clause (iii), as redesignated, by striking “pursuant to section 403” and inserting “to carry out this section”.

**SEC. 1276. SPECIAL ENVOY FOR NORTH KOREAN HUMAN RIGHTS ISSUES.**

Section 107 of the North Korean Human Rights Act of 2004 (22 U.S.C. 7817) is amended by adding at the end the following:

“(e) REPORT ON APPOINTMENT OF SPECIAL ENVOY.—Not later than 180 days after the date of the enactment of the North Korean Human Rights Reauthorization Act of 2025, and annually thereafter for the following 3 years, if the position of Special Envoy is vacant, the Secretary of State shall submit a report to the appropriate congressional committees that describes the efforts being taken to appoint the Special Envoy.”.

**SEC. 1277. SUPPORT FOR NORTH KOREAN REFUGEES.**

(a) IN GENERAL.—The Secretary of State and the Secretary of Homeland Security should collaborate with faith-based and Korean-American organizations to resettle North Korean participants in the United States Refugee Admissions Program in areas with existing Korean-American communities to mitigate trauma and mental health considerations of refugees, as appropriate.

(b) RESETTLEMENT LOCATION ASSISTANCE EDUCATION.—The Secretary of State shall publicly disseminate guidelines and information relating to resettlement options in the United States or South Korea for eligible North Korean refugees, with a particular focus on messaging to North Koreans.

(c) MECHANISMS.—The guidelines and information described in subsection (b)—

(1) shall be published on a publicly available website of the Department of State;

(2) shall be broadcast into North Korea through radio broadcasting operations funded or supported by the United States Government; and

(3) shall be distributed through brochures or electronic storage devices.

**SEC. 1278. AUTHORIZATION OF SANCTIONS FOR FORCED REPATRIATION OF NORTH KOREAN REFUGEES.**

(a) DISCRETIONARY DESIGNATIONS.—Section 104(b)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214) is amended—

(1) in subparagraph (M), by striking “or” after the semicolon;

(2) in subparagraph (N), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(O) knowingly, directly or indirectly, forced the repatriation of North Korean refugees to North Korea.”.

(b) EXEMPTIONS.—Section 208(a)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228(a)(1)) is amended by inserting “, the Republic of Korea, and Japan” before the period at the end.

**SEC. 1279. REPORT ON HUMANITARIAN EXEMPTIONS TO SANCTIONS IMPOSED WITH RESPECT TO NORTH KOREA.**

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the continued pursuit by the North Korean regime of weapons of mass destruction (including nuclear, chemical, and biological weapons), in addition to its ballistic missile program, along with the regime’s gross violations of human rights, have led the international community to impose sanctions with respect to North Korea, including sanctions imposed by the United Nations Security Council;

(2) authorities should grant exemptions for humanitarian assistance to the people of North Korea consistent with past United Nations Security Council resolutions; and

(3) humanitarian assistance intended to provide humanitarian relief to the people of North Korea must not be exploited or misdirected by the North Korean regime to benefit the military or elites of North Korea.

(b) REPORTS REQUIRED.—

(1) DEFINED TERM.—In this subsection, the term “covered period” means—

(A) in the case of the first report required to be submitted under paragraph (2), the period beginning on January 1, 2018, and ending on the date that is 90 days after the date of the enactment of this Act; and

(B) in the case of each subsequent report required to be submitted under paragraph (2), the 1-year period preceding the date by which the report is required to be submitted.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for the following 2 years, the Secretary of State shall submit a report to Congress that—

(A) describes—

(i) how the North Korean regime has previously exploited humanitarian assistance from the international community to benefit elites and the military in North Korea;

(ii) the most effective methods to provide humanitarian relief, including mechanisms to facilitate humanitarian assistance, to the people of North Korea, who are in dire need of such assistance;

(iii) any requests to the Committee of the United Nations Security Council established by United Nations Security Council Resolution 1718 (2006) (referred to in this section as the “1718 Sanctions Committee”) for humanitarian exemptions from sanctions known to have been denied during the covered period

or known to have been in process for more than 30 days as of the date of the report; and

(iv) any known explanations for the denials and delays referred to in clause (iii); and

(B) details any action by a foreign government during the covered period that has delayed or impeded humanitarian assistance that was approved by the 1718 Sanctions Committee.

**SA 5958.** Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1210. IMPROVING THE BRAZILIAN AMAZON.**

(a) SHORT TITLE.—This section may be cited as the “Strengthening the Rule of Law in the Brazilian Amazon Act”.

(b) DEFINITIONS.—In this section:

(1) CRIMES.—The term “crimes” means—

(A) any crime related or contributing to the illegal fishing and wildlife trade, illicit mining, or illegal logging and land-clearing in the Brazilian Amazon; and

(B) associated corruption, financial crimes, and violent crimes.

(2) ENVIRONMENTAL DEGRADATION.—The term “environmental degradation” means physical damage to land, water, or wildlife resources that results from crimes described in paragraph (1).

(3) INTERNATIONAL FINANCIAL INSTITUTIONS.—The term “international financial institutions” means—

(A) the World Bank Group;

(B) the Inter-American Development Bank Group; and

(C) the International Monetary Fund.

(4) RELEVANT FEDERAL AGENCIES.—The term “relevant Federal agencies” means—

(A) the Department of State; and

(B) other Federal departments and agencies the President has designated as having significant domestic or foreign affairs equities in identifying investment opportunities in the Brazilian Amazon and combating criminal elements in the Brazilian Amazon.

(c) IDENTIFYING INVESTMENT OPPORTUNITIES IN THE BRAZILIAN AMAZON.—

(1) BUSINESS DEVELOPMENT.—The Chief Executive Officer of the United States International Development Finance Corporation should consider placing a staff member in Brazil with duties that include—

(A) identifying and implementing more viable economic opportunities in the Brazilian Amazon; and

(B) identifying possible investment risks and mitigation measures related to operations and actors that contribute to criminal activity in the Brazilian Amazon.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Chief Executive Officer of the United States International Development Finance Corporation shall submit a report to Congress that describes—

(A) the opportunities identified pursuant to paragraph (1)(A); and

(B) the most significant barriers to greater investment in sustainable and viable economic opportunities in the Brazilian Amazon.

(d) COMBATING CRIMINAL ELEMENTS OPERATING IN THE BRAZILIAN AMAZON.—

(1) IN GENERAL.—The Secretary of State may direct the Assistant Secretary of State

for International Narcotics and Law Enforcement Affairs, in coordination with relevant Federal agencies and the United States mission in Brazil, to support Brazil's efforts to identify and disrupt the complex and transnational criminal networks contributing to the destruction of communities and deforestation in the Brazilian Amazon by providing capacity building and technical assistance, including—

(A) information sharing, training, and capacity-building for Brazilian agencies, including through United States Government agencies;

(B) collaborating on tracing funds generated from crimes;

(C) supporting investigations of crimes that are associated with deforestation, environmental degradation, money laundering, asset laundering, or corruption offenses;

(D) assisting with the identification of the proceeds of such crimes to help facilitate asset recovery; and

(E) providing appropriate United States assistance to funding mechanisms consistent with the goals of this section.

(2) **COMMUNITY ASSISTANCE.**—The Secretary of State, in consultation with relevant Federal agencies, should provide financial and technical assistance to help prevent crimes by promoting—

(A) lawful livelihoods in the Brazilian Amazon;

(B) the economic, social, and political advancement of local communities, including internationally recognized human rights in Afro-descendent and indigenous communities;

(C) economic activities and natural resource management, including mining, agriculture, and forest-based activities; and

(D) the management of protected areas, including indigenous territories, buffer zones, water resources, terrestrial and aquatic habitats of species deemed to be threatened by extinction, and other spaces vulnerable to conversion and deforestation.

(3) **ANNUAL REPORT.**—Not later than 180 days after the date of the enactment of this Act and annually thereafter for the following 5 years, the Secretary of State, in coordination with relevant Federal agencies and nongovernmental organizations, shall submit a report to Congress that describes the progress made in carrying out paragraphs (1) and (2).

(e) **REPORT ON CERTAIN DRIVERS OF DEFORESTATION AND ENVIRONMENTAL DEGRADATION IN THE BRAZILIAN AMAZON.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with relevant Federal agencies, shall submit a report to Congress regarding certain drivers of deforestation and environmental degradation in the Brazilian Amazon that includes—

(1) a description of the agricultural commodities, illegal timber, minerals, and wildlife entering the United States market that are contributing to deforestation and environmental degradation of the Brazilian Amazon;

(2) a description of the role of the People's Republic of China's in facilitating illicit resource extraction and environmental degradation, including deforestation, in the Brazilian Amazon;

(3) the funding levels and efficacy of United States foreign assistance programs in identifying and disrupting the criminal elements operating in the Brazilian Amazon; and

(4) an assessment of the Government of Brazil's contributions to countering criminal elements operating in the Brazilian Amazon.

(f) **INTERNATIONAL COOPERATION.**—The Secretary of the Treasury should direct the United States executive director to each

international financial institution, in consultation with relevant Federal agencies, to use the voice, vote, and influence of the United States—

(1) to prioritize promoting broad-based development in the Brazilian Amazon; and

(2) to oppose any loans or programs at any such institution that would facilitate or exacerbate deforestation and environmental degradation in the Brazilian Amazon.

**SA 5959.** Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1271. FULL FUNDING OF NATIONAL SECURITY PRIORITIES.**

(a) **FINDINGS.**—Congress finds the following:

(1) A report issued by the Department of State in 2023 identified a \$41,300,000,000 gap between the resources made available to the Department of State and relevant Federal agencies and the resources required to effectively counter the People's Republic of China in the Indo-Pacific region.

(2) The People's Republic of China (PRC) has provided some \$2,200,000,000,000 in grants and loans to more than 200 countries between 2000 and 2023.

(3) Through its development banks, the People's Republic of China is the world's largest provider of development finance.

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the United States is a beacon of democracy and freedom in an increasingly fraught world;

(2) the Department of State, as a critical national security agency, must be appropriately staffed and resourced at a time when geopolitical rivals, including the People's Republic of China, are rapidly expanding their global diplomatic presences; and

(3) it is imperative to empower the Department of State and relevant Federal agencies to ensure the United States can—

(A) effectively advance the national security interests of the United States;

(B) maintain United States technological competitiveness; and

(C) respond with flexibility to metastasizing global threats.

(c) **ANNUAL REPORT.**—

(1) **DEFINITIONS.**—In this section:

(A) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(i) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(ii) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(B) **UNFUNDED PRIORITIES.**—The term “unfunded priority”, with respect to a fiscal year, means a program, activity, or mission requirement of an element of the Department of State or another relevant Federal agency that—

(i) is not funded in the budget for such fiscal year submitted by the President to Congress pursuant to section 1105 of title 31, United States Code;

(ii) is necessary to fulfill a foreign policy or national security objective or to satisfy an information requirement associated with

a goal or objective outlined in the Agency Strategic Plan or prior year Joint Strategic Plans agreed upon by the Department of State and relevant Federal agencies; and

(iii) would have been recommended for funding by the Secretary of State or the leadership of relevant Federal agencies if—

(I) additional resources had been available for such budget to fund such program, activity, or mission requirement; or

(II) the program, activity, or mission requirement has emerged since such budget was formulated.

(2) **REPORTING REQUIREMENT.**—Not later than 10 days after the date on which the budget for any fiscal year is submitted by the President to Congress, the Secretary of State, in consultation with the leadership of relevant Federal agencies, shall prepare and submit to the appropriate congressional committees a report on the unfunded priorities of the programs under the jurisdiction of the Secretary.

(3) **ELEMENTS.**—

(A) **IN GENERAL.**—Each report submitted to Congress pursuant to paragraph (2) shall include, with respect to each unfunded priority covered by such report—

(i) a summary description of such priority, including the objectives to be achieved if such priority is funded (whether in whole or in part);

(ii) the additional amount of funds recommended to be made available to achieve the objectives referred to in clause (i); and

(iii) budget information with respect to such priority, including—

(I) the appropriation account;

(II) the expenditure center; and

(III) the project and, if applicable, any sub-projects.

(B) **PRIORITIZATION.**—Each report submitted to Congress pursuant to paragraph (2) shall present the unfunded priorities covered by such report in overall order of urgency of priority among unfunded priorities.

**SA 5960.** Mr. KAINÉ submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1218. REPEAL OF JOINT RESOLUTION TO PROMOTE PEACE AND STABILITY IN THE MIDDLE EAST.**

The joint resolution entitled “A joint resolution to promote peace and stability in the Middle East” (Public Law 85-7; 22 U.S.C. 1961 et seq.) is hereby repealed.

**SA 5961.** Mr. BENNET (for himself and Mr. MCCONNELL) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 1224(c)(2)(A), strike clauses (ii) and (iii) and insert the following:

(ii) the tactics, techniques, and procedures that enable successful battlefield employment of offensive and defensive unmanned aerial systems;

(iii) best practices with respect to force protection from unmanned aerial systems and the defense of fixed targets from unmanned aerial systems; and

(iv) the regular transmission of lessons learned in Ukraine to the military forces of—

- (I) Taiwan;
- (II) Australia;
- (III) Japan;
- (IV) the Republic of Korea;
- (V) Thailand;
- (VI) the Philippines;

(VII) partners in the Indo-Pacific region, including India, New Zealand, and Vietnam; and

(VIII) member countries of the North Atlantic Treaty Organization, particularly such countries on the eastern flank of the North Atlantic Treaty Organization alliance, including Estonia, Finland, Latvia, Lithuania, and Poland.

**SA 5962.** Mr. FETTERMAN submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle X, add the following:

**Subtitle H—Honoring Civil Servants Killed in the Line of Duty**

**SEC. 1091. SHORT TITLE.**

This subtitle may be cited as the “Honoring Civil Servants Killed in the Line of Duty Act”.

**SEC. 1092. INCREASING DEATH GRATUITY FOR FEDERAL EMPLOYEES KILLED IN THE LINE OF DUTY.**

(a) AMENDMENTS TO TITLE 5, UNITED STATES CODE.—

(1) IN GENERAL.—Subchapter VII of chapter 55 of title 5, United States Code, is amended by adding at the end the following:

**“§5571. Employee death gratuity payments**

“(a) DEFINITION.—

“(1) IN GENERAL.—Notwithstanding section 5561(2), in this section, the term ‘employee’ means an individual who has been determined by the Secretary of Labor to be an employee within the meaning of section 8101(1), but not including any individual described in subparagraph (D) of section 8101(1).

“(2) EXCLUSIVE AUTHORITY.—A determination described in paragraph (1) may be made only by the Secretary of Labor.

“(b) GRATUITY.—

“(1) IN GENERAL.—With respect to the death of an employee occurring on or after the date of enactment of this section, notwithstanding section 8116, and in addition to any payment made under subchapter I of chapter 81, the head of the agency employing the employee shall pay from appropriations made available for salaries and expenses of that agency a death gratuity to the person identified under subsection (c)(2), if the death of the employee—

“(A) results from injury sustained while in the line of duty of the employee; and

“(B) is not—

“(i) caused by willful misconduct of the employee;

“(ii) caused by the intention of the employee to bring about the injury or death of the employee or another; or

“(iii) proximately caused by the intoxication of the injured employee.

“(2) AMOUNT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the amount of a death gra-

tuity paid under paragraph (1) with respect to an employee shall be \$100,000, as adjusted each March 1 by the amount determined by the Secretary of Labor to represent the percentage change in the Personal Consumption Expenditures Price Index published for December of the preceding year over that Index published for the December of the year prior to the preceding year, adjusted to the nearest  $\frac{1}{10}$  of 1 percent.

“(B) LOCAL COMPENSATION PLANS.—For an employee compensated under a local compensation plan established under section 408 of the Foreign Service Act of 1980 (22 U.S.C. 3968), the amount of a death gratuity paid under paragraph (1) with respect to the employee shall be in an amount determined in rules issued by the Secretary of State.

“(C) RECIPIENT OF PAYMENT.—

“(1) DEFINITION.—In this subsection, the term ‘child’—

“(A) includes—

- “(i) a natural child; and
- “(ii) an adopted child; and

“(B) does not include a stepchild.

“(2) ORDER OF PRECEDENCE.—A death gratuity paid under subsection (b) with respect to an employee shall be paid in the following order of precedence:

“(A)(i) To the beneficiary designated to receive the gratuity by the employee in a signed and witnessed writing that is received by the agency employing the employee before the date of the death of the employee.

“(ii) A designation, change, or cancellation of beneficiary in a will, or another document not described in clause (i), shall have no force or effect for the purposes of that clause.

“(B) If there is no beneficiary described in subparagraph (A), to the surviving spouse of the employee.

“(C) If neither subparagraph (A) nor (B) applies, to the children of the employee (including the descendant of any deceased child by representation) such that each such child receives an equal amount of the gratuity.

“(D) If none of subparagraph (A), (B), or (C) applies, to the surviving parents of the employee such that each such surviving parent receives an equal amount of the gratuity.

“(E) If none of subparagraphs (A) through (D) applies, to the duly appointed executor or administrator of the estate of the employee.

“(F) If none of subparagraphs (A) through (E) applies, to the person entitled, under the laws of the State in which the employee is domiciled, as of the date on which the employee dies, to receive the payment.”

(2) REPEAL OF DEATH GRATUITY PAYMENT AUTHORITY.—Section 651 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (5 U.S.C. 8133 note) is repealed.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 55 of title 5, United States Code, is amended—

(A) by striking the item relating to subchapter VII and inserting the following:

“SUBCHAPTER VII—PAYMENTS TO MISSING PERSONS AND PAYMENTS FOR DISABILITY OR DEATH”; AND

(B) by inserting after the item relating to section 5570 the following:

“5571. Employee death gratuity payments.”

(4) ADDITIONAL TECHNICAL AND CONFORMING AMENDMENT.—The heading for subchapter VII of chapter 55 of title 5, United States Code, is amended by striking “EMPLOYEES” and inserting “PERSONS AND PAYMENTS FOR DISABILITY OR DEATH”.

(b) AMENDMENT TO TITLE 49.—Section 40122(g)(2) of title 49, United States Code, is amended—

(1) in subparagraph (I)(iii), by striking “and” after the semicolon;

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

(3) by inserting after subparagraph (J) the following:

“(K) section 5571, relating to death gratuities resulting from an injury sustained in the line of duty.”

**SEC. 1093. FUNERAL EXPENSES.**

(a) IN GENERAL.—Section 8134(a) of title 5, United States Code, is amended—

(1) by inserting “(1)” after “(a)”;

(2) by striking “\$800” and inserting “\$8,800”; and

(3) by adding at the end the following:

“(2) The amount described in paragraph (1) shall be adjusted on March 1 of each year by the percentage amount determined by the Secretary of Labor under section 8146a for that year.”

(b) APPLICABILITY.—The amendment made by subsection (a)(2) shall apply with respect to any death occurring on or after the date of enactment of this Act.

**SEC. 1094. DEATH GRATUITY FOR INJURIES INCURRED IN CONNECTION WITH EMPLOYEE'S SERVICE WITH AN ARMED FORCE.**

Section 8102a of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) by striking “The United States” and inserting the following:

“(1) IN GENERAL.—The United States”;

(B) in paragraph (1), as so designated, by striking “up to”; and

(C) by adding at the end the following:

“(2) ADJUSTMENT.—The amount described in paragraph (1) shall be adjusted each March 1 by the amount determined by the Secretary of Labor to represent the percentage change in the Personal Consumption Expenditures Price Index published for December of the preceding year over that Index published for the December of the year prior to the preceding year, adjusted to the nearest  $\frac{1}{10}$  of 1 percent.”;

(2) by striking subsection (c) and inserting the following:

“(c) RELATIONSHIP TO OTHER BENEFITS.—With respect to a death occurring on or after the date of enactment of the Honoring Civil Servants Killed in the Line of Duty Act, the death gratuity payable under this section may not be reduced by the amount of any other death gratuity provided under any other provision of Federal law based on the same death.”; and

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

“(7) If a person covered by this section does not have any eligible survivors, as described in this subsection, and that person has not designated an alternate person to receive a payment under this section, the payment shall be paid to the personal representative of the person's estate.”

**SEC. 1095. AGENCY GRATUITY FOR DEATHS SUSTAINED IN THE LINE OF DUTY ABROAD.**

Section 413 of the Foreign Service Act of 1980 (22 U.S.C. 3973) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “dependents” and inserting “beneficiaries”; and

(B) in the second sentence, by inserting “, except as provided in subsection (e)” after “payable from any source”;

(2) by amending subsection (b) to read as follows:

“(b) EXECUTIVE AGENCIES.—The head of an executive agency shall, pursuant to guidance issued under subsection (c), make a death gratuity payment authorized by this section to the surviving beneficiaries of—

“(1) any employee of that agency who dies as a result of injuries sustained in the performance of duty abroad while subject to the authority of the chief of mission pursuant to section 207; or

“(2) an individual in a special category serving in an uncompensated capacity for that agency abroad in support of a diplomatic mission, as identified in guidance issued under subsection (c), who dies as a result of injuries sustained in the performance of duty abroad.”;

(3) by striking subsection (d);

(4) by inserting after subsection (c) the following:

“(d) ELIGIBILITY UNDER CHAPTER 81 OF TITLE 5, UNITED STATES CODE.—A death gratuity payment shall be made under this section only if the death is determined by the Secretary of Labor to have resulted from an injury (excluding a disease proximately caused by the employment) sustained in the performance of duty under section 8102 of title 5, United States Code.”;

(5) by redesignating subsection (e) as subsection (f);

(6) by inserting after subsection (d), as added by paragraph (4), the following:

“(e) OFFSET.—For deaths occurring on or after the date of enactment of the Honoring Civil Servants Killed in the Line of Duty Act, the death gratuity payable under this section shall be reduced by the amount of any death gratuity provided under section 5571 of title 5, United States Code, based on the same death.”; and

(7) in subsection (f), as so redesignated by paragraph (5), by amending paragraph (2) to read as follows:

“(2) the term ‘surviving beneficiaries’ means the person or persons identified pursuant to the order of precedence established under section 5571(c)(2) of title 5, United States Code.”.

**SEC. 1096. EMERGENCY SUPPLEMENTAL AUTHORIZATION.**

(a) DEFINITIONS.—In this section—

(1) the term “agency” means an agency that is authorized or required to make a payment under a covered provision; and

(2) the term “covered provision” means—

(A) section 5571 of title 5, United States Code, as added by section 1092 of this Act;

(B) section 8102a of title 5, United States Code, as amended by section 1094 of this Act; or

(C) section 413 of the Foreign Service Act of 1980 (22 U.S.C. 3973), as amended by section 1095 of this Act.

(b) AUTHORIZATION.—If the head of an agency determines, with the concurrence of the Director of the Office of Management and Budget, that a natural disaster, act of terrorism, or other incident results in the inability of the agency to make additional payments under a covered provision—

(1) there are authorized to be appropriated to the agency such sums as may be necessary to make those additional payments; and

(2) the head of the agency may make those additional payments only to the extent additional amounts are made available for those purposes.

(c) SENSE OF CONGRESS.—It is the sense of Congress that, not later than 30 days after the date on which the head of an agency submits to Congress a request for supplemental appropriations for the purposes described in subsection (b), Congress should take action with respect to that request.

**SEC. 1097. REPORTING REQUIREMENTS.**

(a) IN GENERAL.—

(1) DEFINITION.—In this subsection, the term “agency” has the meaning given the term in section 5561 of title 5, United States Code.

(2) REQUIREMENT.—If the head of an agency makes a death gratuity payment under section 5571 of title 5, United States Code, as added by section 1092 of this Act, the agency head shall, not later than 15 business days after the date on which the agency head

makes that payment, submit to the Comptroller General of the United States a notification regarding that payment.

(b) GAO REPORTS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report regarding the aggregate amount of death gratuities paid under section 5571 of title 5, United States Code, as added by section 1092 of this Act, during the year covered by the report.

(c) AUDIT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) perform an audit regarding death gratuities paid under section 5571 of title 5, United States Code, as added by section 1092 of this Act;

(2) as part of the audit performed under paragraph (1), determine the frequency with which future audits of the payments described in that paragraph shall occur; and

(3) submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives the results of the audit performed under paragraph (1).

**SA 5963.** Mr. FETTERMAN submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PARITY IN ANNUAL PAY ADJUSTMENTS FOR FEDERAL CIVILIAN EMPLOYEES AND MEMBERS OF THE ARMED FORCES.**

Section 5303 of title 5, United States Code, is amended by adding at the end the following:

“(h) PARITY WITH MILITARY PAY ADJUSTMENTS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the percentage adjustment in the rates of basic pay under the General Schedule under this section for any calendar year shall be equal to the percentage increase in basic pay provided for members of the uniformed services that takes effect for that same calendar year.

“(2) APPLICABILITY.—The adjustment described in paragraph (1) shall apply to—

“(A) rates of basic pay under the General Schedule under section 5332; and

“(B) any other statutory pay system for civilian employees that receives the annual adjustment under this section.

“(3) PROHIBITION ON ALTERNATIVE PAY PLAN.—The President may not issue any alternative pay adjustment under subsection (b) that results in a percentage adjustment lower than the percentage increase in basic pay provided for members of the uniformed services.”.

**SA 5964.** Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the De-

partment of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle D of title XXVIII, insert the following:

**SEC. 28 \_\_\_\_ . MILITARY INSTALLATION RENAMINGS.**

Upon the enactment of this Act, the Secretary of Defense shall rename military installations as set forth in the following table:

Military Installation Renamings

| State           | Current Installation Name | New Installation Name |
|-----------------|---------------------------|-----------------------|
| North Carolina  | Fort Bragg .....          | Fort Liberty          |
| Georgia .....   | Fort Benning .....        | Fort Moore            |
| Texas .....     | Fort Hood .....           | Fort Cavazos          |
| Georgia .....   | Fort Gordon ..            | Fort Shughart-Gordon  |
| Virginia .....  | Fort Lee .....            | Fort Gregg-Adams      |
| Louisiana ..... | Fort Polk .....           | Fort Johnson          |
| Alabama .....   | Fort Rucker ...           | Fort Novosel          |
| Virginia .....  | Fort Pickett ..           | Fort Barfoot          |
| Virginia .....  | Fort A.P. Hill            | Fort Walker           |

**SA 5965.** Mr. WARNOCK submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 2873. MILITARY INSTALLATION RENAMINGS.**

Upon the enactment of this Act, the Secretary of Defense shall rename military installations as set forth in the following table:

Military Installation Renamings

| State      | Current Installation Name | New Installation Name |
|------------|---------------------------|-----------------------|
| Georgia .. | Fort Benning .....        | Fort Moore            |
| Georgia .. | Fort Gordon .....         | Fort Shughart-Gordon  |

**SA 5966.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1 \_\_\_\_ . SAFETY STANDARDS FOR WILDLAND FIREFIGHTERS.**

(a) DEFINITIONS.—In this section:

(1) COVERED PERMISSIBLE EXPOSURE LIMITS.—The term “covered permissible exposure limits” means—

(A) the permissible smoke exposure limit established by the National Institute for Occupational Safety and Health; and

(B) the permissible occupational smoke exposure limit established by the Occupational Health and Safety Administration.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

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

(A) the Secretary, with respect to wildland firefighters under the direction of the Secretary;

(B) the Secretary of the Interior, with respect to wildland firefighters under the direction of the Secretary of the Interior; and

(C) the Secretary of Defense, with respect to wildland firefighters under the direction of the Secretary of Defense.

(4) WILDLAND FIREFIGHTER.—The term “wildland firefighter” means any person who participates in wildland firefighting activities under the direction of the Secretary, the Secretary of the Interior, or the Secretary of Defense, including under a contract with the Secretary, the Secretary of the Interior, or the Secretary of Defense.

(b) SAFETY STANDARDS.—

(1) IN GENERAL.—Subject to paragraph (2)—

(A) not later than 1 year after the date of enactment of this Act, the Secretary, in coordination with the National Wildfire Coordinating Group, the Secretary of the Interior, and other appropriate Federal agencies, shall develop a strategy to make commercially available appropriate respiratory personal protective equipment for wildland firefighters and supporting staff in settings in which smoke exposure surpasses covered permissible exposure limits;

(B) the Secretary, in consultation with the National Institute for Occupational Safety and Health and the Occupational Safety and Health Administration, shall determine appropriate respiratory personal protective equipment for wildland firefighters and supporting staff in settings in which smoke exposure surpasses covered permissible exposure limits; and

(C) the Secretary concerned shall require each wildland firefighter and supporting staff to use the respiratory personal protective equipment determined under subparagraph (B) in settings in which smoke exposure surpasses covered permissible exposure limits.

(2) REVIEW.—The Secretary shall—

(A) in consultation with the National Institute for Occupational Safety and Health and the Occupational Safety and Health Administration—

(i) periodically review standards relating to personal protective equipment and other safety standards for wildland firefighters and supporting staff, including the respiratory personal protective equipment determined under paragraph (1)(B); and

(ii) develop an appropriate permissible exposure limit or occupational exposure limit for wildfire smoke for wildland firefighters and supporting staff participating in settings described in paragraph (1)(A) if the Secretary determines that the covered permissible exposure limits are not tailored to those settings; and

(B) incorporate into the standards described in subparagraph (A)(i), by reference, the most recent edition of standard NFPA 1984, entitled “Standard on Respirators for Wildland Fire-Fighting and Wildland Urban Interface Operations” (and any subsequent editions), as necessary, for the safety and personal protection of wildland firefighters and supporting staff, subject to the limit described in subsection (a)(1)(A).

(3) APPLICABILITY.—The standards described in paragraph (2)(A)(i) shall apply—

(A) on Department of Defense installations; and

(B) in cases in which Department of Defense personnel provide mutual aid assistance.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section for each fiscal year.

**SA 5967.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1. PROHIBITION ON LISTING OF CONTRACTS RELATING TO WAR, DEATH, AND SIMILAR ACTIVITIES.**

Section 5c of the Commodity Exchange Act (7 U.S.C. 7a–2) is amended by inserting after subsection (c) the following:

“(d) PROHIBITION ON LISTING OF CONTRACTS RELATING TO WAR, DEATH, AND SIMILAR ACTIVITIES.—A registered entity shall not list for trading or accept for clearing on or through the registered entity any of the following:

“(1) An agreement, contract, or transaction based on an excluded commodity (as defined in section 1a(19)(iv)) that involves, relates to, or references terrorism, assassination, war, or any similar activity, as determined by the Commission.

“(2) An agreement, contract, or transaction based on an excluded commodity (as defined in section 1a(19)(iv)) that involves, relates to, or references an individual’s death or could otherwise be construed as correlating closely to an individual’s death.”

**SA 5968.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**Subtitle Human Authority in Lethal Operations**

**SEC. 1. SHORT TITLE.**

This subtitle may be cited as the “Human Authority in Lethal Operations Act of 2026” or the “HALO Act of 2026”.

**SEC. 2. DEFINITIONS.**

In this subtitle:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on the Judiciary of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on the Judiciary of the House of Representatives.

(2) ARTIFICIAL INTELLIGENCE.—The term “artificial intelligence” has the meaning given such term in section 5002 of the National Artificial Intelligence Initiative Act of 2020 (15 U.S.C. 9401).

(3) AUTONOMOUS WEAPON SYSTEM.—

(A) IN GENERAL.—The term “autonomous weapon system” means a weapon system that, once activated, can identify, select, or engage targets without further intervention by or communication with a human operator.

(B) INCLUDES.—The term defined in subparagraph (A) includes weapon systems that

have human-operated supervision with the ability to override complete operation of the system, but can select and engage targets without further human operator input, recalibration, or communication after activation.

(4) COVERED ARTIFICIAL INTELLIGENCE CAPABILITY.—The term “covered artificial intelligence capability” means an artificial intelligence designed, tested, developed, procured, deployed, or used by, on behalf of, or shared with the Department.

(5) DESIGNATED COMMANDER.—The term “designated commander” means the highest ranking commissioned officer within the chain of command who exercises operational or administrative command authority over an autonomous or semi-autonomous weapons system.

(6) DEPARTMENT.—The term “Department” means Department of Defense.

(7) ETHICAL PRINCIPLES FOR ARTIFICIAL INTELLIGENCE.—The term “Ethical Principles for Artificial Intelligence” means the Ethical Principles for Artificial Intelligence adopted by the Department on February 24, 2020, as in effect on January 1, 2025.

(8) MILITARY DEPARTMENTS.—The term “military departments” has the meaning given such term in section 101(a) of title 10, United States Code.

(9) RESPONSIBLE ARTIFICIAL INTELLIGENCE STRATEGY AND IMPLEMENTATION PATHWAY.—The term “Responsible Artificial Intelligence Strategy and Implementation Pathway” means the Responsible Artificial Intelligence Strategy and Implementation Pathway dated June 2022 and prepared by the Department of Defense Responsible Artificial Intelligence Working Council in accordance with the memorandum issued by Deputy Secretary of Defense Kathleen Hicks on May 26, 2021, implementing Responsible Artificial Intelligence in the Department of Defense, as in effect on January 1, 2025.

(10) SECRETARY.—The term “Secretary” means the Secretary of Defense.

(11) SEMI-AUTONOMOUS WEAPON SYSTEM.—

(A) IN GENERAL.—The term “semi-autonomous weapon system” means a weapon system that, once activated, is intended to only engage individual targets or specific target groups that have been previously selected by a human operator.

(B) INCLUDED.—The term defined in subparagraph (A) includes weapon systems that autonomously conduct engagement-related functions, including the following:

(i) Acquiring, tracking, and identifying potential targets.

(ii) Cuing potential targets to human operators.

(iii) Prioritizing selected targets.

(iv) Providing input on timing of when to fire.

(v) Providing terminal guidance on how to narrowly categorize selected targets, only if human operator control is retained for the purpose of selecting individual targets and specific target groups for engagement.

(12) SPECIFIC TARGET GROUP.—

(A) IN GENERAL.—The term “specific target group” means a discrete group of potential targets, such as a particular flight of enemy aircraft, a particular formation of enemy tanks, or a particular flotilla of enemy vessels.

(B) EXCLUDED.—The term defined in subparagraph (A) does not include a general class of targets or a specific type of target, such as a particular model of tank or aircraft.

(13) UNINTENDED ENGAGEMENT.—The term “unintended engagement” means the use of force outcomes resulting in damage to persons or objects that human operators did not intend to be the targets of United States

military operations, including levels of collateral damage beyond those consistent with the Law of Armed Conflict and relevant laws of the United States and international laws, applicable rules of engagement, and commander's intent.

**SEC. 3. DESIGN AND SAFETY REQUIREMENTS FOR AUTONOMOUS AND SEMI-AUTONOMOUS WEAPON SYSTEMS.**

(a) **GENERAL REQUIREMENT.**—

(1) **IN GENERAL.**—The Secretary shall, acting through each of the Secretaries of the military departments, ensure that whenever the Department designs, tests, develops, procures, deploys, or uses a system described in paragraph (2), the system meets the requirements of this section.

(2) **SYSTEMS.**—A system described in this paragraph is an autonomous weapon system or semi-autonomous weapon system that uses artificial intelligence to create, generate, prioritize, recommend, or engage targets or courses of action in support of use of force decisions.

(b) **HUMAN RESPONSIBILITY OVER USE OF FORCE.**—

(1) **ACCOUNTABLE INDIVIDUALS.**—For each system described in subsection (a)(2)—

(A) not later than 90 days after the date of the enactment of this Act, the Secretary shall promulgate rules for clear chain of command and command hierarchy for military operations involving a system described in subsection (a)(2) to mirror the chain of command and command hierarchy for military operations that do not involve such systems;

(B) the Secretary shall ensure that a designated commander is identified as accountable under applicable military and international laws for each engagement or class of engagements involving a system described in subsection (a)(2), regardless of the degree to which artificial intelligence contributed to the identification, development, recommendation, selection, or engagement of the target; and

(C) the designated commander identified under subparagraph (B) shall exercise ultimate discretion, judgment, and control over the use of force.

(2) **SYSTEM REQUIREMENTS.**—Each system described in subsection (a)(2) shall incorporate the following:

(A) A system design that incorporates capabilities and interfaces that require the designated commander to exercise ultimate discretion, judgment and control in the envisioned development, planning, deployment, and use processes for the weapon system, including constraints on each such system's authorized actions, targets, and geographic, temporal, and contextual scope, which the system may not expand or modify without explicit human authorization.

(B) System capabilities, human-machine interfaces, doctrine, tactics, techniques, procedures, and human operator training must require commanders and human operators to use the system with deference to their discretion regarding care, and to analyze the output, in accordance with the Law of Armed Conflict and relevant laws of the United States and international laws, applicable treaties, weapon system safety rules, and rules of engagement that are applicable or reasonably expected to be applicable.

(C) The creation and ongoing maintenance of records of target selection data, decision logic, and human operator actions, including the individual designated under subsection (b)(1)(B), sufficiently detailed to enable post-engagement review of compliance.

(D) The design, testing, development, procurement, deployment, legal analysis and review, and use of artificial intelligence capabilities in autonomous and semi-autonomous

weapon systems shall be consistent with, but not limited to, the Ethical Principles for Artificial Intelligence and the Responsible Artificial Intelligence Strategy and Implementation Pathway.

(3) **AVAILABILITY TO THE PUBLIC.**—The Secretary shall ensure that—

(A) the Ethical Principles for Artificial Intelligence and the Responsible Artificial Intelligence Strategy and Implementation Pathway are available to the public; and

(B) any revision to the Ethical Principles for Artificial Intelligence or the Responsible Artificial Intelligence Strategy and Implementation Pathway adopted by the Secretary is made available to the public before the date that is 30 days before the date on which the revision goes into effect.

(c) **ENGAGEMENT CONSTRAINTS AND TERMINATION.**—

(1) **IN GENERAL.**—Each system described in subsection (a)(2) shall be designed—

(A) to complete engagements within a designated timeframe and designated geographic area and against a designated set of potential targets, as well as other relevant constraints, consistent with commander and human operator intentions;

(B) to require independent review and analysis of a designated commander before using force against previously unauthorized targets, materially expanding target sets or geographic scope, taking actions contravening applicable law, rules of engagement, other relevant laws of the United States and international laws, or taking actions likely to result in unintended engagement; and

(C) if unable to complete an engagement consistent with the parameters described in paragraph (1), to terminate the engagement until additional human operator and commander evaluation is completed.

(2) **EVALUATION CRITERIA.**—The evaluation criteria used under subparagraph (C) of paragraph (1) shall consist of assessment of deficiencies and recommendations for changes to be compliant with subparagraph (A) of such paragraph before restarting preparation for engagement.

(d) **TRANSPARENCY, AUDITABILITY, AND EXPLAINABILITY.**—Consistent with the potential consequences of an unintended engagement or unauthorized interference with the operation of a system described in subsection (a)(2), the physical hardware and software of such system shall be designed with—

(1) technologies and data sources that are available to, auditable by, and explainable to the greatest extent possible by relevant personnel of the Department with the necessary clearance level; and

(2) system safety, anti-tamper mechanisms, and cybersecurity in accordance with Department instructions and military standards governing cybersecurity and system safety.

(e) **ACTIVATION, TERMINATION, AND HUMAN OPERATOR INTERFACE.**—Each system described in subsection (a)(2) shall be designed so that—

(1) system design and human-machine interfaces are readily understandable to trained human operators, including by clearly disaggregating which actions human operators need to perform and which actions the weapon system will perform;

(2) clear procedures exist for trained human operators to activate, terminate, and disable all weapon system functions;

(3) the system provides timely feedback on system status, including regarding the quality and sufficiency of the data inputs relied upon, to human operators in real time or near-real time; and

(4) adequate training, tactics, techniques, procedures, and doctrine are available, reviewed on a quarterly basis, by weapon system human operators and designated com-

manders to understand the functioning, capabilities, and limitations of the system's autonomy in realistic operational conditions.

(f) **DEGRADED COMMUNICATIONS SAFE-GUARD.**—Any autonomous or semi-autonomous weapon system that is, or is part of, an unmanned platform shall be designed such that, in the event of degraded or lost communications, the system does not autonomously select and engage individual targets, specific target groups, or general classes or specific types of targets that have not been previously selected by an authorized human operator.

(g) **CONTINUOUS MONITORING.**—The Secretary shall, in coordination with the Director of Operational Test and Evaluation, the Under Secretary of Defense for Research and Engineering, and the appropriate Secretary of a military department or Assistant Secretary for Special Operations and Low-Intensity Conflict, establish and maintain procedures for continuous monitoring of each system, to the greatest extent possible, described in subsection (a)(2) to identify and address circumstances in which changes to the system design or operational environment require additional testing and evaluation or legal review to provide sufficient confidence that the system will continue—

(1) to function as intended;

(2) to avoid unintended engagements;

(3) to resist interference by unauthorized parties; and

(4) to remain compliant with relevant laws of the United States, the Law of Armed Conflict, and international laws.

(h) **ROBUST ARTIFICIAL INTELLIGENCE DESIGN.**—For any system described in subsection (a) that incorporates artificial intelligence capabilities, such system shall be designed to utilize robust artificial intelligence, in accordance with the Responsible Artificial Intelligence Strategy and Implementation Pathway so that the system is resilient in real-world settings and against adversarial attacks and spoofing.

**SEC. 4. ADVANCED REVIEW AND APPROVAL AUTHORITY.**

(a) **GENERAL REQUIREMENT FOR ADVANCED REVIEW.**—With the exception of systems described in subsection (e), the Secretary shall ensure that each system described in section 3(a)(2) is approved in accordance with this section before formal development and before fielding.

(b) **PRE-DEVELOPMENT REVIEW.**—Before a decision to enter formal development of a system described in subsection (a), the Under Secretary of Defense for Policy, the Under Secretary of Defense for Research and Engineering, and the Vice Chairman of the Joint Chiefs of Staff shall jointly verify that—

(1) the weapon system design incorporates the necessary capabilities to allow a designated commander to exercise ultimate discretion, judgment, and control over the use of force in the envisioned planning, deployment, and use processes for the weapon;

(2) the system is designed to complete engagements within a designated timeframe and designated geographic area and against a designated set of potential targets, as well as other applicable parameters, consistent with designated commander intentions, and if unable to do so, to terminate use until additional human operator and commander evaluation is completed before continuing the engagement;

(3) the combination of the system's design and concept of use, including its target selection and engagement logic, accounts for risks of armed conflict, including to civilians, civilian populations, civilian objects, and other protected entities, consistent with commander and human operator intent and obligations under the Law of Armed Conflict,

or other relevant laws of the United States and international laws;

(4) the system design, including system safety, anti-tamper mechanisms, and cybersecurity, addresses and minimizes the probability and consequences of failures;

(5) plans are in place for verification and validation and test and evaluation to establish system reliability, effectiveness, predictability of effects, and accuracy under realistic conditions, including possible adversary actions, interference, or unintended consequences;

(6) for systems incorporating artificial intelligence capabilities, plans are in place to ensure consistency with the Ethical Principles for Artificial Intelligence and the Responsible Artificial Intelligence Strategy and Implementation Pathway; and

(7) a thorough legal analysis, review, and risk assessment of a system described in subsection (a) has been completed in coordination with the General Counsel of the Department and other relevant Department General Counsels and in accordance with applicable directives governing the Defense Acquisition System, the Department of Defense Law of War Program, the Law of Armed Conflict, and other relevant laws of the United States and international laws.

(c) **PRE-FIELDING REVIEW.**—Before fielding a system described in subsection (a), the Under Secretary of Defense for Policy, the Under Secretary of Defense for Acquisition and Sustainment, and the Vice Chairman of the Joint Chiefs of Staff shall jointly verify that—

(1) system capabilities, human-machine interfaces, doctrine, tactics, techniques, procedures, and training have been demonstrated to allow a designated commander to exercise ultimate discretion, control, and judgment over the use of force and to use systems whose outcomes are sufficiently accurate with thorough legal analysis in accordance with the law of war, Law of Armed Conflict, applicable treaties, weapon system safety rules, and rules of engagement reasonably expected to be applicable;

(2) system safety, anti-tamper mechanisms, cyber survivability, operational resilience, and cybersecurity capabilities have been implemented to minimize the probability and consequences of failures, including unpredictable outcomes, and a monitoring protocol is in place to identify and address changes in operational environment, data inputs, and use that could contribute to such failures;

(3) verification and validation and test and evaluation have—

(A) assessed system performance, capability, reliability, risk margins, effectiveness, and suitability under realistic conditions, including possible adversary actions, interference, or unintended consequences; and

(B) have demonstrated that the system can be revised as needed with sufficient rapidity to enable timely correction of any unintended system behaviors that may be observed or discovered during future system operations;

(4) adequate training, tactics, techniques, procedures, and doctrine are available, quarterly reviewed, and used by system operators and commanders to understand the functioning, capabilities, and limitations of the system in real world conditions;

(5) system design and human-machine interfaces are readily understandable to trained human operators, provide transparent feedback on system status, provide secure logging to enable traceability, and provide clear procedures for trained human operators to activate and terminate system functions;

(6) for systems incorporating artificial intelligence capabilities, the deployment and use of such capabilities in the weapon system will be consistent with the Ethical Principles for Artificial Intelligence, the Responsible Artificial Intelligence Strategy and Implementation Pathway, the Law of Armed Conflict, and other relevant laws of the United States and international laws; and

(7) a legal review of the compliance of the weapon system with the Defense Acquisition System, the Department of Defense Law of War Program, the Law of Armed Conflict, and other relevant laws of the United States and international laws has been completed in coordination with the General Counsel of the Department.

(d) **RE-REVIEW OF MODIFIED SYSTEMS.**—A system described in subsection (a) that is a variant of an existing weapon system previously approved through the review process under this section shall not be covered by previous approval if changes to the system algorithms, intended mission set, intended operational environments, intended target sets, or expected adversarial countermeasures materially differ from those applicable to the previously approved weapon system. Such systems shall require a new analysis, review, and risk assessment before formal development and again before fielding.

(e) **SYSTEMS NOT REQUIRING ADVANCED REVIEW.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the advance review described in this section is not required for weapon systems intended to be used in the following manners:

(A) Semi-autonomous weapon systems used to apply lethal or non-lethal, kinetic or non-kinetic, force without capability to function as an autonomous weapon system.

(B) Human operator-supervised autonomous weapon systems used to select and engage materiel targets for local defense to intercept attempted time-critical or saturation attacks for—

(i) static defense of installations with personnel, including networked defense where the autonomous weapon system is not co-located with the installation; or

(ii) onboard or networked defense of platforms with onboard personnel.

(C) Human operator-supervised autonomous weapon systems used to select and engage materiel targets for purpose of protecting remotely piloted or autonomous vehicles and vessels.

(D) Autonomous weapon systems used to apply non-lethal, non-kinetic force against materiel targets.

(2) **EXCEPTION.**—Paragraph (1) shall not apply to a weapon system intended to be used in the manner described in subparagraph (B) of such paragraph in a case in which the engagement zone for the system encompasses densely populated areas or essential civilian infrastructure. In such a case, the weapon system shall undergo the advanced review described in this section to certify that the system can effectively distinguish between military targets and non-combatants or civilian objects in high-clutter environments.

**SEC. 5. ROLE OF THE CHIEF DIGITAL AND ARTIFICIAL INTELLIGENCE OFFICER.**

(a) **MONITORING AND EVALUATION.**—The Chief Digital and Artificial Intelligence Officer shall monitor and evaluate artificial intelligence capabilities in, and cybersecurity for, autonomous and semi-autonomous weapon systems, and shall advise the Secretary on such matters.

(b) **TESTABLE REQUIREMENTS.**—The Chief Digital and Artificial Intelligence Officer shall, in collaboration with the Under Secretary of Defense for Research and Engineering—

(1) formulate concrete, testable requirements for implementing the Ethical Principles for Artificial Intelligence and the Responsible Artificial Intelligence Strategy and Implementation Pathway;

(2) establish policy and issue guidance on definitions of requirements and testability for artificial intelligence-enabled systems to implement and demonstrate adherence to the Ethical Principles for Artificial Intelligence and the Responsible Artificial Intelligence Strategy and Implementation Pathway; and

(3) issue guidance on test and evaluation practices for artificial intelligence capabilities in autonomous or semi-autonomous weapon systems, which shall include an adversarial assessment (known as “red-team assessment”) that evaluates weapon system vulnerability to adversarial manipulation under operationally realistic conditions.

(c) **COMMON TOOLS AND INFRASTRUCTURE.**—The Chief Digital and Artificial Intelligence Officer shall coordinate with the Under Secretary of Defense for Research and Engineering and the Director of Operational Test and Evaluation on developing and using common tools and infrastructure for test and evaluation and verification and validation of artificial intelligence capabilities in autonomous or semi-autonomous weapon systems, including assurance benchmarks for reliability, robustness, security, and human-machine team performance.

**SEC. 6. TESTING AND EVALUATION REQUIREMENTS.**

(a) **GENERAL REQUIREMENT.**—The Secretary shall ensure that, regardless of the acquisition pathway or testing and evaluation oversight status for a weapon system, each system described in section 3(a)(2) undergoes—

(1) rigorous hardware and software verification and validation; and

(2) realistic system developmental and operational test and evaluation, including analysis of unanticipated emergent behavior.

(b) **SPECIFIC CONSIDERATIONS.**—Testing and evaluation of a system under subsection (a)(2) may include testing on how human operators respond to ensure they are provided with enough time to exercise judgment and can reject or challenge suggestions or recommendations.

(c) **SPECIFIC REQUIREMENTS.**—Testing and evaluation of a system under subsection (a) shall include the following:

(1) Verification that the system functions as anticipated in realistic operational environments against adaptive adversaries, including with realistic civilian presence, activities, actions, and reactions, and are sufficiently robust to minimize failures.

(2) For a system incorporating artificial intelligence capabilities, rigorous developmental and operational test and evaluation to verify and validate that the artificial intelligence is robust according to design requirements.

(3) Testing to confirm that autonomy algorithms in systems incorporating artificial intelligence capabilities can be rapidly reprogrammed on new input data.

(d) **POST-FIELDING TESTING.**—The Secretary shall ensure that, after initial operational test and evaluation of a system under subsection (a), as directed by the Director of Operational Test and Evaluation—

(1) system data is collected and any further changes to the system undergo appropriate verification and validation and test and evaluation to ensure that critical safety features have not been degraded;

(2) system software is tested using best-available Department means and methods to validate that critical safety features have not been degraded, and automated testing tools, such as modeling and simulation, are used whenever feasible;

(3) any new or revised operating states or other relevant changes in the system are identified and undergoes appropriate and tailored additional test and evaluation to characterize the system behavior in that new operating state; and

(4) changes to the state transition matrix are evaluated to determine whether they require whole system follow-on operational test and evaluation.

(e) **ITERATIVE CYBER TESTING.**—The Secretary shall ensure that hardware and software verification and validation of a system under subsection (a) includes quarterly cyber test and evaluation to verify that the system is resilient and survivable in contested cyberspace.

(f) **ROLE OF THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.**—Under this section, the Director of Operational Test and Evaluation shall—

(1) oversee development of realistic operational test, risk assessments, and evaluation standards for autonomous and semi-autonomous weapon systems, including requirements for data collection and standards for test and evaluation of any changes to the system following initial operational test and evaluation;

(2) evaluate whether autonomous and semi-autonomous weapon systems under the Director's oversight have met standards after being tested for rigorous verification, validation, and evaluation in realistic operational conditions, including potential adversary action, to ensure that the system is robust to minimize failures;

(3) establish standards for data collection post-fielding and monitoring and assessment by programs;

(4) establish and maintain a centralized repository for reporting, collecting, and analyzing operational incidents, weapon system failures, and unintended weapon system behaviors;

(5) review and approve operational and live fire test plans for autonomous and semi-autonomous weapon systems; and

(6) coordinate with the Under Secretary of Defense for Research and Engineering and the appropriate Secretary of a military department or Assistant Secretary for Low-Intensity Conflict to provide for monitoring to identify and address when changes to the system design or operational environment require additional testing and evaluation to ensure that the system is robust to minimize failures such as unintended engagements with civilians and civilian infrastructure, densely populated areas, and resist interference by unauthorized parties.

#### **SEC. 7. PROHIBITED USES OF ARTIFICIAL INTELLIGENCE.**

(a) **GENERAL PROHIBITION.**—No covered artificial intelligence capability may be used in any manner that violates the Constitution of the United States, Federal law, the Law of Armed Conflict, or international treaty or other legal obligation of the United States, or in any manner that poses an unacceptable level of risk to the safety of an individual or the civil liberty of an individual.

(b) **SPECIFIC PROHIBITIONS.**—

(1) **IN GENERAL.**—No covered artificial intelligence capability may be used with the intent, purpose, or outcome of—

(A) profiling, targeting, tracking, monitoring, inferring, or concluding based on the data points of activity of any individual based solely on the exercise of rights protected under the Constitution or Federal law, including freedom of expression, association, and assembly;

(B) detecting, measuring, or inferring the emotional state of any individual from data acquired about such individual, including the support of the health of consenting personnel of the Federal Government;

(C) inferring or determining an individual's religion, ethnicity, race, sexual orientation, immigration status, disability status, gender identity, or political identity;

(D) tracking, monitoring, or inferring the past, real-time, or anticipated future location of any individual in the United States, including using data acquired from commercial, data brokers, data aggregators, or other third-party sources, unless such acquisition and use is authorized pursuant to an individualized judicial order, warrant, or otherwise required by the Constitution or Federal law;

(E) aggregating or analyzing internal data or data acquired from commercial, data brokers, data aggregators, or other third-party sources, including but not limited to location data, financial transaction data, communications metadata, or biometric data, to accomplish any purpose prohibited under paragraphs (1) through (4);

(F) removing a human from the chain of decisionmaking for actions critical to informing and executing decisions by the President, including initiating or terminating nuclear weapons employment; or

(G) obtaining, receiving, or otherwise accessing, for a fee or other consideration, any personal data of a United States person from a data broker or other third-party source, including any other governmental entity (including State, local, or Federal entities) if such data was obtained by that entity in a manner that would violate this subsection if performed by the Department.

(2) **PERSONAL DATA.**—For purposes of paragraph (1)(G), the term “personal data”—

(A) means data, derived data, or any unique identifier that is linked to, or is reasonably linkable to, an individual or to an electronic device that is linked to, or is reasonably linkable to, one or more individuals in a household;

(B) includes anonymized data that, if combined with other data, can be linked to, or is reasonably linkable to, an individual or to an electronic device that identifies, is linked to, or is reasonably linkable to one or more individuals in a household; and

(C) does not include data that is lawfully available through Federal, State, or local government records or through widely distributed media; and

(c) **APPLICABILITY.**—The prohibitions in this section shall apply to all activities of the Department, including operational planning, logistics, intelligence analysis, and operational support to any other agencies or military personnel, regardless of status of deployment. In any case in which the Department shares systems, data, or analytical products derived from a covered artificial intelligence capability or protected data (as described in subsection (b)(7)) with another department or agency of the Federal Government, the receiving department or agency shall be subject to the same prohibitions and requirements as the Department with respect to the use, querying, or further dissemination of such systems, data, or products. The Secretary shall ensure that such department or agency is notified of, and in compliance with, the restrictions under this section.

(d) **JOINT OPERATIONS.**—The prohibitions of this section shall apply to any Departmental participation in joint task forces, fusion centers, or interagency working groups, regardless of which agency serves as the lead or providing entity.

#### **SEC. 8. WHISTLEBLOWER PROTECTIONS.**

(a) **PROTECTIONS.**—The Secretary shall update such whistleblower protections as the Secretary considers appropriate to clarify procedures for artificial intelligence systems, which shall ensure that all personnel who develop, assess, deploy, operate, or use

artificial intelligence as a component of a National Security System (as defined in section 3552(b) of title 44, United States Code) or otherwise for military or intelligence purposes can report concerns about artificial intelligence, including concerns about improperly harming civil liberties, privacy, safety, or compliance with the requirements of this Act, to relevant oversight officials.

(b) **COMPLIANCE WITH EXISTING LAW.**—Updates to whistleblower protections under subsection (a) shall be compliant with—

(1) section 1034 of title 10, United States Code, and its implementation guidance under Department of Defense Directive 7050.06 (relating to military whistleblower protection);

(2) section 2302 of title 5, United States Code;

(3) title VI of the Intelligence Authorization Act of Fiscal Year 2014 (Public Law 113–126; 128 Stat. 1414) and the amendments made by such title; and

(4) section 4701 of title 10, United States Code.

(c) **ANONYMITY.**—

(1) **IN GENERAL.**—The Secretary shall ensure that adequate and special procedures exist to receive, investigate, respond to, and redress complaints anonymously, when appropriate, and that reports may be made confidentially so that personnel may raise concerns without fear of reprisal for any disclosures related to artificial intelligence.

(2) **EXCEPTION.**—Confidentiality under paragraph (1) shall not extend to significant misconduct, including violations of law or government ethics, or when otherwise precluded by law.

(d) **INVESTIGATION AND CORRECTIVE ACTION.**—The Secretary shall ensure that adequate and special procedures exist for reporting incidents of artificial intelligence misuse, investigations of reported incidents, and processes for taking corrective actions.

#### **SEC. 9. REPORTING REQUIREMENTS.**

(a) **SEMIANNUAL REPORT ON ARTIFICIAL INTELLIGENCE USE CASES.**—Not later than six months after the date of the enactment of this Act, and semiannually thereafter, the Secretary shall submit to the appropriate committees of Congress a report containing the following:

(1) A description of exemplary use cases of artificial intelligence within the Department during the preceding year, identifying best practices, failure modes, and risk mitigation strategies employed.

(2) After-action reports on significant operational use of covered artificial intelligence capabilities during the preceding year, including—

(A) an assessment of system performance and effectiveness of human oversight;

(B) any identified risks or failure modes;

(C) a detailed accounting of any critical incidents, including incidents resulting in civilian casualties or injuries, damage to civilian objects or protected infrastructure, or other unintended effects inconsistent with the Law of Armed Conflict; and

(D) recommendations for improvements to human oversight, system safeguards, and the mitigation of future civilian harm.

(3) A description of training provided to human operators of autonomous and semi-autonomous weapon systems and other artificial intelligence capabilities covered by this Act, including documentation on employment procedures and responsible retirement of systems.

(b) **ANNUAL REPORT ON INFRASTRUCTURE AND BARRIERS.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report identifying—

(1) any significant barriers to the responsible development and deployment of artificial intelligence within the Department;

(2) gaps in infrastructure required to support traceability, auditability, risk analysis, and forensics for artificial intelligence capabilities covered by this Act; and

(3) recommended hardware, software, or other infrastructure needs necessary to fulfill the requirements of this Act.

(c) SEMI-ANNUAL REPORT ON COMPLIANCE FOR FIELDED SYSTEMS.—Not later than six months after the date of the enactment of this Act, and semi-annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report identifying—

(1) each fielded system for which compliance under this Act cannot be certified, with a description of the specific requirement or requirements with which the system does not comply;

(2) the operational or national security legal justification, if any, for the continued fielding of each such non-compliant system; and

(3) a remediation plan and timeline for bringing each such system into compliance or, if compliance is not practicable, a plan for the responsible retirement or modification of the system.

#### SEC. 10. EXCEPTIONS.

(a) CYBERSPACE CAPABILITIES.—The requirements of sections 3, 4, 5, and 7 shall not apply to autonomous or semi-autonomous cyberspace capabilities.

(b) UNARMED PLATFORMS.—The requirements of sections 3, 4, 5, and 7 shall not apply to unarmed platforms, whether remotely operated or operated by onboard personnel, and whether autonomous or semi-autonomous.

(c) TIME-CRITICAL DEFENSIVE SYSTEMS.—In cases where the time available between threat detection and required intercept is insufficient to allow for individual human authorization of each engagement and provided that such operations do not have death or serious bodily harm to any person as a reasonably foreseeable consequence, the requirements of sections 3, 4, 5, and 7 shall not apply to—

(1) systems employed exclusively for the defense against incoming munitions, rockets, artillery, mortars, missiles; or

(2) unmanned aircraft systems.

(d) OTHER EXCLUDED SYSTEMS.—The requirements of sections 3, 4, 5, and 7 shall not apply to—

(1) unguided munitions;

(2) munitions manually guided by the human operator, such as laser- or wire-guided munitions;

(3) mines;

(4) unexploded explosive ordnance; or

(5) autonomous or semi-autonomous systems that are not weapon systems.

(e) IDENTIFICATION SYSTEMS.—The requirements of sections 3, 4, 5, and 7 shall not apply to a system described in section 3(a)(2) with the sole purpose and outcome of identifying potential targets without further intervention by or communication with a human operator.

#### SEC. 11. EFFECTIVE DATE; REVIEW OF SYSTEMS CURRENTLY IN USE.

(a) IN GENERAL.—This subtitle shall take effect on the date that is 180 days after the date of the enactment of this Act.

(b) REVIEW OF SYSTEMS CURRENTLY IN USE.—

(1) IN GENERAL.—Not later than 180 days after the effective date set forth in subsection (a), the Secretary shall conduct a review of all systems described in section 3(a)(2) that are in use by the Department as of such effective date.

(2) ATTESTATION.—Upon completion of the review required under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a written attestation identifying, for each reviewed system, whether the system is compliant with the requirements of sections 3, 4, 5, and 7.

(3) NONCOMPLIANT SYSTEMS.—For any system that the Secretary cannot attest is in compliance with sections 3, 4, 5, and 7, the Secretary shall immediately cease all use of such system and, concurrent with the attestation required under paragraph (2), submit to appropriate committees of Congress a remediation plan that includes—

(A) a description of the specific requirement or requirements with which the system does not comply;

(B) an operational or national security justification, if any, for continued use of the system pending remediation; and

(C) a timeline for bringing the system into compliance or, if compliance is not practicable, for the responsible retirement or modification of the system.

**SA 5969.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1050. REPORT ON REQUIREMENTS FOR CASUALTY NOTIFICATION OFFICERS AND CASUALTY ASSISTANCE OFFICERS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Deputy Secretary of Defense, working in conjunction with the Secretaries of the military departments, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report assessing policies, training requirements, and certification standards governing the casualty notification officers and casualty assistance officers of each Armed Force.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) identify opportunities to improve training, standardization, and oversight of officers described in that subsection; and

(2) make recommendations with respect to mechanisms for the Department of Defense to solicit and receive voluntary feedback from surviving family members to help inform continuous improvement of casualty notification and assistance programs.

**SA 5970.** Mr. SCHIFF (for himself, Mr. CRAMER, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ INCLUSION ON THE VIETNAM VETERANS MEMORIAL WALL OF THE NAMES OF THE LOST CREW MEMBERS OF THE USS FRANK E. EVANS KILLED ON JUNE 3, 1969.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Defense shall authorize the inclusion on the Vietnam Veterans Memorial Wall in the District of Columbia of the names of the 74 crew members of the USS Frank E. Evans killed on June 3, 1969.

(b) REQUIRED CONSULTATION.—The Secretary of Defense shall consult with the Secretary of the Interior, the Vietnam Veterans Memorial Fund, and other applicable authorities with respect to any adjustments to the nomenclature and placement of names pursuant to subsection (a) to address any space limitations on the placement of additional names on the Vietnam Veterans Memorial Wall.

(c) NONAPPLICABILITY OF COMMEMORATIVE WORKS ACT.—Chapter 89 of title 40, United States Code (commonly known as the “Commemorative Works Act”), shall not apply to any activities carried out under subsection (a) or (b).

**SA 5971.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1078.

**SA 5972.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 3 \_\_\_\_ LIMITATIONS AND REQUIREMENTS RELATING TO OFFSHORE WIND ENERGY PROJECTS.

(a) LIMITATION ON REVERSAL OF PRIOR APPROVAL.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense may not object to, pause, or recommend the suspension or revocation of any lease, easement, right-of-way, or construction and operations plan for an offshore wind energy project under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) if the Secretary previously concurred with, signed off on, or found no unmitigable adverse impact for such project during the initial Federal environmental or regulatory review process.

(2) UNMITIGABLE ADVERSE IMPACTS.—An unmitigable adverse impact under paragraph (1) shall not include radar clutter or operational inconveniences that can be reasonably accommodated through software filtering, data-sharing agreements, or any other reasonable mitigation measures.

(b) REQUIREMENTS FOR NEW OR REVISED NATIONAL SECURITY OBJECTIONS.—The Secretary of Defense may not issue an objection regarding the impact of a new offshore wind energy project on operations of the Armed

Forces, radar systems, or national security unless the Secretary first submits to the appropriate committees of Congress a report containing the following:

(1) An unclassified summary of the specific, newly emergent, and quantifiable threat of such project to national security or readiness of the Armed Forces.

(2) Material and scientific evidence demonstrating that the specific radar interference, target masking, or operational conflict cannot be resolved through alternative deployment strategies of the Armed Forces.

(3) A certified cost-benefit analysis comparing the stated risk to national security against the economic impact of project cancellation and the risk to energy grid resilience in the United States.

(c) MANDATORY MITIGATION COLLABORATION.—The Secretary of Defense may not finalize an objection to or halt an offshore wind energy project unless—

(1) the Secretary and the developer for such project have engaged in a good-faith negotiation period of not less than 180 days to implement technical mitigations; and

(2) the Secretary demonstrates that all available technical mitigations are technically unfeasible.

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

(1) the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

**SA 5973.** Mr. COONS submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. REAUTHORIZATION OF TROPICAL FOREST AND CORAL REEF CONSERVATION ACT OF 1998.**

Section 806(d) of the Tropical Forest and Coral Reef Conservation Act of 1998 (22 U.S.C. 2431d(d)) is amended by adding at the end the following new paragraphs:

- “(14) \$20,000,000 for fiscal year 2028.
- “(15) \$20,000,000 for fiscal year 2029.
- “(16) \$20,000,000 for fiscal year 2030.
- “(17) \$20,000,000 for fiscal year 2031.
- “(18) \$20,000,000 for fiscal year 2032.”.

**SA 5974.** Mr. COONS (for himself and Mr. RICKETTS) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

**Subtitle F—Energy Security Pacts Act**

**SEC. 1281. SHORT TITLE.**

This subtitle may be cited as the “Energy Security Pacts Act”.

**SEC. 1282. DEFINITIONS.**

In this subtitle:

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

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) COUNCIL AGENCY.—The term “council agency” means a department, agency, or organization described in section 1286(c).

(3) CRITICAL MINERAL.—The term “critical mineral” means any mineral on the list of critical minerals required by section 7002(c)(3) of the Energy Act of 2020 (30 U.S.C. 1606(c)(3)) on or after January 1, 2026.

(4) DIRECTOR FOR ENERGY SECURITY PACTS.—The term “Director for Energy Security Pacts” means the Director for Energy Security Pacts described in section 1284.

(5) ENERGY SECURITY PACT.—The term “Energy Security Pact” means an Energy Security Pact described in section 1283.

(6) ENERGY SECURITY PACTS COUNCIL.—The term “Energy Security Pacts Council” means the Energy Security Pacts Council established under section 1286.

(7) PARTNER COUNTRY.—The term “partner country” means a country eligible for participation in an Energy Security Pact.

(8) RELIABLE ACCESS TO ENERGY OR ELECTRICITY.—The term “reliable access to energy or electricity” means access to energy or electricity that enables the electric system to consistently meet demand through a combination of generation, forecasting, storage, and grid management tools available across all resources and technologies.

(9) SECRETARY.—The term “Secretary” means the Secretary of State.

(10) SENIOR UNITED STATES GOVERNMENT OFFICIAL.—The term “senior United States Government official” means—

(A) any individual serving in a position at level I of the Executive Schedule under section 5312 of title 5, United States Code; and

(B) any individual serving as a presidential special envoy.

(11) UNDER SECRETARY.—The term “Under Secretary” means the Under Secretary of State for Economic Growth, Energy, and the Environment.

**SEC. 1283. AUTHORITY FOR ENERGY SECURITY PACTS.**

(a) IN GENERAL.—The Secretary may carry out an initiative to establish multiyear agreements, to be known as “Energy Security Pacts”, with partner countries for the purpose of enhancing the energy and economic security and stability of the United States and partner countries, including through efforts to counter economic coercion through the diversification of critical mineral and energy supply chains.

(b) ASSISTANCE FOR THE DEVELOPMENT AND IMPLEMENTATION OF PACTS.—The Director for Energy Security Pacts may—

(1) enter into contracts for required technical support related to Energy Security Pacts;

(2) make grants to partner countries that meet eligibility requirements for United States foreign assistance for the purpose of building the administrative or technical capacity necessary to facilitate the development and implementation of an Energy Security Pact between the United States and such country; and

(3) lead Country Pact Teams, in accordance with section 1284(c), to carry out the implementation of Energy Security Pacts.

(c) LIMITATIONS AND CONDITIONS.—

(1) PROHIBITION ON MILITARY ASSISTANCE AND TRAINING.—Assistance under this section may not include military assistance or military training for a country.

(2) CONDITION ON ASSISTANCE RELATING TO AMERICAN COMPETITIVENESS OR PRODUCTION DISPLACEMENT.—Prior to funding a project pursuant to an Energy Security Pact, the Secretary, in consultation with other relevant departments and agencies, should conduct an assessment on whether the proposed project would undermine the competitiveness or displace production of relevant domestic suppliers.

(3) PROHIBITION ON ASSISTANCE RELATING TO ENVIRONMENTAL, HEALTH, OR SAFETY HAZARDS.—Assistance under this section may not be provided for any project that is likely to cause a significant environmental, health, or safety hazard.

(4) FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT COMPLIANCE.—None of the funds authorized to be appropriated or otherwise made available to carry out this subtitle may be obligated or expended for an Energy Security Pact unless the Secretary complies with the requirements of section 4 of the Foreign Aid Transparency and Accountability Act of 2016 (22 U.S.C. 2394c) with respect to the Pact and all activities associated with the Pact.

(5) PROHIBITION ON ASSISTANCE FOR CERTAIN ENTITIES.—None of the funds authorized to be appropriated or otherwise made available to carry out this subtitle may be obligated or expended to provide any grant, contract, or other financial assistance to an entity in which a senior United States Government official or an immediate family member (as defined in section 1128(j) of the Social Security Act (42 U.S.C. 1320a-7(j))) of such official holds any ownership interest or serves in any managerial, officer, director, or board capacity.

(6) OTHER PROHIBITION.—Assistance under this section may not be used in any manner otherwise prohibited by any provision of law.

**SEC. 1284. DIRECTOR OF ENERGY SECURITY PACTS.**

(a) DIRECTOR FOR ENERGY SECURITY PACTS.—

(1) IN GENERAL.—The activities described in this subtitle may be led by a Director for Energy Security Pacts, who may be—

(A) appointed by the Secretary; and

(B) responsible—

(i) to the Under Secretary for all matters pertaining to the administration and implementation of Energy Security Pacts; and

(ii) for such other related duties as the Secretary may from time to time designate.

(2) RESPONSIBILITIES.—In addition to the responsibilities described in paragraph (1), the Director for Energy Security Pacts should be responsible for supporting the coordination and implementation of the Energy Security Pacts Council, including for matters pertaining to the following:

(A) Leading the development, negotiation, and management of Energy Security Pacts.

(B) Consulting and coordinating with council agencies to develop prospective Energy Security Pacts and implement ongoing Energy Security Pacts, as appropriate.

(C) Serving as the recipient for—

(i) solicited proposals under Energy Security Pacts; and

(ii) unsolicited proposals for projects to be considered for inclusion in any Energy Security Pact by national, regional, and local governments and private corporations.

(D) Signing interagency agreements from departments, agencies, or independent establishments of the United States Government on behalf of the Department of State (with the consent of the head of such department, agency, or establishment) for the purpose of developing, implementing, or otherwise participating in an Energy Security Pact.

(E) Coordinating with other donor entities, including countries that are allies and partners of the United States, the Forum on Resource Geostrategic Engagement of the Department of State, and other multilateral fora, for purposes of deconflicting, augmenting, and leveraging, as appropriate, Energy Security Pact workplans with the development and financing activities performed by others.

(3) ANNUAL REPORT REQUIRED.—Not less frequently than annually until the date that is 5 years after the date of the enactment of this Act, the Director for Energy Security Pacts shall submit to the appropriate congressional committees, the Executive Office of the President, the National Security Council, and the Secretary a report describing—

(A) the current status and expenditures of activities authorized under this subtitle;

(B) any obstacles to the implementation of such activities; and

(C) any updates to the multiyear financial plan developed pursuant to section 1285(d)(G).

(b) COUNTRY PACT TEAMS.—

(1) IN GENERAL.—The Secretary, in consultation with the Under Secretary and relevant Federal departments and agencies, may designate a Country Pact Team for each Energy Security Pact.

(2) LEADERSHIP; DUTIES.—Each Country Pact Team shall—

(A) be led by the Director for Energy Security Pacts, who may regularly engage with the Energy Security Pacts Council on matters related to the Energy Security Pact; and

(B) manage the day-to-day activities related to the development, negotiation, implementation, and monitoring of the Pact.

(c) PERSONNEL.—

(1) IN GENERAL.—The Under Secretary or the Under Secretary's designee may—

(A) upon request from the heads of relevant Federal departments and agencies, detail staff, on a reimbursable basis, to heads of council agencies with relevant sectoral, financial, or regional expertise for the express purpose of supporting the negotiation or implementation of an Energy Security Pact;

(B) request from the heads of council agencies the detail of personnel to the Director for Energy Security Pacts with relevant sectoral, financial, or regional expertise, on a reimbursable basis, for the express purpose of supporting the negotiation or implementation of an Energy Security Pact; and

(C) appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, candidates directly to positions in the competitive service, as defined in section 2102 of that title.

(2) DETAILED EMPLOYEES.—Any employee detailed pursuant to a request made under paragraph (1)(A) shall remain, for the purpose of preserving such employee's allowances, privileges, rights, seniority, and other benefits, an employee of the agency from which detailed.

(d) TERMINATION.—

(1) NEW ENERGY SECURITY PACTS.—The authority to enter into new Energy Security Pacts shall terminate on the date that is 15 years after the date of the enactment of this Act.

(2) DIRECTOR; COUNCIL.—The position of Director for Energy Security Pacts and the Energy Security Pacts Council shall terminate 30 days after the final Energy Security Pact expires.

(e) REPORTS.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary shall submit to the appropriate congressional committees a report that contains plans to attract and retain diplomatic, policy, legal, and technical exper-

tise for civil service officers to work with the Director of Energy Security Pacts, including career promotion tracks to supervisory and non-supervisory GS-15 positions.

**SEC. 1285. APPROVAL, ELIGIBILITY, AND ELEMENTS OF ENERGY SECURITY PACTS.**

(a) GOAL.—It shall be the goal of each Energy Security Pact to increase reliable access to energy or electricity for the United States and the partner country to the Energy Security Pact, for the purpose of stimulating economic growth, promoting United States mineral production where possible, enabling follow-on private sector investment, supporting the commercial competitiveness of United States companies, or diversifying relevant supply chains.

(b) INITIAL REQUIREMENTS.—

(1) RECOMMENDATION; ANALYSIS.—Before entering into an Energy Security Pact—

(A) the Pact shall be recommended by the Director for Energy Security Pacts and the Under Secretary and approved by the Secretary, after consultation with the United States Ambassador, or in the absence of an Ambassador, the Charge d'Affaires, for the partner country; and

(B) the Director for Energy Security Pacts, in collaboration with the Energy Security Pacts Council and the partner country, shall conduct a constraints analysis that—

(i) identifies insufficiencies in the energy sector and supply-chain segments needed to strengthen the partner country's energy security, consistent with United States energy security risks and commercial opportunities; and

(ii) includes an assessment of the partner country's ability to address shared critical mineral supply chain vulnerabilities.

(2) CONGRESSIONAL NOTIFICATION.—Not later than 30 days before entering into an Energy Security Pact, the Director for Energy Security Pacts shall—

(A) notify and consult with the appropriate congressional committees regarding such Pact;

(B) transmit to the appropriate congressional committees the text of such Pact and additional documentation that describes the implementation of such Pact; and

(C) provide to the appropriate congressional committees an in-person briefing regarding such Pact.

(c) ELIGIBILITY.—A country is eligible for participation in an Energy Security Pact if—

(1)(A) the per capita income of the country is not greater than the World Bank's loan threshold; or

(B) at the beginning of the year in which negotiations are initiated, the country is eligible for support from the World Bank's International Bank for Reconstruction and Development or International Development Association graduation process; and

(2)(A) the country has deposits of critical minerals strategically or commercially important for the United States; or

(B) United States adversary encroachment into the country's energy system poses a threat to the national security of the United States; and

(3) the country is not a covered nation (as defined in section 4872(f) of title 10, United States Code).

(d) ENERGY SECURITY PACT ELEMENTS.—

(1) IN GENERAL.—Each Energy Security Pact shall contain the following:

(A) The constraints analysis conducted under subsection (b)(1)(B).

(B) A demonstrated effort to integrate the national economic development strategy of the partner country.

(C) Specific objectives that the partner country and the United States expect to achieve during the term of the Energy Security Pact, including—

(i) increased energy production, reliability, and affordability in the partner country;

(ii) economic growth in the partner country that may reduce the need for foreign assistance;

(iii) improved access to energy, in consultation with affected communities and civil society; and

(iv) improved infrastructure that enables access to critical minerals mining and processing.

(D) The responsibilities of the partner country and the United States in the achievement of such objectives.

(E) Regular quantitative benchmarks to measure, as appropriate, progress toward achieving such objectives.

(F) An identification of the intended impact of the activities carried out in accordance with the Energy Security Pact.

(G) A multiyear financial plan, updated annually until the expiration of the term of the Energy Security Pact, that—

(i) estimates the amount of contributions, commitments, and other participation to be provided by council agencies, the partner country, multilateral development banks, and other development finance institutions as applicable;

(ii) ensures that the Pact incorporates and is complementary to development programs administered by other Federal departments and agencies, so that United States funds are used to improve feasibility for private sector investment to further development goals;

(iii) identifies proposed mechanisms to implement the plan and provide oversight of the plan; and

(iv) describes how the requirements described in this subsection will be met, including the role of the private sector in the achievement of such requirements.

(H) As appropriate, a description of the current and potential participation of other donors, including council agencies or countries that are allies and partners of the United States, in the achievement of the objectives described in subparagraph (C).

(I) A description of how oversight and transparency of the foreign assistance provided through the Energy Security Pact will be maintained.

(J) As appropriate, a process or processes for considering—

(i) solicited proposals under the Energy Security Pact; and

(ii) unsolicited proposals by national, regional, and local governments and private corporations.

(K) A requirement that open, fair, competitive, and transparent procedures are used in the administration of grants or cooperative agreements or the procurement of goods and services for the accomplishment of objectives under the Energy Security Pact.

(L) The strategy of the partner country to sustain progress made toward achieving the objectives described in subparagraph (C) after expiration of the Energy Security Pact.

(M) A description of the role of council agencies in any design, implementation, and monitoring of programs and activities funded through the Energy Security Pact.

(N) A description of any contribution, as appropriate, from the partner country relative to its national budget and taking into account the prevailing economic conditions, toward meeting the objectives described in subparagraph (C).

(2) PROHIBITION ON TAXATION.—In addition to the elements described in paragraph (1), each Energy Security Pact shall contain a provision stating that assistance provided by the United States under the Energy Security Pact shall be exempt from taxation by the government of the partner country.

(3) ENERGY SOURCES.—An Energy Security Pact shall not exclude, as a matter of policy,

any specific type of energy or power generation.

(e) **NOTIFICATION REGARDING INCREASE OR EXTENSION OF ASSISTANCE.**—Not later than 30 days after making a determination and before distributing funds to increase or extend assistance under an Energy Security Pact with a partner country, the Secretary shall submit to the appropriate congressional committees a written notification that contains the following:

- (1) A justification for the determination.
- (2) A detailed summary of the proposed increase in, or extension of, assistance under the Energy Security Pact.
- (3) A copy of the full text of the amendment to the Energy Security Pact.
- (f) **DURATION.**—The duration of an Energy Security Pact shall not exceed 10 years.

(g) **SUBSEQUENT AND CONCURRENT PACTS.**—A partner country that has entered into, and has in effect, an Energy Security Pact may enter into, and concurrently have in effect, not more than one additional Energy Security Pact.

(h) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to alter, supersede, or otherwise affect any authorities, restrictions, or eligibility requirements existing on the date of the enactment of this Act applicable to foreign assistance programs administered by any Federal department or agency, including determinations regarding the eligibility of countries for such assistance made pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or any other provision of law.

#### **SEC. 1286. ENERGY SECURITY PACTS COUNCIL.**

(a) **ESTABLISHMENT.**—Not later than 90 days after the date of the enactment of this Act, the President should establish an Energy Security Pacts Council (referred to in this section as the “Council”) to coordinate and implement Energy Security Pacts.

(b) **CHAIRPERSON.**—The Council may be chaired by the Secretary.

(c) **COMPOSITION.**—The Council may be composed of principal officers of executive departments from the following departments and agencies:

- (1) The United States International Development Finance Corporation.
- (2) The Department of Energy.
- (3) The United States Trade and Development Agency.
- (4) The Export-Import Bank of the United States.
- (5) The Department of Commerce.
- (6) The United States Trade Representative.
- (7) The Department of Defense.
- (8) The Department of State.
- (9) The Department of the Treasury.
- (10) The Millennium Challenge Corporation.
- (11) The Department of the Interior.
- (12) Any other Federal department, agency, or organization that the President determines to be appropriate.

(d) **VACANCIES.**—When there is a vacancy in the office of a principal officer of an executive department, the individual acting in the capacity of principal officer shall serve as a member of the Council until a new principal officer of the executive department is appointed.

(e) **DESIGNATION.**—The principal officer of an executive department may designate a senior official of such department to serve on the Council, as appropriate.

(f) **MEETINGS.**—The Council should meet not less frequently than quarterly.

(g) **DUTIES.**—The Council should—

- (1) coordinate Energy Security Pact-related activities of the council agencies;
- (2) make annual recommendations to the Director for Energy Security Pacts, taking

into account the stated priorities of the National Security Council and the President, regarding the prioritization of countries eligible for Energy Security Pact negotiation; and

(3) make recommendations to improve interagency collaboration for purposes of promoting energy security and United States national security interests abroad.

(h) **SUNSHINE ACT COMPLIANCE.**—Meetings of the Council are subject to section 552b of title 5, United States Code (commonly referred to as the “Government in the Sunshine Act”).

#### **SEC. 1287. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.**

Not later than 2 years after the date of the enactment of this Act, and annually thereafter until the final Energy Security Pact expires, the Comptroller General of the United States shall submit to Congress an evaluation of the efficiency and development impact of projects supported by an Energy Security Pact.

**SA 5975.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### **SEC. \_\_\_\_ . OFFENSES INVOLVING ESPIONAGE.**

(a) **IN GENERAL.**—Chapter 213 of title 18, United States Code, is amended by adding at the end the following:

##### **“§ 3302. Espionage offenses**

“Notwithstanding any other provision of law, an indictment may be found or an information may be instituted at any time without limitation for a violation of section 794 or a conspiracy to violate such section.”

(b) **CLERICAL AMENDMENT.**—The table of sections for chapter 213 of title 18, United States Code, is amended by adding at the end the following:

“3302. Espionage offenses.”

(c) **CONFORMING AMENDMENT.**—Section 19 of the Internal Security Act of 1950 (18 U.S.C. 792 note; 64 Stat. 1005) is amended by striking “, 793, or 794” and inserting “or 793”.

**SA 5976.** Mr. CORNYN (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

#### **Subtitle F—Legal Gold and Mining Partnership**

##### **SEC. 1271. SHORT TITLE.**

This subtitle may be cited as the “United States Legal Gold and Mining Partnership Act”.

##### **SEC. 1272. FINDINGS.**

Congress makes the following findings:

(1) The illicit mining, trafficking, and commercialization of gold in the Western Hemisphere—

(A) negatively affects the region’s economic and social dynamics;

(B) strengthens transnational criminal organizations and other international illicit actors; and

(C) has a deleterious impact on the environment, indigenous peoples, and food security.

(2) A lack of economic opportunities and the weak rule of law promote illicit activities, such as illicit gold mining, which increases the vulnerability of individuals in mining areas, including indigenous communities, which have been subjected to trafficking in persons, other human rights abuses, and population displacement in relation to mining activity, particularly in the artisanal and small-scale mining sector.

(3) Illicit gold mining in Latin America often involves and benefits transnational criminal organizations, drug trafficking organizations, terrorist groups, and other illegal armed groups that extort miners and enter into illicit partnerships with them in order to gain revenue from the illicit activity.

(4) Illicit gold supply chains are international in nature and frequently involve—

(A) the smuggling of gold and supplies, such as mercury;

(B) trade-based money laundering; and

(C) other cross-border flows of illicit assets.

(5) In Latin America, mineral traders and exporters, local processors, and shell companies linked to transnational criminal networks and illegally armed groups all play a key role in the trafficking, laundering, and commercialization of illicit gold from the region.

(6) According to a report on illegally mined gold in Latin America by the Global Initiative Against Transnational Organized Crime—

(A) more than 70 percent of the gold mined in several Latin American countries, such as Colombia, Ecuador, and Peru, is mined through illicit means; and

(B) about 80 percent of the gold mined in Venezuela is mined through illicit means and a large percentage of such gold is sold—

(i) to Mibiturven, a joint venture operated by authorities in Venezuela and composed of Minerven, a gold processor that has been designated by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to Executive Order 13850 (relating to blocking property of additional persons contributing to the situation in Venezuela), and Marilyns Proje Yatirim, S.A., which is a Turkish company; or

(ii) through other trafficking and commercialization networks from which authorities in Venezuela benefit financially.

(7) Illegal armed groups and foreign terrorist organizations, such as the Ejército de Liberación Nacional (National Liberation Army—ELN), work with transnational criminal organizations in Venezuela that participate in the illicit mining, trafficking, and commercialization of gold.

(8) Transnational criminal organizations based in Venezuela, such as El Tren de Aragua, have expanded their role in the illicit mining, trafficking, and commercialization of gold to increase their criminal profits.

(9) Nicaragua’s gold exports during 2023 were valued at an estimated \$1,240,000,000, of which—

(A) gold valued at an estimated \$637,000,000 was shipped to the United States;

(B) gold valued at an estimated \$353,000,000 was shipped to Canada;

(C) gold valued at an estimated \$244,000,000 was shipped to Switzerland; and

(D) gold valued at an estimated \$6,560,000 was shipped to Italy.

(10) U.S. Customs and Border Protection has recognized that illegal logging is the

world's most profitable natural resource crime and that profits from illegal logging finance illegal mining.

#### SEC. 1273. DEFINITIONS.

In this subtitle:

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

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(D) the Select Committee on Intelligence of the Senate;

(E) the Committee on Foreign Affairs of the House of Representatives;

(F) the Committee on the Judiciary of the House of Representatives;

(G) the Committee on Financial Services of the House of Representatives; and

(H) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) ARTISANAL AND SMALL-SCALE MINING; ASM.—The terms “artisanal and small-scale mining” and “ASM” refer to a form of mining common in the developing world that—

(A) typically employs rudimentary, simple, and low-cost extractive technologies and manual labor-intensive techniques;

(B) is frequently subject to limited regulation; and

(C) often features harsh and dangerous working conditions.

(3) KEY STAKEHOLDERS.—The term “key stakeholders” means private sector organizations, industry representatives, and civil society groups that represent communities in areas affected by illicit mining and trafficking of gold, including indigenous groups, that are committed to the implementation of the Legal Gold and Mining Partnership Strategy.

(4) LEGAL GOLD AND MINING PARTNERSHIP STRATEGY; STRATEGY.—The terms “Legal Gold and Mining Partnership Strategy” and “Strategy” mean the strategy developed pursuant to section 1274.

(5) RELEVANT FEDERAL DEPARTMENTS AND AGENCIES.—The term “relevant Federal departments and agencies” means the Department of State and all other Federal departments and agencies designated by the President as having significant domestic or foreign affairs equities in countering illicit mining.

(6) SECRETARY.—The term “Secretary” means the Secretary of State.

#### SEC. 1274. LEGAL GOLD AND MINING PARTNERSHIP STRATEGY.

(a) STRATEGY REQUIRED.—The Secretary, in coordination with the heads of relevant Federal departments and agencies, shall develop a comprehensive, multi-year strategy, which shall be known as the Legal Gold and Mining Partnership Strategy, to combat illicit gold mining in the Western Hemisphere.

(b) ELEMENTS.—The Strategy shall include policies, programs, and initiatives—

(1) to interrupt the linkages between gold mining, including ASM, and illicit actors that profit from illicit mining in the Western Hemisphere;

(2) to deter ASM in environmentally protected areas, such as national parks and conservation zones, to prevent mining-related contamination of critical natural resources, such as water resources, soil, tropical forests, and other flora and fauna, and aerosol contamination linked to detrimental health impacts;

(3) to counter the financing and enrichment of actors involved in the illicit mining, trafficking, and commercialization of gold, and the abetting of their activities by—

(A) promoting the exercise of due diligence and the use of responsible sourcing methods in the purchase and trade of ASM;

(B) preventing and prohibiting foreign persons who control commodity trading chains linked to illicit actors from enjoying the benefits of access to the territory, markets or financial system of the United States, and halting any such ongoing activity by such foreign persons;

(C) combating related impunity afforded to illicit actors by addressing corruption in government institutions and interrupting linkages between corrupt officials and illicit actors that exploit ASM miners;

(D) supporting the capacity of financial intelligence units, customs agencies, and other government institutions focused on anti-money laundering initiatives and combating the financing of criminal activities and terrorism to exercise oversight consistent with the threats posed by illicit gold mining; and

(E) working with the governments and appropriate institutions of countries that host gold refineries or processing centers to deter the importation of illicit gold and implement greater due diligence practices;

(4) to build the capacity of foreign civilian law enforcement institutions in the Western Hemisphere to effectively counter—

(A) linkages between illicit gold mining, illicit actors, money laundering, and other financial crimes, including trade-based money laundering;

(B) linkages between illicit gold mining, illicit actors, trafficking in persons, and forced or coerced labor, including sex work and child labor;

(C) linkages between illicit gold mining, illicit actors, and the illegal timber trade;

(D) the cross-border trafficking of illicit gold, and the mercury, cyanide, explosives, and other hazardous materials used in illicit gold mining, particularly those originating in China or trafficked by transnational criminal organizations; and

(E) surveillance and investigation of illicit and related activities that are related to or are indicators of illicit gold mining activities;

(5) to ensure the successful implementation of the existing Memoranda of Understanding signed with the Governments of Peru and of Colombia in 2017 and 2018, respectively, to expand bilateral cooperation to combat illicit gold mining;

(6) to work with governments in the Western Hemisphere, bolster the effectiveness of anti-money laundering efforts to combat the financing of illicit actors in Latin America and the Caribbean and counter the laundering of proceeds related to illicit gold mining by—

(A) fostering international and regional cooperation and facilitating intelligence sharing, as appropriate, to identify and disrupt financial flows related to the illicit gold mining, trafficking, and commercialization of gold and other minerals and illicit metals; and

(B) supporting the formulation of strategies to ensure the compliance of reporting institutions involved in the mining sector and to promote transparency in mining-sector transactions;

(7) to support foreign government efforts—

(A) to facilitate licensing and formalization processes for ASM miners;

(B) to develop mechanisms to support regulated cultural artisanal mining and artisanal mining as a job growth area; and

(C) to implement existing environmental standards;

(8) to engage the mining industry and relevant trade or industry associations to encourage the building of technical expertise in best practices and access to new technologies;

(9) to support the establishment of gold commodity supply chain due diligence, responsible sourcing, tracing and tracking capacities, and standards-compliant commodity certification systems in countries in Latin America and the Caribbean, including efforts recommended in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas, Third Edition (2016);

(10) to engage with civil society to reduce the negative environmental impacts of ASM, particularly—

(A) the use of mercury in preliminary refining;

(B) the destruction of tropical forests;

(C) the construction of illegal and unregulated dams and the resulting valley floods;

(D) the pollution of water resources and soil; and

(E) the release of dust, which can contain toxic chemicals and heavy metals that can cause severe health problems;

(11) to aid and encourage ASM miners—

(A) to formalize their business activities, including through skills training, technical and business assistance, and access to financing, loans, and credit;

(B) to utilize mercury-free gold refining technologies and mining methods that minimize deforestation, air pollution, and water and soil contamination;

(C) to reduce the costs associated with formalization and compliance with mining regulations; and

(D) to fully break away from the influence of illicit actors who leverage the control of territory and use violence to extort miners and push them into illicit arrangements;

(12) to interrupt the illicit gold trade in Nicaragua, including through the use of targeted United States measures against the government led by President Daniel Ortega and Vice-President Rosario Murillo and their collaborators pursuant to Executive Order 14088 (relating to taking additional steps to address the national emergency with respect to the situation in Nicaragua), which was issued on October 24, 2022;

(13) to assist local journalists with investigations of illicit mining, trafficking, and commercialization of gold and its supplies in the Western Hemisphere;

(14) to promote responsible sourcing and due diligence at all levels of gold supply chains, including through the use of existing widely-adopted, industry-standard responsible sourcing and due diligence standards;

(15) to engage the private sector to develop industry-led global processing initiatives that aim to redirect illicit gold flows away from bad actors; and

(16) to prevent the intentional misinvoicing of the origins of gold shipments at transshipment points.

(c) ASSESSMENT OF CHALLENGES.—The Strategy shall include an assessment of the challenges posed by, and policy recommendations to address—

(1) linkages between ASM sector production and trade, particularly relating to gold, to the activities of illicit actors, including linkages that help to finance or enrich such illicit actors or abet their activities;

(2) linkages between illicit or grey market trade, and markets in gold and other metals or minerals and legal trade and commerce in such commodities, notably with respect to activities that abet the entry of such commodities into legal commerce, including—

(A) illicit cross-border trafficking, including with respect to goods, persons and illegal narcotics;

(B) money-laundering;

(C) the financing of illicit actors or their activities; and

(D) the extralegal entry into the United States of—

(i) metals or minerals, whether of legal foreign origin or not; and

(ii) the proceeds of such metals or minerals;

(3) linkages between the illicit mining, trafficking, and commercialization of gold, diamonds, and precious metals and stones, and the financial and political activities of authorities in Venezuela;

(4) factors that—

(A) produce linkages between ASM miners and illicit actors, prompting some ASM miners to utilize mining practices that are environmentally damaging and unsustainable, notably mining or related ore processing practices that—

(i) involve the use of elemental mercury; or

(ii) result in labor, health, environmental, and safety code infractions and workplace hazards; and

(B) lead some ASM miners to operate in the extralegal or poorly regulated informal sector, and often prevent such miners from improving the socioeconomic status of themselves and their families and communities, or hinder their ability to formalize their operations, enhance their technical and business capacities, and access finance of fair market prices for their output;

(5) mining-related trafficking in persons and forced or coerced labor, including sex work and child labor; and

(6) the use of elemental mercury and cyanide in ASM operations, including the technical aims and scope of such usage and its impact on human health and the environment, including flora, fauna, water resources, soil, and air quality.

(d) FOREIGN ASSISTANCE.—The Strategy shall describe—

(1) existing foreign assistance programs that address elements of the Strategy; and

(2) additional foreign assistance resources needed to fully implement the Strategy.

(e) BEST PRACTICES.—The Strategy shall, to the extent practicable, avoid duplication of effort in the development of due diligence and responsible sourcing standards, including through the use of existing widely-adopted industry standards.

(f) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the President shall submit the Strategy to the appropriate congressional committees.

(g) SEMIANNUAL BRIEFINGS.—Not later than 180 days after submission of the Strategy, and semiannually thereafter for the following 3 years, the Secretary, or the Secretary's designee, shall provide a briefing to the appropriate congressional committees regarding—

(1) the implementation of the strategy, including efforts to leverage international support and develop a public-private partnership to build responsible gold value chains with other governments;

(2) revisions to the Strategy that are needed to better align the Strategy to new or emerging challenges in combating illicit gold mining; and

(3) recommendations from the Strategy that can be applied to combat illicit gold mining on a global scale.

#### SEC. 1275. CLASSIFIED BRIEFING ON ILLICIT GOLD MINING IN VENEZUELA.

Not later than 90 days after the date of the enactment of this Act, the Secretary, or the Secretary's designee, in coordination with the Director of National Intelligence, or the Director's designee, shall provide a classified briefing to the appropriate congressional committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives that describes—

(1) the activities related to illicit gold mining, including the illicit mining, trafficking,

and commercialization of gold, inside Venezuelan territory carried out by illicit actors, including defectors from the Revolutionary Armed Forces of Colombia (FARC) and members of the National Liberation Army (ELN); and

(2) Venezuela's illicit gold trade with foreign governments, including the Government of the Republic of Turkey and the Government of the Islamic Republic of Iran.

#### SEC. 1276. INVESTIGATION OF THE ILLICIT GOLD TRADE IN VENEZUELA.

The Secretary, in coordination with relevant Federal departments and agencies, and allied and partner governments in the Western Hemisphere, shall—

(1) lead a coordinated international effort to carry out financial investigations to identify and track assets taken from the people and institutions in Venezuela that are linked to money laundering and illicit activities, including mining-related activities, by sharing financial investigations intelligence, as appropriate and as permitted by law; and

(2) provide technical assistance to help eligible governments in Latin America establish legislative and regulatory frameworks capable of imposing and effectively implementing targeted sanctions on—

(A) authorities in Venezuela who are directly engaged in the illicit mining, trafficking, and commercialization of gold; and

(B) foreign persons engaged in the laundering of illicit gold assets linked to designated terrorist and drug trafficking organizations.

#### SEC. 1277. LEVERAGING INTERNATIONAL SUPPORT.

In implementing the Strategy pursuant to section 1274, the President should direct United States representatives accredited to relevant multilateral institutions and development banks and United States ambassadors in the Western Hemisphere to use the influence of the United States to foster international cooperation to achieve the objectives of this subtitle, including—

(1) marshaling resources and political support; and

(2) encouraging the development of policies and consultation with key stakeholders to accomplish such objectives and provisions.

#### SEC. 1278. PUBLIC-PRIVATE PARTNERSHIP TO BUILD RESPONSIBLE GOLD VALUE CHAINS.

(a) IN GENERAL.—The Secretary shall coordinate with the Governments of Colombia, of Ecuador, of Peru, and of other democratically-elected governments in the region determined by the Secretary to establish a public-private partnership to support programming in participating countries that will—

(1) support the ASM gold mining sector's formalization and compliance with the existing environmental and labor standards in participating countries;

(2) increase awareness of access to financing for ASM gold miners who are taking significant steps to formalize their operations and comply with the existing labor and environmental standards in participating countries;

(3) enhance the traceability and support the establishment of a certification process for ASM gold;

(4) support a public relations campaign to promote responsibly-sourced gold;

(5) include representatives of local civil society to work towards soliciting the free and informed consent of those living on lands with mining potential;

(6) facilitate contact between vendors of responsibly-sourced gold and United States companies; and

(7) promote policies and practices in participating countries that are conducive to

the formalization of ASM gold mining and promoting adherence of ASM to internationally-recognized best practices and standards.

#### SEC. 1279. RULE OF CONSTRUCTION REGARDING NOT AUTHORIZING THE USE OF MILITARY FORCE.

Nothing in this subtitle may be construed as authorizing the use of military force or the introduction of United States forces into hostilities.

#### SEC. 1280. CONSIDERATION OF CERTAIN TRANSACTIONS INVOLVING PRECIOUS METALS FOR PURPOSES OF IDENTIFYING PRIMARY MONEY LAUNDERING CONCERNS.

Section 5318A(c)(2)(A) of title 31, United States Code, is amended—

(1) in clause (vi), by striking “and” at the end;

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

(3) by adding at the end the following:

“(viii) the extent to which transnational criminal organizations, drug trafficking organizations, terrorist groups, and other illegal armed groups exploit that jurisdiction to derive significant revenue through the illicit mining or trafficking of precious metals.”.

**SA 5977.** Mr. MORENO (for himself and Ms. SLOTKIN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

#### TITLE XVII—CONNECTED VEHICLE SECURITY ACT OF 2026

##### SEC. 1701. SHORT TITLE.

This title may be cited as the “Connected Vehicle Security Act of 2026”.

##### SEC. 1702. DEFINITIONS.

In this title:

(1) AUTOMATED DRIVING SYSTEM.—The term “automated driving system” means hardware and software that, collectively, are capable of performing the entire dynamic driving task for a connected vehicle on a sustained basis, without human intervention, regardless of whether it is limited to a specific operational design domain.

(2) CONNECTED VEHICLE.—

(A) IN GENERAL.—Except as provided by subparagraph (B), the term “connected vehicle” means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, that—

(i)(I) integrates onboard networked hardware with automotive software systems to communicate, at a radio frequency over 450 megahertz, via dedicated short-range communication, cellular telecommunications connectivity, satellite communication, or other wireless spectrum connectivity with any other network or device; or

(II) is designed, manufactured, or originally equipped to communicate as described in clause (i), regardless of whether such capability is enabled, disabled, or removed at the time of importation, manufacture, sale, resale, or introduction of the vehicle into interstate commerce in the United States; and

(ii) has a gross vehicle weight rating of 4,536 kilograms (10,000 pounds) or less.

(B) EXCLUSION.—The term “connected vehicle” does not include a vehicle operated only on a rail line.

(3) COVERED COUNTRY.—The term “covered country” means—

(A) the Democratic People’s Republic of North Korea;

(B) the People’s Republic of China;

(C) the Russian Federation; and

(D) the Islamic Republic of Iran.

(4) COVERED SOFTWARE.—

(A) IN GENERAL.—The term “covered software” —

(i) means the software-based components installed in or on a connected vehicle, or designed to be installed in or on a connected vehicle, including application, middleware, and system software, executed by the primary processing unit or units of an item that directly enables the function of a vehicle connectivity system or automated driving system at the vehicle level; and

(ii) includes any machine-learning model or other artificial intelligence component that directly enables, at the vehicle level, decision-making or control of an automated driving system.

(B) EXCLUSION.—The term “covered software” does not include open-source software, except to the extent that such software has been modified, adapted, customized, integrated, distributed, maintained, or otherwise incorporated into a software product by, on behalf of, or under the direction or control of a foreign entity of concern.

(5) ELECTRIC VEHICLE BATTERY.—The term “electric vehicle battery” means a rechargeable battery designed to store and supply electrical energy for the propulsion of a hybrid or electric vehicle.

(6) FOREIGN ENTITY OF CONCERN.—The term “foreign entity of concern” means—

(A) any individual, wherever located, who—

(i) acts as an agent, representative, or employee, or acts in any other capacity at the order, request, or under the direction or control, of a covered country or of a person whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in majority part by a covered country; or

(ii) is a citizen or resident of a covered country or a country controlled by a covered country, and is not a United States citizen or alien lawfully admitted for permanent residence in the United States; or

(B) an entity—

(i) with a principal place of business in, headquartered in, incorporated in, or otherwise organized under the laws of a covered country or a country controlled by a covered country;

(ii) that is a subsidiary or affiliate of an entity described in clause (i); or

(iii) wherever organized or doing business, that is owned or controlled by a covered country, participating in a partnership or joint venture with an individual described in subparagraph (A) or an entity described in clause (i), or subject to other circumstances in which such an individual or entity, or combination of such individuals or entities, possesses the power, direct or indirect, whether or not exercised, through—

(I) ownership of a majority or a dominant minority of the total outstanding voting or financial interest in the entity, board representation, proxy voting, a special share, contractual arrangements, formal or informal arrangements to act in concert, or other means, to determine, direct, or decide important matters affecting the entity;

(II) with respect to a manufacturer, developer, designer, or supplier of a connected vehicle, ownership or control of more than 15 percent of the total outstanding equity interest, voting interest, board representation, or other indicia of control;

(III) with respect to a manufacturer, developer, designer, or supplier of covered soft-

ware, ownership or control of more than 25 percent of the total outstanding equity interest, voting interest, board representation, or other indicia of control; or

(IV) with respect to a manufacturer or supplier of vehicle connectivity system hardware, ownership or control of more than 25 percent of the total outstanding equity interest, voting interest, board representation, or other indicia of control.

(7) IMPORTATION.—The term “importation” has the meaning given the term “import” in section 1001 of the Controlled Substances Import and Export Act (21 U.S.C. 951).

(8) RESALE.—

(A) IN GENERAL.—The term “resale”, with respect to a vehicle, software, or hardware, means the transferring of ownership of the vehicle, software, or hardware by an individual or entity that acquired the vehicle, software, or hardware for the purpose of transfer in the ordinary course of business, and not for the use of or consumption by the individual or entity.

(B) EXCLUSION.—The term “resale” does not include the transfer of a connected vehicle that was previously titled or registered to, and used by, a consumer or end-user or was acquired for bona fide use, lease, or operation by the individual or entity transferred the vehicle or by a dealer (as defined in section 30102(a)(2) of title 49, United States Code).

(9) SECRETARY.—The term “Secretary” means the Secretary of Commerce, acting through the Under Secretary of Commerce for Industry and Security.

(10) TRANSACTION.—The term “transaction” —

(A) means any acquisition, importation, transfer, installation, dealing in, or use of any vehicle, software, or hardware subject to a prohibition under section 1703(a), including ongoing activities, such as managed services, data transmission, software updates, repairs, or provision of platform services or data hosting of applications for consumer download; and

(B) includes—

(i) any other transaction, arrangement, practice, or course of conduct, the structure or purpose of which is designed or intended to evade or circumvent this title; and

(ii) a class of transactions.

(11) VEHICLE CONNECTIVITY SYSTEM.—The term “vehicle connectivity system” means vehicle connectivity system hardware or a covered software item installed in or on a connected vehicle, or designed to be installed in or on a connected vehicle, that directly enables the function of transmission, receipt, conversion, or processing of radio frequency communications at a frequency over 450 megahertz.

(12) VEHICLE CONNECTIVITY SYSTEM HARDWARE.—

(A) IN GENERAL.—The term “vehicle connectivity system hardware” —

(i) means software-enabled or programmable components that—

(I) are installed in or on a connected vehicle or designed to be installed in or on a connected vehicle;

(II) are directly connected to a vehicle connectivity system; and

(III) directly enable the connectivity functions of a vehicle connectivity system or are part of an item that directly enables the function of a vehicle connectivity system; and

(ii) includes—

(I) microcontrollers, microcomputers or modules, systems on a chip, networking or telematics units, cellular modem/modules, Wi-Fi microcontrollers or modules, Bluetooth microcontrollers or modules, satellite communication systems, other wire-

less communication microcontrollers or modules, external antennas, digital signal processors, and field-programmable gate arrays; and

(II) electronic systems integrated into an electric vehicle battery that directly enable or control the monitoring, management, security, or external communication of battery performance or operation, including any transmitter or interface component that performs such functions.

(B) EXCLUSION.—The term “vehicle connectivity system hardware” does not include component parts that do not contribute to the connectivity function of vehicle connectivity system hardware, such as brackets, fasteners, plastics, passive electronics, diodes, field effect transistors, and bipolar junction transistors.

### SEC. 1703. PROHIBITION ON CONNECTED VEHICLES AND OTHER TRANSACTIONS THAT THREATEN ECONOMIC OR NATIONAL SECURITY.

(a) PROHIBITIONS.—

(1) CONNECTED VEHICLES.—On and after January 1, 2027, the importation, manufacture, sale, resale, or introduction into interstate commerce in the United States of a connected vehicle is prohibited if—

(A) the connected vehicle is designed, developed, or manufactured in, or supplied from, a covered country, without regard to whether—

(i) at the time of importation, sale, resale, or introduction, the vehicle is equipped with any covered software or vehicle connectivity system hardware subject to a prohibition under paragraph (2) or (3); or

(ii) any such software or hardware—

(I) is removed from the vehicle before importation, sale, resale, or introduction; or

(II) will be installed after importation, sale, resale, or introduction; or

(B) the manufacturer, developer, designer, or supplier of the connected vehicle is a foreign entity of concern.

(2) COVERED SOFTWARE.—The integration of covered software into a connected vehicle that is imported, manufactured, sold, resold, or introduced into interstate commerce into the United States is prohibited if—

(A) the connected vehicle into which the covered software is integrated was manufactured for model year 2027 or later; and

(B)(i) the covered software is designed, developed, or manufactured in, or supplied from, a covered country; or

(ii) the manufacturer, developer, designer, or supplier of the software is a foreign entity of concern.

(3) VEHICLE CONNECTIVITY SYSTEM HARDWARE.—

(A) IN GENERAL.—On and after January 1, 2030, the integration of any vehicle connectivity system hardware into a connected vehicle that is imported, manufactured, sold, resold, or introduced into interstate commerce into the United States is prohibited if—

(i) the hardware is manufactured in, or supplied from, a covered country; or

(ii) the manufacturer or supplier of the hardware is a foreign entity of concern.

(B) REPAIR AND WARRANTY.—The prohibition under subparagraph (A) shall not apply to vehicle connectivity system hardware that is—

(i) integrated into a vehicle that is manufactured for a model year before model year 2030; or

(ii) imported, manufactured, sold, resold, or introduced into interstate commerce in the United States for the purpose of repair, or under warranty, for a connected vehicle of a model year before model year 2030.

(4) ADDITIONAL ITEMS.—Subject to an applicable ruling or advisory opinion issued under subsection (d), a prohibition under paragraph

(1), (2), or (3) applies with respect to a connected vehicle, covered software, or vehicle connectivity system hardware, as the case may be, that is renamed, rebranded, restructured, or altered to circumvent the prohibition.

(5) EXCEPTION.—The prohibitions under paragraphs (1), (2), and (3) shall not apply to the importation, manufacture, sale, resale, or introduction into interstate commerce in the United States of a connected vehicle, covered software, or vehicle connectivity system hardware, as the case may be, for the sole purpose of testing and evaluation if—

(A) in the case of a connected vehicle, the vehicle is not intended to be driven on public roads; or

(B) in the case of a connected vehicle, covered software, or vehicle connectivity system hardware, the testing or evaluation is by an entity that—

(i) is organized under the laws of a State in the United States;

(ii) does not have its principal place of business in a covered country; and

(iii) is not a foreign entity of concern.

(b) RELATED TRANSACTIONS.—

(1) IN GENERAL.—The Secretary shall prescribe regulations, pursuant to section 553 of title 5, United States Code, to prohibit any specific transaction relating to connected vehicles, including the importation, sale, distribution, integration, or use of a connected vehicle, covered software, or vehicle connectivity system hardware, that the Secretary determines poses an undue or unacceptable threat to the economic or national security of the United States.

(2) NOTICE.—If the Secretary prohibits a transaction under paragraph (1), the Secretary shall deliver, by certified United States mail, to the parties to the transaction a notice of the prohibition that includes an identification, by name, of the specific vehicle, software, or hardware that the Secretary determines poses an undue or unacceptable threat to the economic or national security of the United States.

(c) AUTHORIZATIONS.—

(1) ISSUANCE.—

(A) IN GENERAL.—The Secretary, in consultation with the Secretary of Defense, the Secretary of Transportation, the Secretary of State, and the Secretary of Energy, may issue a general or specific authorization for the importation, manufacture, sale, resale, or introduction into interstate commerce in the United States of a connected vehicle, covered software, or vehicle connectivity system hardware that would otherwise be subject to a prohibition under subsection (a) if—

(i) the Secretary determines, based on clear and convincing evidence and a written risk assessment, that the importation, manufacture, sale, resale, or introduction of the vehicle, software, or hardware does not pose, and is not reasonably likely to pose—

(I) an undue risk of data exfiltration from, or remote manipulation or operation of, a connected vehicle;

(II) a risk to critical infrastructure or the integrity of the industrial base of the United States; or

(III) any other risk to the national security of the United States;

(ii) not less than 60 days before the authorization takes effect, the Secretary submits to Congress a detailed written notification that—

(I) includes the determination under clause (i) and underlying analysis, including the written risk assessment; and

(II) redacts intellectual property and other sensitive proprietary information; and

(iii) during the 60-day period described in clause (ii), there is not enacted into law a joint resolution of disapproval with respect

to the authorization for the vehicle, software, or hardware.

(B) SPECIFIC AUTHORIZATIONS.—A specific authorization issued under subparagraph (A) shall be in effect for an initial one-year period and may be extended if the Secretary determines appropriate.

(C) CONTINUED VALIDITY AND MODIFICATION AND REVOCATION OF AUTHORIZATIONS.—

(i) CONTINUED VALIDITY OF EXISTING AUTHORIZATIONS.—Except as provided by clause (ii), any general or specific authorization issued under subpart D of part 791 of title 15, Code of Federal Regulations, before the date of the enactment of this Act, shall remain in effect until January 1, 2030, unless modified, suspended or revoked under clause (ii).

(ii) MODIFICATION OR REVOCATION OF GENERAL OR SPECIFIC AUTHORIZATIONS.—The Secretary may, at any time, modify, suspend, or revoke a general or specific authorization described in clause (i) if the Secretary—

(I) determines that the authorization no longer satisfies the requirements of subparagraph (A)(i); and

(II) provides the public with an opportunity to comment before modifying, suspending, or revoking the authorization.

(iii) PUBLICATION REQUIRED.—Not later than January 1, 2027, the Secretary shall publish a list of all general or specific authorizations issued under subpart D of part 791 of title 15, Code of Federal Regulations, before the date of the enactment of this Act.

(2) PUBLICATION OF LIST OF AUTHORIZED VEHICLES, SOFTWARE, AND HARDWARE.—

(A) IN GENERAL.—The Secretary shall, pursuant to section 553 of title 5, United States Code, publish and maintain a list of the connected vehicles, covered software, and vehicle connectivity system hardware the importation, manufacture, sale, resale, or introduction into interstate commerce in the United States of which is authorized under paragraph (1)(A).

(B) INITIAL LIST.—The initial list required by subparagraph (A) shall be published not later than January 1, 2027.

(C) INCLUSIONS.—

(i) IN GENERAL.—To the extent possible, the Secretary shall include, in the list required by subparagraph (A), the manufacturer and product name for the connected vehicles, covered software, and vehicle connectivity system hardware on the list.

(ii) RISK ASSESSMENT.—To the extent possible, the Secretary shall include, in the list required by subparagraph (A), a detailed explanation about why the connected vehicles, covered software, and vehicle connectivity system hardware on the list do not pose an undue risk described in paragraph (1)(A)(i).

(D) PROTECTION OF INTELLECTUAL PROPERTY.—The Secretary shall establish a robust process to redact intellectual property and other sensitive information from publication in the list required by subparagraph (A).

(3) REQUESTS FOR AUTHORIZATION.—Not later than January 1, 2027, the Secretary shall establish a procedure pursuant to which an importer, manufacturer, supplier, or seller or reseller may seek the authorization under paragraph (1) of the importation, manufacture, sale, resale, or introduction into interstate commerce in the United States of connected vehicles, covered software, or vehicle connectivity system hardware that would otherwise be subject to a prohibition under subsection (a).

(d) RULINGS AND ADVISORY OPINIONS.—

(1) IN GENERAL.—Not later than January 1, 2027, the Secretary shall establish a procedure pursuant to which an importer, manufacturer, or seller or reseller may seek a binding ruling or advisory opinion with respect to whether—

(A) the importation, manufacture, sale, resale, or introduction into interstate commerce in the United States of a connected vehicle, covered software, or vehicle connectivity system hardware is or is not prohibited under this section; or

(B) a connected vehicle, covered software, or vehicle connectivity system hardware has been renamed, rebranded, restructured, or altered to circumvent the prohibitions under subsection (a).

(2) TIMING.—The Secretary shall issue a ruling or advisory opinion under paragraph (1) with respect to a connected vehicle, covered software, or vehicle connectivity system hardware not later than 45 days after receiving an application supported by a reasonably clear description of the vehicle, software, or hardware, as the case may be.

(3) PUBLICATION.—

(A) IN GENERAL.—The Secretary shall—

(i) publish a list of all connected vehicles, covered software, and vehicle connectivity system hardware for which the Secretary has issued rulings and advisory opinions under paragraph (1); and

(ii) update that list not less frequently than annually.

(B) PROHIBITION ON PUBLICATION OF IDENTIFYING INFORMATION.—The Secretary shall not publish the name of, or other information that might reasonably identify, the party that requested the ruling or advisory opinion.

(4) CONTINUED VALIDITY OF EXISTING RULINGS AND OPINIONS.—Except as provided by paragraph (5), a ruling or advisory opinion issued under this subsection or subpart D of part 791 of title 15, Code of Federal Regulations, before January 1, 2027, shall remain in effect.

(5) MODIFICATION OR REVOCATION.—The Secretary may modify, suspend, or revoke any binding ruling or advisory opinion issued under paragraph (1) or subpart D of part 791 of title 15, Code of Federal Regulations, at any time if the Secretary determines that the circumstances that led to the ruling or opinion have changed.

(e) DECLARATION OF CONFORMITY.—The Secretary shall establish a process under which a person that imports, manufactures, sells, resells, or introduces into interstate commerce in the United States a connected vehicle, covered software, or vehicle connectivity system hardware is required to submit a declaration, to be known as a “declaration of conformity”, to the Secretary before importing, manufacturing, selling, reselling, or introducing the vehicle, software, or hardware that certifies that the vehicle, software, or hardware is not subject to a prohibition under subsection (a).

(f) CIVIL PENALTIES.—

(1) IN GENERAL.—Except as provided by paragraph (3), the Secretary shall assess a civil penalty for each transaction that is a violation of a prohibition under subsection (a) in an amount that is not less than the greater of—

(A) \$1,500,000; or

(B) five times the value of the transaction.

(2) CONTINUING VIOLATIONS.—In the case of a violation that occurs on more than one day, each day on which the violation continues shall be treated as a separate violation.

(3) EXCEPTION.—A civil penalty shall not apply under paragraph (1) in a case in which an individual transports a vehicle into the United States in violation of a prohibition under subsection (a) if—

(A) the vehicle is owned or leased by the individual for personal use; and

(B) the individual does not know that the vehicle, or covered software or vehicle connectivity system hardware integrated

into the vehicle, is subject to the prohibition.

(g) **CLASSIFIED INFORMATION.**—The Secretary may rely on classified information in carrying out this section, which may be submitted to a reviewing court *ex parte* and in camera.

(h) **PETITIONS FOR REVIEW.**—The filing in a court of a petition for review shall not stay the effectiveness of any action under this section unless ordered by the court.

**SEC. 1704. USE OF EXISTING ADVISORY BODIES; INTERAGENCY COORDINATION.**

(a) **USE OF EXISTING ADVISORY BODIES.**—

(1) **IN GENERAL.**—In carrying out this title, the Secretary may consult, as appropriate, with existing advisory committees of the Department of Transportation and other relevant Federal agencies on matters relating to connected vehicles and associated national security risks.

(2) **SCOPE OF CONSULTATION.**—Consultation under paragraph (1) may include consideration of—

(A) risks relating to data security, cybersecurity, and supply chain integrity associated with connected vehicles;

(B) the effectiveness of authorities and regulations issued under this title;

(C) emerging technologies and threat vectors relevant to connected vehicle ecosystems; and

(D) recommendations made to the Secretary with respect to regulatory, enforcement, and policy measures to mitigate risks described in subparagraph (A).

(b) **INTERAGENCY COORDINATION.**—In carrying out this title, the Secretary may consult and coordinate, as appropriate, with the Federal Communications Commission and other relevant Federal agencies to ensure alignment with respect to the scope, timeline, and implementation of any prohibitions or restrictions issued under this title, including to avoid duplicative, inconsistent, or conflicting regulatory requirements.

**SEC. 1705. REPORTS.**

Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report—

(1) describing activities carried out to enforce the prohibitions under section 1703, including enforcement actions taken and resources utilized;

(2) providing a detailed accounting of connected vehicles, covered software, and vehicle connectivity system hardware covered by such prohibitions during the 1-year period preceding submission of the report;

(3) explaining any exclusions, exemptions, authorizations, or determinations made by the Secretary, including the rationale and criteria applied;

(4) assessing the effectiveness of such prohibitions in decreasing the threats to the economic and national security of the United States posed by connected vehicles;

(5) including metrics on enforcement, compliance rates, violations identified, penalties assessed, and any identified gaps or challenges; and

(6) making recommendations with respect to further decreasing such threats.

**SEC. 1706. REPORT ON AUTOMOTIVE SUPPLY CHAIN RESILIENCY AND SECURITY.**

(a) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, the Secretary shall submit to Congress a report assessing the resilience and security of supply chains critical to the United States automotive sector.

(b) **ELEMENTS.**—The report required by subsection (a) shall, at a minimum—

(1) identify the segments, materials, components, and technologies within the automotive supply chain that are most dependent on a covered country;

(2) assess the extent to which the dependencies identified under paragraph (1) pose significant risk to the economic or national security of the United States; and

(3) recommend specific policies and measures to support the development and expansion of supply chains outside of covered countries for the dependencies identified under paragraph (2) that pose the most significant risk to the economic or national security of the United States.

(c) **CONSIDERATIONS.**—In identifying segments, materials, components, and technologies within the automotive supply chain under subsection (b)(1), the Secretary shall consider, at a minimum—

(1) safety equipment;

(2) hardware or software that enables the transmission, receipt, conversion, or processing of automotive sensing (such as LiDAR, radar, video, or ultrawideband);

(3) electric vehicle batteries;

(4) smart glass, antenna glass, and other electronically controlled automotive glass that directly enables the transmission, receipt, conversion, or processing of radio frequency communications; and

(5) any other segments, materials, components, technologies, hardware, or software identified by the Department of Commerce for consideration during the process of promulgating subpart D of part 791 of title 15, Code of Federal Regulations.

**SEC. 1707. REGULATIONS.**

Not later than December 31, 2028, the Secretary shall issue final regulations establishing prohibitions and requirements applicable to connected vehicles with a gross vehicle weight rating greater than 4,536 kilograms (10,000 pounds), consistent with the authorities and requirements under this title. Such prohibitions and requirements shall take effect not later than December 31, 2032.

**SEC. 1708. SEVERABILITY; REGULATORY CONTINUITY.**

(a) **SEVERABILITY.**—If any provision of this title, or the application of any such provision to any person or circumstance, is held to be invalid, the remainder of this title, and the application of the remaining provisions to any person or circumstance, shall not be affected.

(b) **RESTORATION OF PRIOR REGULATIONS.**—If a court of competent jurisdiction enters a final judgment holding invalid or unenforceable a provision of this title and supersedes regulations prescribed to carry out section 1703, the Secretary may, notwithstanding any other provision of this title, reissue or reinstate, in whole or in part, any similar regulations that were in effect on the day before the date of the enactment of this title.

**SEC. 1709. INTERACTION WITH REGULATIONS.**

(a) **RULE OF CONSTRUCTION.**—Nothing in this title shall be construed to prohibit, limit, or otherwise affect the authority of the Secretary of Commerce to implement or administer subpart D of part 791 of title 15, Code of Federal Regulations, as added by the final rule of the Bureau of Industry and Security entitled “Securing the Information and Communications Technology and Services Supply Chain: Connected Vehicles” (90 Fed. Reg. 5360).

(b) **DELAYED IMPLEMENTATION FOR HARDWARE NOT COVERED BY REGULATIONS.**—In the case of vehicle connectivity system hardware that is subject to a prohibition under section 1703(a)(3) and is not subject to subpart D of part 791 of title 15, Code of Federal Regulations, as in effect on the day before the date of the enactment of this Act, the Secretary shall implement the prohibition with respect to such hardware incorporated into connected vehicles of a model year later than model year 2031 and earlier than model year 2033.

(c) **DELAYED IMPLEMENTATION FOR CONNECTED VEHICLES BY EXISTING UNITED STATES MANUFACTURERS AND OPERATORS.**—The prohibition under section 4(a)(1) shall not apply with respect to a connected vehicle of a model year before model year 2030 that is manufactured, purchased pursuant to a master services agreement or other similar contract executed before the date of the enactment of this Act, or operated in a commercial fleet, by an entity that—

(1) is selling passenger vehicles or operating a commercial fleet of passenger vehicles in the United States as of the date of the enactment of this Act; and

(2) has been manufacturing passenger vehicles or operating a commercial fleet of passenger vehicles in the United States for not less than 5 years before such date of enactment.

(d) **TREATMENT OF PRIOR EXCLUSIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), any exclusion or exception to a prohibition or definition under subpart D of part 791 of title 15, Code of Federal Regulations, as in effect on the day before the date of the enactment of this Act, shall remain valid and shall apply to the prohibitions under section 1703(a).

(2) **RULEMAKING.**—Beginning January 1, 2030, the Secretary shall conduct a rulemaking, pursuant to section 553 of title 5, United States Code, to determine whether exclusions or exceptions described in paragraph (1) should be continued, modified, or terminated for the purposes of this title.

**SA 5978.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DEFINITION OF FOREIGN INSTRUMENTALITY FOR PURPOSES OF ECONOMIC ESPIONAGE PROHIBITION.**

Section 1839(1) of title 18, United States Code, is amended—

(1) by striking “that is substantially owned” and inserting the following: “that is—

“(A) substantially owned”; and

(2) by adding at the end the following: “or “(B) domiciled in a covered nation, as defined in section 4872 of title 10;”.

**SA 5979.** Ms. SMITH (for herself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 7 \_\_\_\_\_. REPORT AND BRIEFING ON IMPACT OF MILITARY SEXUAL TRAUMA AND INTIMATE PARTNER VIOLENCE ON SUICIDAL IDEATION AND SUICIDE FOR MEMBERS OF THE ARMED FORCES AND VETERANS.**

(a) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act,

the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall submit to the Committee on Armed Services of the Senate, the Committee on Veterans' Affairs of the Senate, the Committee on Armed Services of the House of Representatives, and the Committee on Veterans' Affairs of the House of Representatives and publish on a publicly available website a report, and provide to such committees a briefing, on how experiencing military sexual trauma or intimate partner violence affects the risk of suicidal ideation and suicide for members of the Armed Forces and veterans.

(b) INCORPORATION INTO CLINICAL PRACTICE GUIDELINES.—Not later than one year after the publication of the report required by subsection (a), the Secretary of Defense and the Secretary of Veterans Affairs shall incorporate findings on military sexual trauma and intimate partner violence, including the results of the report, as risk factors for suicide and suicidal ideation into the Department of Veterans Affairs/Department of Defense Clinical Practice Guidelines for Assessment and Management of Patients At Risk For Suicide, or similar successor guidelines.

**SA 5980.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_ . RULES RELATED TO AGREEMENTS WITH THE PRESIDENT.**

(a) CONDUCT OF LITIGATION RESERVED TO DOJ.—Section 516 of title 28, United States Code, is amended by adding at the end the following: “The authority of the Attorney General and the Department of Justice to conduct litigation pursuant to this section shall not apply to any offer of compromise or settlement agreement in the case of any return of tax of the President or any member of the immediate family of the President which was filed during the President’s term in office. In the case of any return of tax of the President or any member of the immediate family of the President, the period for assessment, or for bringing a proceeding in court for collection of such tax, may be begun at any time before the date that is 3 years after the conclusion of the term in office as President.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to any case or cause of action arising on or after January 20, 2025.

**SA 5981.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_ . RULES RELATED TO AGREEMENTS WITH THE PRESIDENT.**

(a) AUTHORITY OF DOJ.—Section 516 of title 28, United States Code, is amended by adding

at the end the following: “The authority of the Attorney General and the Department of Justice to conduct litigation pursuant to this section shall not apply to any offer of compromise or settlement agreement in the case of any return of tax of the President or any member of the immediate family of the President which was filed during the President’s term in office.”.

(b) FINALITY OF CLOSING AGREEMENTS WITH RESPECT TO INTERNAL REVENUE TAXES.—Section 7121 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(c) SPECIAL RULE.—Paragraphs (1) and (2) of subsection (b) shall not apply to any agreement with the President or related or affiliated individuals (including family or others filing jointly) or parties (including trusts, parent, sister, or related companies, affiliates, and subsidiaries) until the date that is 1 year after the conclusion of the President’s term of office.”.

(c) EXTENSION OF STATUTE OF LIMITATIONS.—Section 6501(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(13) RETURNS OF THE PRESIDENT SUBJECT TO CLOSING AGREEMENTS.—

“(A) IN GENERAL.—In the case of any return of tax described in subparagraph (B), the period for assessment, or for bringing a proceeding in court for collection of such tax, may be begun at any time before the later of—

“(i) the date that is 3 years after the conclusion of the term in office as President of the individual described in subparagraph (B)(i), or

“(ii) the date otherwise provided in this section.

“(B) RETURN OF TAX DESCRIBED.—A return of tax is described in this subparagraph if such return—

“(i) is a return of tax of an individual—

“(I) who is or was President, or

“(II) who is a related or affiliated individual (including family or others filing jointly) or party (including trusts, parent, sister, or related companies, affiliates, and subsidiaries) with respect to the individual described in subclause (I), and

“(ii) is subject to an agreement described in section 7121 that was entered into during the period the individual described in clause (i)(I) was President.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any case or cause of action arising on or after January 20, 2025.

**SA 5982.** Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle F of title V, add the following:

**SEC. 558. DEPARTMENT OF DEFENSE BEST PRACTICES GUIDE FOR FAMILY CHILD CARE HOMES.**

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall publish a Department-wide best practices guide for individuals seeking to establish and operate a Family Child Care home on a military installation.

(b) CONSULTATION REQUIREMENT.—In developing the guide required under subsection

(a), the Secretary of Defense shall consult with military departments, military installations, Family Child Care program administrators, and established Family Child Care providers operating under successful Family Child Care programs across the Department of Defense to identify and incorporate best practices, lessons learned, and approaches that have demonstrated success in expanding participation and reducing barriers to establishing and operating Family Child Care homes.

(c) REQUIRED ELEMENTS.—The guide required under subsection (a) shall include, at a minimum—

(1) an overview of the process for becoming a certified Family Child Care provider;

(2) standardized information regarding training, inspections, background checks, licensing, and certification requirements;

(3) guidance regarding available financial assistance, startup support, subsidies, grants, and reimbursement opportunities;

(4) information on liability coverage, safety standards, and emergency preparedness requirements;

(5) recommendations for reducing administrative barriers to establishing Family Child Care homes; and

(6) any additional information the Secretary determines appropriate to support prospective Family Child Care providers.

(d) PUBLIC AVAILABILITY.—The Secretary shall make the guide required under subsection (a) publicly available on an internet website of the Department of Defense in a searchable and accessible format for military families.

(e) SERVICE-SPECIFIC APPENDICES.—

(1) IN GENERAL.—The Secretary of Defense shall encourage the Secretaries of the military departments to publish and maintain service-specific appendices accompanying the guide required under subsection (a).

(2) CONTENTS.—A service-specific appendix under paragraph (1) may include—

(A) service-specific policies or procedures;

(B) installation-level best practices;

(C) information regarding unique operational requirements or child care demands within the military department concerned;

(D) guidance regarding military housing considerations related to Family Child Care homes; and

(E) points of contact and resources specific to the military department concerned.

(f) BRIEFING.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the congressional defense committees regarding—

(1) actions taken to implement this section;

(2) efforts to improve awareness of Family Child Care opportunities among military spouses and families;

(3) barriers identified in the establishment of Family Child Care homes; and

(4) recommendations for legislative or administrative action to improve military child care capacity.

**SA 5983.** Mr. GRAHAM (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 850. REQUIREMENT FOR COAST GUARD TO BUY CERTAIN ARTICLES FROM AMERICAN SOURCES.**

(a) IN GENERAL.—Section 4862 of title 10, United States Code, is amended—

(1) in subsection (a), by striking “Department of Defense” and inserting “Department of Defense or any branch of the armed forces”;

(2) in subsection (c), by striking “the Secretary of the military department concerned” and inserting “the Secretary concerned”;

(3) in subsection (g)—

(A) in paragraph (1), by striking “Department of Defense” and inserting “Department of Defense or any branch of the armed forces”;

(B) in paragraph (2)(B), by striking “The Secretary of Defense” and inserting “The Secretary of Defense or, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Homeland Security”;

(4) in subsection (h)—

(A) in paragraph (2)(B), by striking “Secretary of Defense” and inserting “Secretary of Defense or, with respect to the Coast Guard when it is not operating as a service in the Navy, the Secretary of Homeland Security”;

(B) in paragraph (3), by striking “Secretary of Defense” and inserting “Secretary of Defense, in consultation with the Secretary of Homeland Security,”;

(5) in subsection (k), by striking “or of the military department concerned” and inserting “or the Secretary concerned”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is three years after the date of the enactment of this Act.

**SA 5984.** Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 624. REQUIREMENT THAT MILITARY UNIFORM CLOTHING SOLD AT COMMISSARIES AND EXCHANGE STORES BE PRODUCED IN THE UNITED STATES.**

Section 4862(g)(1) of title 10, United States Code, is amended by inserting “(other than military uniform clothing)” after “items”.

**SA 5985.** Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1252. REQUIREMENT TO PERMIT DIGNITARIES AND SERVICE MEMBERS FROM TAIWAN TO DISPLAY THE FLAG OF TAIWAN.**

(a) IN GENERAL.—The Secretary of State and the Secretary of Defense shall permit members of the Armed Forces and represent-

atives from Taiwan or the Taipei Economic and Cultural Representative Office (TECRO) to display, for the purposes set forth in subsection (b), the following symbols:

(1) the flag of Taiwan; and

(2) the corresponding emblems or insignia of military units.

(b) PURPOSES.—The purposes referred to in subsection (a) are—

(1) the wearing of official uniforms;

(2) conducting ceremonies or functions; and

(3) appearances on Department of State and Department of Defense social media accounts promoting engagements with Taiwan.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a change to the One China Policy of the United States, which is guided by the Taiwan Relations Act (22 U.S.C. 3301 et seq.), the three United States-People’s Republic of China Joint Communiques, and the Six Assurances.

**SA 5986.** Mr. CRUZ (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1510A. OPERATIONAL PILOT PROGRAM ON ORBITAL DATA CENTER SERVICES.**

(a) FINDINGS.—Congress makes the following findings:

(1) Modern national security space missions generate increasing volumes of data from space-based sensors, platforms, and constellations, placing growing demands on terrestrial data transport, processing, and analysis infrastructure.

(2) Reliance on ground-based data processing can introduce latency, bandwidth constraints, and vulnerabilities that may degrade the timeliness, resilience, and effectiveness of military and intelligence operations in contested environments.

(3) Commercial industry is developing orbital data center and space-based cloud computing capabilities that enable in-space data processing, storage, and analytics, which may reduce latency, enhance resilience, and improve mission outcomes.

(4) The Department of Defense has identified the need for hybrid architectures that integrate space, terrestrial, and commercial capabilities to support joint and national security missions.

(5) An operational pilot program is necessary to evaluate the military utility, operational integration, and transition potential of orbital data center services through real-world mission use cases before any broader adoption or sustained acquisition.

(6) Maintaining a competitive and resilient domestic industrial base for orbital infrastructure, including satellite platforms, communications systems, and in-space computing capabilities, is important to accelerating innovation and supporting operational resilience.

(b) PILOT PROGRAM.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense (referred to in this Act as the “Secretary”), acting through the Director of the Defense Innovation Unit, shall carry out an operational pilot program under the Hybrid Space Architecture initiative to evaluate the use of commercially available

orbital data center services and space-based cloud computing capabilities relevant to national security space and joint mission requirements.

(2) PURPOSES.—The purposes of the pilot program shall be—

(A) to assess the military utility of orbital data center and space-based cloud computing services;

(B) to evaluate the operational integration of such services into existing and planned Department of Defense space and joint architectures;

(C) to examine the resilience, latency, security, and mission assurance benefits of in-space data processing;

(D) to inform the potential transition of such services into sustained programs of record or operational use;

(E) to evaluate concepts of operations for the protection and defense of orbital data center assets against kinetic, nonkinetic, and cyber threats;

(F) to assess the asset protection strategies and vulnerabilities of orbital data center infrastructure; and

(G) to evaluate the integration and operational performance of interoperable, commercially provided orbital infrastructure components sourced from multiple vendors across the hybrid space architecture ecosystem.

(3) SCOPE.—In carrying out the pilot program, the Secretary may—

(A) employ commercially available orbital data center services in support of real-world mission scenarios, including intelligence, space domain awareness, command and control, data transport, and other national security applications;

(B) conduct testing, demonstration, and limited operational employment necessary to assess technical performance and operational viability; and

(C) support integration activities required to evaluate interoperability with the Department of Defense’s space, ground, and network systems.

(4) ACQUISITION AUTHORITY.—The Secretary shall ensure competitive participation from a diverse set of nontraditional defense contractors and commercial space providers.

(5) SECURITY AND RESILIENCE MEASURES FOR SENSITIVE AND CLASSIFIED INFORMATION.—In carrying out the pilot program, the Secretary shall ensure that any orbital data center services used to process, store, or transmit sensitive or classified information have in place—

(A) cybersecurity protections, including zero-trust architecture, encryption, identity and access management, continuous monitoring, and protections against insider threats;

(B) risk-management measures—

(i) to address supply chain vulnerabilities and foreign ownership, control, or influence; and

(ii) that achieve compliance with applicable Department of Defense cybersecurity and authorization requirements;

(C) resilience and mission assurance capabilities, including redundancy, failover, operation in degraded or contested environments, and rapid reconstitution or replacement capabilities;

(D) protections against cyber, electronic warfare, counterspace, and other nonkinetic threats;

(E) secure telemetry, tracking, and command links and associated command-and-control systems, including authenticated command uplinks, encrypted telemetry and data links, anti-spoofing and anti-jamming protections, resilient cryptographic key management, protected timing and navigation inputs, and secure software and firmware update mechanisms;

(F) protections for associated ground systems, mission operations centers, terrestrial network connections, software supply chains, and user access interfaces, including segmentation, continuous monitoring, access controls, encryption, and resilience against cyber intrusion, disruption, and unauthorized access; and

(G) protections to ensure workload isolation, tenant separation, and data sovereignty for sensitive or classified information processed, stored, or transmitted through orbital data center services, including safeguards against unauthorized cross-tenant, cross-domain, or provider access.

(6) **INTEGRATION AND INTEROPERABILITY.**—The Secretary shall ensure that any orbital data center services evaluated under the pilot program are interoperable with existing Department of Defense command, control, communications, and intelligence systems.

(7) **CONSULTATION.**—In carrying out the pilot program, the Secretary, acting through the Director of the Defense Innovation Unit, shall consult with—

(A) the Assistant Secretary of Defense for Space Policy;

(B) service acquisition executives (as defined in section 101 of title 10, United States Code);

(C) the Space Force and other military departments with potential operational interest or transition pathways;

(D) the National Reconnaissance Office;

(E) the National Geospatial-Intelligence Agency; and

(F) such other individuals and organizations as the Secretary considers appropriate.

(8) **BRIEFING.**—Not later than December 31, 2028, the Secretary shall provide the congressional defense committees (as defined in section 101 of title 10, United States Code) with a briefing on—

(A) execution of the pilot program;

(B) operational use cases evaluated;

(C) lessons learned from operational employment;

(D) recommendations regarding future acquisition or operational use of orbital data center services;

(E) cybersecurity risks, insider threat vulnerabilities, and mitigation measures;

(F) resilience against counterspace threats and contested space environments;

(G) commercial provider risks, including supply chain and foreign ownership concerns; and

(H) recommendations for security, resilience, and acquisition requirements for any future program of record.

(c) **TERMINATION.**—The authority to carry out the pilot program under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(d) **DEFINITIONS.**—In this section:

(1) **COMMERCIALLY AVAILABLE.**—The term “commercially available” means, with respect to a space good or service, a space good or service that—

(A) is currently offered commercially; or

(B) could be supplied commercially in response to a Government service procurement request.

(2) **ORBITAL DATA CENTER.**—The term “orbital data center” means a space-based computing, data storage, or networking capability, including 1 or more spacecraft, hosted payloads, or distributed orbital architectures, designed primarily to provide persistent, scalable, or shared in-orbit processing, analysis, storage, fusion, routing, or dissemination of data as a distinct operational capability, rather than as a function ancillary to the primary mission of a spacecraft, prior to transmission to terrestrial or other external infrastructure, including to reduce latency, mitigate bandwidth con-

straints, improve operational resilience, or support time-sensitive missions.

**SA 5987.** Mr. BUDD submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. ESTABLISHMENT OF FOUNDATIONAL INFRASTRUCTURE FOR RESPONSIBLE USE OF SMALL MODULAR REACTOR TECHNOLOGY PROGRAM.**

(a) **IN GENERAL.**—There is established within the Department of State a Foundational Infrastructure for Responsible Use of Small Modular Reactor Technology program (hereafter in this section referred to as the “FIRST program”).

(b) **PROGRAM FUNCTIONS.**—The Under Secretary for Arms Control and International Security, or the designee of the Under Secretary, shall manage the FIRST program, which shall—

(1) promote responsible deployment of civil nuclear energy internationally that benefits United States economic and national security interests;

(2) advocate, through relevant bilateral and multilateral diplomatic engagements and forums, for civil nuclear energy projects, technology, and products sourced or exported from United States businesses;

(3) engage in diplomacy with partner governments on prioritizing the highest safety, security, and nonproliferation standards as requirements for civil nuclear reactor deployment decisions, including with regard to small modular reactor infrastructure, technology, and products;

(4) provide consultation to partner countries regarding best practices in the field of licensing, legal, and regulatory frameworks for the importation or adoption of United States nuclear reactor infrastructure, technology, or products;

(5) provide early-stage commercial project development support, including feasibility and engineering studies, that are critical to launching United States commercial civil nuclear projects abroad and ensure fair market access for United States businesses relative to state-backed competitors; and

(6) cooperate with partner countries in the areas of training programs, technical resource sharing, and potential coordination of codes and standards to support the facilitation of small modular reactor fleet deployment.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Under Secretary for Arms Control and International Security, or the designee of such Under Secretary, shall provide to the appropriate congressional committees a report that includes—

(A) details on the implementation of the FIRST program;

(B) a description of FIRST program diplomatic outreach and activities, including bilateral and multilateral engagements that promote activities described in subsection (b);

(C) the list of current contributing partners of the FIRST program;

(D) details relating to potential or ongoing cooperation with contributing partners of the FIRST program related to program activities described in subsection (b);

(E) a description of engagements and activities conducted by the Department of State to promote and expand the FIRST program to additional potential contributing partners;

(F) a description of FIRST program-related engagements with United States businesses in the civil nuclear sector; and

(G) a description of funds expended on FIRST program-related activities, including programming that uses funds from Nonproliferation, Anti-Terrorism, Demining, and Related Programs and related funding sources within the Department.

(2) **FORM.**—The report required by this subsection shall be submitted in unclassified form but may include a classified annex submitted separately from the unclassified portion.

(d) **BRIEFING.**—Not later than 120 days after the date of the enactment of this Act, and on a triannual basis thereafter, the Under Secretary for Arms Control and International Security, or the designee of the Under Secretary, shall provide to the appropriate congressional committees a briefing that includes the information required in subsection (c).

(e) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs of the House of the Representatives; and

(B) the Committee on Foreign Relations of the Senate.

(2) **UNITED STATES BUSINESS.**—The term “United States business” has the meaning given such term in section 2304 of the Export Enhancement Act of 1988 (15 U.S.C. 4724).

(f) **SUNSET.**—This section shall terminate on June 8, 2034.

**SA 5988.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 234(c)(2), in the matter before subparagraph (A), insert “and leading global distributors” after “other leading manufacturers”.

**SA 5989.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 2. EXPANSION OF MISSION AREAS OF MECHANISMS FOR EXPEDITED ACCESS TO TECHNICAL TALENT AND EXPERTISE AT ACADEMIC INSTITUTIONS TO SUPPORT DEPARTMENT OF DEFENSE MISSIONS TO INCLUDE CRITICAL MINERALS.**

Section 217(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91; 10 U.S.C. 4001 note) is amended—

(1) by redesignating paragraph (36) as paragraph (37); and

(2) by inserting after paragraph (35) the following new paragraph (36):  
“(36) Critical minerals.”.

**SA 5990.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 549F. ESTABLISHMENT OF DEDICATED FACILITIES SUSTAINMENT, RESTORATION, AND MODERNIZATION FUNDING MECHANISM FOR MILITARY SERVICE ACADEMIES.**

The Secretary of Defense shall establish a dedicated Facilities Sustainment, Restoration, and Modernization (FSRM) funding mechanism for military service academies in order to prevent the academies from having to compete with operational bases for renovation funding and other infrastructure priorities.

**SA 5991.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IX, add the following:

**SEC. 918. LIMITATION ON AVAILABILITY OF FUNDS FOR MODIFICATION OR CONSOLIDATION OF GEOGRAPHIC COMBATANT COMMANDS.**

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2027 for the Department of Defense may be obligated or expended to carry out an action described in subsection (b) of section 916 of the National Defense Authorization Act for Fiscal Year 2026 (Public Law 119-60; 139 Stat. 1022) until a period of 60 days has elapsed following the date on which the Secretary of Defense submits the certification and all other information required under subsection (c) of that section with respect to such action.

**SA 5992.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_\_. MAXIMIZATION OF EXISTING MISSILE DEFENSE INFRASTRUCTURE.**

The Director of the Missile Defense Agency shall maximize the use of existing missile defense infrastructure and test beds before

building new facilities for the Golden Dome for America integrated air and missile defense system.

**SA 5993.** Mr. HICKENLOOPER (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

**SEC. 515. LIMITATION ON THE TRANSFER TO THE SPACE FORCE OF CERTAIN FUNCTIONS OF THE AIR NATIONAL GUARD.**

Section 514 of the National Defense Authorization Act for Fiscal Year 2025 (Public Law 118-159; 10 U.S.C. 20001 note) is amended—

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

(2) by inserting after subsection (j) the following new subsection (k):

“(k) **RULES OF CONSTRUCTION.**—Nothing in this section shall be construed to—

“(1) authorize the transfer of a member of the Air National Guard of the United States more than once under subsection (c); or

“(2) establish a waiver of the applicability of any provision of section 104 of title 32, United States Code, or of section 18238 of title 10, United States Code.”.

**SA 5994.** Mr. HICKENLOOPER (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

**SEC. 1094. ASSESSMENT OF NATIONAL SECURITY IMPACTS OF RESTRUCTURING THE NATIONAL CENTER FOR ATMOSPHERIC RESEARCH.**

(a) **FINDINGS.**—Congress finds the following:

(1) The Department of Defense relies extensively on foundational atmospheric modeling, predictive analytics, and basic research of the National Center for Atmospheric Research (referred to in this section as the “NCAR”) to support global operational weather forecasting, flight and satellite safety, and strategic mission planning.

(2) Any disruption to these interconnected capabilities risks creating critical gaps in environmental intelligence, degrading the accuracy of severe weather tracking, and compromising the operational readiness of advanced national defense platforms on earth and in space.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the congressional defense committees a report assessing the national security impacts of a potential dismantling, restructuring, or divestiture of the capabilities and infrastructure of the NCAR.

(2) **CONTENTS.**—The report under paragraph (1) shall include—

(A) a complete inventory of all current Department of Defense programs, initiatives, research and development efforts, and operational workflows that rely on NCAR-developed models, software frameworks, data streams, or computational infrastructure;

(B) an operational impact assessment detailing how the loss or degradation of NCAR’s specialized assets, including the atmospheric research aircraft fleet of the NCAR and the NCAR-Wyoming Supercomputing Center, would affect flight safety, long-range deployments, and global operations;

(C) a detailed analysis of the interagency dependencies involved, specifically evaluating how a disruption to the NCAR would impact the ability of the Department of Defense to integrate next-generation satellite observations into military weather models;

(D) an evaluation of the impacts on national security space operations and critical defense infrastructure resulting from any degradation to the solar physics and space weather forecasting capabilities of the NCAR, with a specific focus on how disruptions to solar monitoring assets would affect early-warning timelines for coronal mass ejections, geomagnetic storms, and solar flares that threaten military satellite communications, global positioning systems, and orbital tracking; and

(E) recommendations for mitigation strategies or legislative safeguards necessary to maintain the uninterrupted continuity of critical environmental intelligence and to ensure that any civilian agency restructuring does not inadvertently compromise national security capabilities or readiness.

**SA 5995.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_\_. REPORT ON FEASIBILITY OF PILOT PROGRAM ON BEHAVIORAL NEUROLOGY FELLOWSHIPS.**

(a) **REPORT.**—Not later than 270 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the congressional defense committees a report on the feasibility of establishing a pilot program that establishes a behavioral neurology fellowship program to provide training opportunities with respect to treating members of the Armed Forces and veterans with traumatic brain injuries, particularly regarding the intersection of behavior and traumatic brain injury.

(b) **MATTERS INCLUDED.**—The report on the potential pilot program under subsection (a) shall include evaluations of—

(1) the feasibility of the pilot program meeting the requirements described in subsection (c); and

(2) potential locations at which to carry out the pilot program.

(c) **REQUIREMENTS DESCRIBED.**—The program requirements described in this subsection are the following:

(1) The pilot program shall include two individuals selected for a one-year clinical fellowship program under the pilot program.

(2) An individual shall be eligible to hold a fellowship under the pilot program if the individual, before participating in the fellowship program—

(A) has received a doctorate of medicine or doctorate of osteopathy from any medical school accredited by the Liaison Committee on Medical Education; and

(B) has completed a residency program in neurology or psychiatry at an institution accredited by the Accreditation Council for Graduate Medical Education.

(3) An individual shall not be required to be board certified to hold a fellowship under the pilot program.

(4) The pilot program shall seek to allow an individual, upon completion of the fellowship program, to sit for board certification in behavioral neurology and neuropsychiatry offered by the United Council for Neurologic Subspecialties.

(5) The fellowship program shall be accredited.

**SA 5996.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 771. WORKING GROUP ON DIGITAL STRATEGY FOR TRAUMATIC BRAIN INJURIES.**

(a) **ESTABLISHMENT.**—In accordance with the Warfighter Brain Health Initiative under section 735 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117-263; 10 U.S.C. 1071 note), not later than July 1, 2027, the Assistant Secretary of Defense for Health Affairs shall establish a working group to develop a digital health strategy that leverages advances in artificial intelligence for the treatment of traumatic brain injuries.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Assistant Secretary shall appoint to the working group under subsection (a) members of the Armed Forces, officers and employees of the Department of Defense, and nongovernmental experts.

(2) **EXPERTISE.**—Individuals appointed under paragraph (1) to the working group under subsection (a) shall have expertise in clinical care of traumatic brain injuries, biomedical informatics, biomedical engineering, or biomedical implementation science.

(c) **STRATEGY.**—The strategy under subsection (a) shall include, at a minimum, the following:

(1) Identification of capability gaps in treatment of traumatic brain injuries that could be addressed through artificial intelligence and digital health technologies.

(2) An analysis of existing research, development, and acquisition efforts leveraging artificial intelligence-based capabilities and digital health, including any applicable commercial off-the-shelf solutions being used by the Department of Defense to support treatment of traumatic brain injuries.

(3) Expert recommendations on advances required to address identified capability gaps and significantly improve treatment of traumatic brain injuries using artificial intelligence and digital health technologies.

(4) A recommended investment plan to advance technology and knowledge readiness levels to field digital solutions for treating traumatic brain injuries.

**SA 5997.** Mr. HICKENLOOPER submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_ . PILOT PROGRAM ON SUPPLY CHAIN VISIBILITY AND DEVELOPMENT OF STRATEGIC SEMICONDUCTOR STOCKPILE.**

(a) **ESTABLISHMENT OF PILOT PROGRAM.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to assess the feasibility and advisability of improving supply chain visibility and developing a strategic semiconductor stockpile.

(2) **DURATION.**—The Secretary shall complete the pilot program required by paragraph (1) not later than one year after the date on which the Secretary commences the pilot program under such paragraph.

(b) **IDENTIFICATION AND STOCKPILING.**—

(1) **IDENTIFICATION OF REQUIREMENTS.**—Under the pilot program required by subsection (a), the Secretary shall identify the stockpiling requirements for microelectronic and semiconductor components required for the production of critical defense systems.

(2) **STOCKPILING.**—The Secretary shall identify critical defense systems that require uninterrupted production during crisis, ensure visibility of the supply chain, and stockpile microelectronic and semiconductor components of a sufficient quantity and a sufficient quality to meet the needs of the Department of Defense during periods of international conflict or other crisis causing disruption to the supply chains for such microelectronic and semiconductor components in which the availability of such microelectronic and semiconductor components through normal supply chains is reduced.

(3) **MANAGEMENT OF STOCKPILE.**—The stockpile under paragraph (2) shall be managed to ensure continued supply as availability of components changes.

(c) **CONTRACTS WITH PRIVATE ENTITIES.**—

(1) **IN GENERAL.**—In carrying out the pilot program required by subsection (a), the Secretary shall seek to enter into a contract with at least one eligible entity under which such entity shall assess the stockpiling requirements for microelectronic and semiconductor components under the pilot program.

(2) **ELIGIBLE ENTITY DEFINED.**—In this subsection, the term “eligible entity” means a private entity that—

(A) has a demonstrated history of—

(i) working with the Department of Defense; and

(ii) complying with the regulations of the Department;

(B) maintains a positive past performance history with multiple contracting entities, including civilian entities and military agencies;

(C) maintains facility security clearances commensurate with the appropriate level of classified access required to support the most sensitive efforts of managing, maintaining, and replenishing the stockpile of microelectronic and semiconductor components, and sufficient staff in the continental United States to support such efforts;

(D) has completed third party assessments, which verify that the entity—

(i) is compliant with the requirements published by the National Institute of Standards and Technology in Special Publication 800-171 (relating to Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations); and

(ii) reports the status of such entity in the Supplier Performance Risk System of the Department of Defense; and

(E) maintains compliance with the standards for distributors of electronic and semiconductor components set forth in—

(i) the General Requirements for Authorized Distributors of Commercial and Military Semiconductor Devices, adopted August 2021 (JESD 31);

(ii) “Fraudulent/Counterfeit Electronic Parts: Avoidance, Detection, Mitigation, and Disposition—Authorized/Franchise Distribution” adopted August 2014 (AS6496);

(iii) “Counterfeit Electronic Parts: Avoidance, Detection, Mitigation, and Disposition” issued April 2009 (AS5553); and

(iv) “Quality Management Systems Requirements” adopted September 2015 (ISO 9001:2015).

(d) **REPORT AND BRIEFING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date on which the pilot program is established under subsection (a), the Secretary shall submit to the congressional defense committees a report that includes—

(A) a description of the implementation of the pilot program; and

(B) an assessment of the viability of scaling up the pilot program, including—

(i) an evaluation of the benefits and mission priorities of developing a stockpile of microelectronics and semiconductor components; and

(ii) a description of any additional resources needed to scale up the program.

(2) **BRIEFING.**—The Secretary shall provide the congressional defense committees a briefing on the report submitted under paragraph (1).

**SA 5998.** Mrs. GILLIBRAND submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PUBLIC SAFETY OFFICERS' BENEFIT PROGRAM EXPANSION.**

(a) **SHORT TITLE.**—This section may be cited as the “Officer John Barnes and Chief Michael Ansbro Public Safety Officers' Benefit Program Expansion Act of 2026”.

(b) **ELIGIBILITY DETERMINATION FOR PUBLIC SAFETY OFFICER BENEFITS.**—

(1) **IN GENERAL.**—Section 1205 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10285) is amended—

(A) in subsection (e)(2)(E), by inserting “, including whether the delay is due to the inaction of the claimant or an agency from which information is required” after “basis for delay”; and

(B) by adding at the end the following:

“(f) **NOTICE AND INTERIM BENEFITS.**—

“(1) **NOTICE OF MISSING INFORMATION.**—Not later than 90 calendar days after receiving a claim filed under this subpart, the Bureau shall notify the claimant or the relevant agency of any missing information required to process the claim.

“(2) **NOTICE OF DETERMINATION.**—

“(A) IN GENERAL.—Not later than 270 calendar days after receiving all information required to process the claim, the Bureau shall inform the claimant of the Bureau’s final, appealable determination as to the claimant’s benefit eligibility.

“(B) INTERIM BENEFITS AS NOTICE.—Provision of interim benefits under section 1201(c) shall be deemed to be notice under subparagraph (A).

“(3) INTERIM BENEFITS.—

“(A) ENTITLEMENT.—If the Bureau fails to inform a claimant of the Bureau’s determination on or before the date that is 270 calendar days after receiving all information required to process the claim, the Bureau shall issue a single interim benefit payment with respect to the claim, payable only to—

“(i) a claimant whose status as an eligible beneficiary is undisputed; or

“(ii) if beneficiary status remains unresolved, an escrow or fiduciary account, pending final determination under section 1201.

“(B) RESCISSION OR REPAYMENT.—Any interim benefits paid under this subsection—

“(i) shall be credited against any final benefit determination made under section 1201;

“(ii) shall not be subject to recoupment or affirmative repayment by the Bureau, except in cases of fraud or material misrepresentation; and

“(iii) shall not be construed to create an entitlement to benefits if the claimant or decedent is determined to be ineligible under this part.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

“(A) limit the Bureau’s authority to deny a claim for failure to meet statutory eligibility requirements;

“(B) alter the determination of eligible beneficiaries under section 1201; or

“(C) require payment of interim benefits to multiple claimants if the statute authorizes payment to only 1 or more mutually exclusive beneficiaries.

“(g) OUTREACH.—The Bureau shall—

“(1) conduct outreach efforts on an ongoing basis to ensure that public safety officers and underserved public agencies are aware of the program under this part, including outreach efforts for disabled public safety officers; and

“(2) include in the outreach efforts under paragraph (1) regular communications with national public safety organizations, public safety agencies, and organizations supporting disabled public safety officers and the families of fallen officers.

“(h) SUMMARY OF BACKLOGGED CLAIMS.—Not later than 30 days after publishing the report required under subsection (e)(2), the Bureau shall submit a summary of the information required to be reported under subsection (e)(2)(E) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

“(i) AUDIT OF BACKLOGGED CLAIMS.—On an annual basis, the Comptroller General shall conduct an audit of any pending claims under this part that were submitted to the Bureau more than 1 year before the date on which the audit is commenced, to identify programmatic challenges to the timely processing of death, disability, and educational assistance claims. As part of the audit, the Comptroller General shall also review—

“(1) where the claim is in the determination process;

“(2) the reasons for delay, including any processes, such as legal review, that prevent timely processing of claims;

“(3) whether the agency has used its subpoena authority for the claims;

“(4) the frequency of outreach to the claimant and efforts to evaluate and improve

the effectiveness of outreach and claims assistance efforts;

“(5) the efforts of the Bureau of Justice Assistance to implement a claims processing manual to ensure consistency across staff in determining claims; and

“(6) efforts to evaluate and improve the effectiveness of outreach and claims assistance efforts.”

(2) SUBPOENA REQUIREMENT.—Section 1206(b) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10288(b)) is amended—

(A) in paragraph (1)(B), by striking “and” at the end;

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

(C) by adding at the end the following:

“(3) with respect to information or documentation in the possession of a public agency that the Bureau has determined is necessary to adjudicate the claim that the public agency has failed to provide by the date that is 30 days after the date of the Bureau’s or the claimant’s request to provide the information or documentation, shall issue a subpoena to the public agency to obtain the information or documentation, unless the Bureau has approved an extension not exceeding 60 days.”

(3) DEFINITIONS.—

(A) IN GENERAL.—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284) is amended—

(i) in paragraph (4)(B)(ii), by striking “parapalegic” and inserting “paralegic”;

(ii) by redesignating paragraphs (8) through (14) as paragraphs (9) through (15), respectively; and

(iii) by inserting after paragraph (7) the following:

“(8) ‘gainful work’ means gainful work activity, as defined in section 32.23 of title 28, Code of Federal Regulations, or successor regulation;”

(B) CONFORMING AMENDMENTS.—

(i) INTERNAL REVENUE CODE.—Section 402(1)(4)(C) of the Internal Revenue Code of 1986 is amended—

(I) by striking “section 1204(9)(A)” and inserting “section 1204(14)(A)”;

(II) by striking “(42 U.S.C. 3796b(9)(A))” and inserting “(34 U.S.C. 10284(14)(A))”.

(ii) TITLE 28.—Section 1863(b)(5)(B) of title 28, United States Code, is amended by striking “section 1203(6)” and inserting “section 1204”.

(c) EXPEDITED PAYMENT FOR VCF OR WTCHP DETERMINATIONS.—Section 1205(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10285(b)) is amended by adding at the end the following:

“(4) In making determinations under section 1201(a), the Bureau shall, absent clear and convincing evidence to the contrary, as determined by the Bureau, approve any claim if the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107-42) (commonly referred to as the ‘VCF’) or the World Trade Center Health Program under title XXXIII of the Public Health Service Act (42 U.S.C. 300mm et seq.) provides a certification of facts that—

“(A) the claim is eligible for death benefits under the Victim Compensation Fund; or

“(B) the cause of claimant’s death is a World Trade Center Health Program-related condition.”

(d) IMPLEMENTATION OF CERTAIN GAO RECOMMENDATIONS.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall ensure that the Director of the Bureau of Justice Assistance implements the recommendations provided in the report of the Government Accountability Office entitled “Public Safety Officers’ Benefits Program: Transparency, Claims Assistance, and Program Manage-

ment Improvements Needed” (GAO-24-105549), published on September 27, 2024.

**SA 5999.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1. SENSE OF CONGRESS RELATING TO CONTRACTING PREFERENCES FOR NATIVE AMERICAN BUSINESSES.**

It is the sense of Congress that the Department of Defense shall uphold the obligation of the Department to implement Federal contracting preference programs for entity-owned Native American businesses, including businesses owned by Tribal organizations, Alaska Native Corporations, and Native Hawaiian organizations, including through the business development program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

**SA 6000.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1. SENSE OF CONGRESS RELATING TO INDIAN TRIBES AND NATIVE HAWAIIANS.**

It is the sense of Congress that the United States, including the Trump Administration, shall uphold the Federal trust and treaty responsibilities to Indian Tribes and Federal obligations to the Native Hawaiian community, including by—

(1) upholding treaty rights, reserved rights, and any other rights and obligations under Federal law;

(2) supporting self-determination efforts by Native communities;

(3) fulfilling obligations under presidential memoranda and Executive orders; and

(4) conducting—

(A) early and robust government-to-government consultation with Indian Tribes; and

(B) meaningful outreach and engagement with Native Hawaiians.

**SA 6001.** Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

**SEC. 1094. REPORT ON THE NATIONAL SECURITY IMPORTANCE OF THE NATIONAL CENTER FOR ATMOSPHERIC RESEARCH.**

(a) FINDINGS.—Congress finds the following:

(1) Extreme weather, geomagnetic storms, and atmospheric variability pose severe, difficult to predict threats to Department of Defense installations, global military logistics, and troop readiness.

(2) The National Center for Atmospheric Research (referred to in this section as “NCAR”) serves as a critical national security asset by providing advanced atmospheric modeling, space weather forecasting, and supercomputing capabilities that are directly utilized by the Air Force Weather Agency, the National Oceanic and Atmospheric Administration, the intelligence community, the Naval Meteorology and Oceanography Command, and the 45th Weather Squadron of the Space Force.

(3) NCAR’s flagship infrastructure, including the Mesa Laboratory in Boulder, Colorado, and the NCAR-Wyoming Supercomputing Center, provides the foundational computational physics necessary to simulate complex battlefield environments, ensure satellite communications integrity, and protect domestic defense infrastructure.

(4) Fragmentation, divestment, or arbitrary, politically-motivated structural changes to NCAR’s unified facilities would create critical gaps in United States weather intelligence, directly undermining the tactical advantages of the Armed Forces.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the National Oceanic and Atmospheric Administration, shall submit to the congressional defense committees a report assessing the Department of Defense’s reliance on the capabilities of NCAR.

(c) ELEMENTS.—The report required under subsection (b) shall include the following:

(1) An evaluation of how Department of Defense predictive weather models and space weather forecasting rely on NCAR-developed community models and supercomputing infrastructure.

(2) An evaluation of the impact of NCAR-developed environmental intelligence and forecasting infrastructure on tactical troop safety, including an assessment of how the degradation or disruption of such infrastructure could increase risks to service members during—

(A) live-fire training exercises, munitions-handling, and fueling operations;

(B) high-altitude aviation and low-altitude helicopter operations in degraded visual environments; and

(C) deployments in areas subject to extreme weather, severe turbulence, or microburst wind shear.

(3) A risk assessment of the potential impacts on military installations, aviation safety, and naval operations if NCAR facilities, including the Mesa Laboratory and the NCAR-Wyoming Supercomputing Center, face structural divestment, fragmentation, or closure.

(4) A description of any specialized research aircraft or observational platforms operated by NCAR that support Department of Defense test and evaluation missions.

(d) FORM.—The report required by subsection (b) shall be submitted in unclassified form, but may include a classified annex.

**SA 6002.** Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION E—COLORADO OUTDOOR RECREATION AND ECONOMY ACT**

**SEC. 5001. SHORT TITLE.**

This division may be cited as the “Colorado Outdoor Recreation and Economy Act”.

**SEC. 5002. DEFINITION OF STATE.**

In this division, the term “State” means the State of Colorado.

**TITLE I—CONTINENTAL DIVIDE**

**SEC. 5101. DEFINITIONS.**

In this title:

(1) COVERED AREA.—The term “covered area” means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by section 5102(a).

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(3) WILDLIFE CONSERVATION AREA.—The term “Wildlife Conservation Area” means, as applicable—

(A) the Porcupine Gulch Wildlife Conservation Area designated by section 5104(a);

(B) the Williams Fork Mountains Wildlife Conservation Area designated by section 5105(a); and

(C) the Spraddle Creek Wildlife Conservation Area designated by section 5106(a).

**SEC. 5102. COLORADO WILDERNESS ADDITIONS.**

(a) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) is amended—

(1) in paragraph (18), by striking “1993,” and inserting “1993, and certain Federal land within the White River National Forest that comprises approximately 6,896 acres, as generally depicted as ‘Proposed Ptarmigan Peak Wilderness Additions’ on the map entitled ‘Proposed Ptarmigan Peak Wilderness Additions’ and dated June 24, 2019,”; and

(2) by adding at the end the following:

“(23) HOLY CROSS WILDERNESS ADDITION.—Certain Federal land within the White River National Forest that comprises approximately 3,866 acres, as generally depicted as ‘Proposed Megan Dickie Wilderness Addition’ on the map entitled ‘Holy Cross Wilderness Addition Proposal’ and dated June 24, 2019, which shall be incorporated into, and managed as part of, the Holy Cross Wilderness designated by section 102(a)(5) of Public Law 96–560 (94 Stat. 3266).

“(24) HOOSIER RIDGE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 5,235 acres, as generally depicted as ‘Proposed Hoosier Ridge Wilderness’ on the map entitled ‘Tennmile Proposal’ and dated May 1, 2023, which shall be known as the ‘Hoosier Ridge Wilderness’.

“(25) TENMILE WILDERNESS.—Certain Federal land within the White River National Forest that comprises approximately 7,624 acres, as generally depicted as ‘Proposed Tennmile Wilderness’ on the map entitled ‘Tennmile Proposal’ and dated May 1, 2023, which shall be known as the ‘Tennmile Wilderness’.

“(26) EAGLES NEST WILDERNESS ADDITIONS.—Certain Federal land within the White River National Forest that comprises approximately 7,634 acres, as generally depicted as ‘Proposed Freeman Creek Wilderness Addition’ and ‘Proposed Spraddle Creek Wilderness Addition’ on the map entitled ‘Eagles Nest Wilderness Additions Proposal’ and dated April 26, 2022, which shall be incor-

porated into, and managed as part of, the Eagles Nest Wilderness designated by Public Law 94–352 (90 Stat. 870).”.

(b) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering a covered area.

(c) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any activity in a covered area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(d) GRAZING.—The grazing of livestock on a covered area, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(e) COORDINATION.—For purposes of administering the Federal land designated as wilderness by paragraph (26) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by subsection (a)(2)), the Secretary shall, as determined to be appropriate for the protection of watersheds, coordinate the activities of the Secretary in response to fires and flooding events with interested State and local agencies.

**SEC. 5103. WILLIAMS FORK MOUNTAINS POTENTIAL WILDERNESS.**

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land in the White River National Forest in the State, comprising approximately 8,036 acres, as generally depicted as “Proposed Williams Fork Mountains Wilderness” on the map entitled “Williams Fork Mountains Proposal” and dated June 24, 2019, is designated as a potential wilderness area.

(b) MANAGEMENT.—Subject to valid existing rights and except as provided in subsection (d), the potential wilderness area designated by subsection (a) shall be managed in accordance with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) this section.

(c) LIVESTOCK USE OF VACANT ALLOTMENTS.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, in accordance with applicable laws (including regulations), the Secretary shall publish a determination regarding whether to authorize livestock grazing or other use by livestock on the vacant allotments known as—

(A) the “Big Hole Allotment”; and

(B) the “Blue Ridge Allotment”.

(2) MODIFICATION OF ALLOTMENTS.—In publishing a determination pursuant to paragraph (1), the Secretary may modify or combine the vacant allotments referred to in that paragraph.

(3) PERMIT OR OTHER AUTHORIZATION.—Not later than 1 year after the date on which a determination of the Secretary to authorize livestock grazing or other use by livestock is published under paragraph (1), if applicable, the Secretary shall grant a permit or other authorization for that livestock grazing or other use in accordance with applicable laws (including regulations).

(d) RANGE IMPROVEMENTS.—

(1) IN GENERAL.—If the Secretary permits livestock grazing or other use by livestock on the potential wilderness area under subsection (c), the Secretary, or a third party authorized by the Secretary, may use motorized or mechanized transport or equipment for purposes of constructing or rehabilitating such range improvements as are necessary to obtain appropriate livestock management objectives (including habitat and watershed restoration).

(2) TERMINATION OF AUTHORITY.—The authority provided by this subsection terminates on the date that is 2 years after the date on which the Secretary publishes a positive determination under subsection (c)(3).

(e) DESIGNATION AS WILDERNESS.—

(1) DESIGNATION.—The potential wilderness area designated by subsection (a) shall be designated as wilderness, to be known as the “Williams Fork Mountains Wilderness”.

(A) effective not earlier than the date that is 180 days after the date of enactment this Act; and

(B) on the earliest of—

(i) the date on which the Secretary publishes in the Federal Register a notice that the construction or rehabilitation of range improvements under subsection (d) is complete;

(ii) the date described in subsection (d)(2); and

(iii) the effective date of a determination of the Secretary not to authorize livestock grazing or other use by livestock under subsection (c)(1).

(2) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall manage the Williams Fork Mountains Wilderness in accordance with the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date on which the Williams Fork Mountains Wilderness is designated in accordance with paragraph (1).

**SEC. 5104. PORCUPINE GULCH WILDLIFE CONSERVATION AREA.**

(a) DESIGNATION.—Subject to valid existing rights, the approximately 8,287 acres of Federal land located in the White River National Forest, as generally depicted as “Proposed Porcupine Gulch Wildlife Conservation Area” on the map entitled “Porcupine Gulch Wildlife Conservation Area Proposal” and dated June 24, 2019, are designated as the “Porcupine Gulch Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are—

(1) to conserve and protect a wildlife migration corridor over Interstate 70; and

(2) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) RECREATION.—The Secretary may permit such recreational activities in the Wild-

life Conservation Area that the Secretary determines are consistent with the purposes described in subsection (b).

(C) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT; NEW OR TEMPORARY ROADS.—

(i) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as provided in clause (iii), the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii) and subsection (e), no new or temporary road shall be constructed within the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles or mechanized transport for administrative purposes;

(II) constructing temporary roads or permitting the use of motorized vehicles or mechanized transport to carry out pre- or post-fire watershed protection projects;

(III) authorizing the use of motorized vehicles or mechanized transport to carry out activities described in subsection (d) or (e); or

(IV) responding to an emergency.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) REGIONAL TRANSPORTATION PROJECTS.—Nothing in this section or section 5110(f) precludes the Secretary from authorizing, in accordance with applicable laws (including regulations) and subject to valid existing rights, the use of the subsurface of the Wildlife Conservation Area to construct, realign, operate, or maintain regional transportation projects, including Interstate 70 and the Eisenhower-Johnson Tunnels.

(f) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

**SEC. 5105. WILLIAMS FORK MOUNTAINS WILDLIFE CONSERVATION AREA.**

(a) DESIGNATION.—Subject to valid existing rights, the approximately 3,528 acres of Federal land in the White River National Forest in the State, as generally depicted as “Proposed Williams Fork Mountains Wildlife Conservation Area” on the map entitled “Williams Fork Mountains Proposal” and dated June 24, 2019, are designated as the “Williams Fork Mountains Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this section.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES.—

(i) IN GENERAL.—Except as provided in clause (ii), the use of motorized vehicles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(ii) NEW OR TEMPORARY ROADS.—Except as provided in clause (iii), no new or temporary road shall be constructed in the Wildlife Conservation Area.

(iii) EXCEPTIONS.—Nothing in clause (i) or (ii) prevents the Secretary from—

(I) authorizing the use of motorized vehicles for administrative purposes;

(II) authorizing the use of motorized vehicles to carry out activities described in subsection (d); or

(III) responding to an emergency.

(C) BICYCLES.—The use of bicycles in the Wildlife Conservation Area shall be limited to designated roads and trails.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized under this section.

(E) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply with regard to the land in the Wildlife Conservation Area, consistent with the purposes described in subsection (b).

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107–216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

**SEC. 5106. SPRADDLE CREEK WILDLIFE CONSERVATION AREA.**

(a) DESIGNATION.—Subject to valid existing rights, the approximately 2,674 acres of Federal land in the White River National Forest in the State, as generally depicted as “Proposed Spraddle Creek Wildlife Conservation Area” on the map entitled “Eagles Nest Wilderness Additions Proposal” and dated April 26, 2022, are designated as the “Spraddle Creek Wildlife Conservation Area” (referred to in this section as the “Wildlife Conservation Area”).

(b) PURPOSES.—The purposes of the Wildlife Conservation Area are to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the wildlife, scenic, roadless, watershed, recreational, and ecological resources of the Wildlife Conservation Area.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Area—

(A) in a manner that conserves, protects, and enhances the purposes described in subsection (b); and

(B) in accordance with—

(i) the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.);

(ii) any other applicable laws (including regulations); and

(iii) this title.

(2) USES.—

(A) IN GENERAL.—The Secretary shall only allow such uses of the Wildlife Conservation Area as the Secretary determines would further the purposes described in subsection (b).

(B) MOTORIZED VEHICLES AND MECHANIZED TRANSPORT.—Except as necessary for administrative purposes or to respond to an emergency, the use of motorized vehicles and mechanized transport in the Wildlife Conservation Area shall be prohibited.

(C) ROADS.—

(i) IN GENERAL.—Except as provided in clause (ii), no road shall be constructed in the Wildlife Conservation Area.

(ii) EXCEPTIONS.—Nothing in clause (i) prevents the Secretary from—

(I) constructing a temporary road as the Secretary determines to be necessary as a minimum requirement for carrying out a vegetation management project in the Wildlife Conservation Area; or

(II) responding to an emergency.

(iii) DECOMMISSIONING OF TEMPORARY ROADS.—Not later than 3 years after the date on which the applicable vegetation management project is completed, the Secretary shall decommission any temporary road constructed under clause (ii)(I) for the applicable vegetation management project.

(D) COMMERCIAL TIMBER.—

(i) IN GENERAL.—Subject to clause (ii), no project shall be carried out in the Wildlife Conservation Area for the purpose of harvesting commercial timber.

(ii) LIMITATION.—Nothing in clause (i) prevents the Secretary from harvesting or selling a merchantable product that is a byproduct of an activity authorized in the Wildlife Conservation Area under this section.

(d) FIRE, INSECTS, AND DISEASES.—The Secretary may carry out any activity, in accordance with applicable laws (including regulations), that the Secretary determines to be necessary to manage wildland fire and treat hazardous fuels, insects, and diseases in the Wildlife Conservation Area, subject to such terms and conditions as the Secretary determines to be appropriate.

(e) WATER.—Section 3(e) of the James Peak Wilderness and Protection Area Act (Public Law 107-216; 116 Stat. 1058) shall apply to the Wildlife Conservation Area.

#### SEC. 5107. SANDY TREAT OVERLOOK.

The interpretive site located beside United States Route 24 within the Camp Hale Continental Divide National Monument, at 39.431N 106.323W, is designated as the “Sandy Treat Overlook”.

#### SEC. 5108. WHITE RIVER NATIONAL FOREST BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the White River National Forest is modified to include the approximately 120 acres comprised of the SW<sup>1</sup>/<sub>4</sub>, the SE<sup>1</sup>/<sub>4</sub>, and the NE<sup>1</sup>/<sub>4</sub> of the SE<sup>1</sup>/<sub>4</sub> of sec. 1, T. 2 S., R. 80 W., 6th Principal Meridian, in Summit County in the State.

(b) LAND AND WATER CONSERVATION FUND.—For purposes of section 200306 of title 54, United States Code, the boundaries of the White River National Forest, as modified by subsection (a), shall be considered to be the boundaries of the White River National Forest as in existence on January 1, 1965.

#### SEC. 5109. ROCKY MOUNTAIN NATIONAL PARK POTENTIAL WILDERNESS BOUNDARY ADJUSTMENT.

(a) PURPOSE.—The purpose of this section is to provide for the ongoing maintenance

and use of portions of the Trail River Ranch and the associated property located within Rocky Mountain National Park in Grand County in the State.

(b) BOUNDARY ADJUSTMENT.—Section 1952(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1070) is amended by adding at the end the following:

“(3) BOUNDARY ADJUSTMENT.—The boundary of the Potential Wilderness is modified to exclude the area comprising approximately 15.5 acres of land identified as ‘Potential Wilderness to Non-wilderness’ on the map entitled ‘Rocky Mountain National Park Proposed Wilderness Area Amendment’ and dated January 16, 2018.”.

#### SEC. 5110. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title or an amendment made by this title establishes a protective perimeter or buffer zone around—

(A) a covered area;

(B) a wilderness area or potential wilderness area designated by section 5103; or

(C) a Wildlife Conservation Area.

(2) OUTSIDE ACTIVITIES.—The fact that a nonwilderness activity or use on land outside of an area described in paragraph (1) can be seen or heard from within the applicable area described in paragraph (1) shall not preclude the activity or use outside the boundary of the applicable area described in paragraph (1).

(c) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this title affects the treaty rights of an Indian Tribe.

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions that the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the areas described in subsection (b)(1) by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of each area described in subsection (b)(1) with—

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

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may—

(A) correct any typographical errors in the maps and legal descriptions; and

(B) in consultation with the State, make minor adjustments to the boundaries of the Porcupine Gulch Wildlife Conservation Area designated by section 5104(a) and the Williams Fork Mountains Wildlife Conservation Area designated by section 5105(a) to account for potential highway or multimodal transportation system construction, safety measures, maintenance, realignment, or widening.

(3) PUBLIC AVAILABILITY.—Each map and legal description prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(e) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundaries of an area described in subsection

(b)(1) by donation, purchase from a willing seller, or exchange.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness area or Wildlife Conservation Area, as applicable, in which the land or interest in land is located.

(f) WITHDRAWAL.—Subject to valid existing rights, the areas described in subsection (b)(1) are withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(g) MILITARY OVERFLIGHTS.—Nothing in this title or an amendment made by this title restricts or precludes—

(1) any low-level overflight of military aircraft over any area subject to this title or an amendment made by this title, including military overflights that can be seen, heard, or detected within such an area;

(2) flight testing or evaluation over an area described in paragraph (1); or

(3) the use or establishment of—

(A) any new unit of special use airspace over an area described in paragraph (1); or

(B) any military flight training or transportation over such an area.

(h) SENSE OF CONGRESS.—It is the sense of Congress that military aviation training on Federal public land in the State, including the training conducted at the High-Altitude Army National Guard Aviation Training Site, is critical to the national security of the United States and the readiness of the Armed Forces.

## TITLE II—SAN JUAN MOUNTAINS

### SEC. 5201. DEFINITIONS.

In this title:

(1) COVERED LAND.—The term “covered land” means—

(A) land designated as wilderness under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 5202); and

(B) a Special Management Area.

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(3) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means each of—

(A) the Sheep Mountain Special Management Area designated by section 5203(a)(1); and

(B) the Liberty Bell East Special Management Area designated by section 5203(a)(2).

### SEC. 5202. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as amended by section 5102(a)(2)) is amended by adding at the end the following:

“(27) LIZARD HEAD WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,141 acres, as generally depicted on the map entitled ‘Proposed Wilson, Sunshine, Black Face and San Bernardo Additions to the Lizard Head Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Lizard Head Wilderness.

“(28) MOUNT SNEFFELS WILDERNESS ADDITIONS.—

“(A) LIBERTY BELL AND LAST DOLLAR ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,235 acres, as generally depicted on the map entitled ‘Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area’

and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(B) WHITEHOUSE ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 12,465 acres, as generally depicted on the map entitled ‘Proposed Whitehouse Additions to the Mt. Sneffels Wilderness’ and dated September 6, 2018, which is incorporated in, and shall be administered as part of, the Mount Sneffels Wilderness.

“(29) MCKENNA PEAK WILDERNESS.—Certain Federal land in the State of Colorado comprising approximately 8,884 acres of Bureau of Land Management land, as generally depicted on the map entitled ‘Proposed McKenna Peak Wilderness Area’ and dated September 18, 2018, to be known as the ‘McKenna Peak Wilderness’.”.

#### SEC. 5203. SPECIAL MANAGEMENT AREAS.

(a) DESIGNATION.—

(1) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison and San Juan National Forests in the State comprising approximately 21,663 acres, as generally depicted on the map entitled “Proposed Sheep Mountain Special Management Area” and dated September 19, 2018, is designated as the “Sheep Mountain Special Management Area”.

(2) LIBERTY BELL EAST SPECIAL MANAGEMENT AREA.—The Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests in the State comprising approximately 792 acres, as generally depicted on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018, is designated as the “Liberty Bell East Special Management Area”.

(b) PURPOSE.—The purpose of the Special Management Areas is to conserve and protect for the benefit and enjoyment of present and future generations the geological, cultural, archaeological, paleontological, natural, scientific, recreational, wilderness, wildlife, riparian, historical, educational, and scenic resources of the Special Management Areas.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(A) conserves, protects, and enhances the resources and values of the Special Management Areas described in subsection (b);

(B) subject to paragraph (3), maintains or improves the wilderness character of the Special Management Areas and the suitability of the Special Management Areas for potential inclusion in the National Wilderness Preservation System; and

(C) is in accordance with—

(i) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.);

(ii) this title; and

(iii) any other applicable laws.

(2) PROHIBITIONS.—The following shall be prohibited in the Special Management Areas:

(A) Permanent roads.

(B) Except as necessary to meet the minimum requirements for the administration of the Federal land, to provide access for abandoned mine cleanup, and to protect public health and safety—

(i) the use of motor vehicles, motorized equipment, or mechanical transport (other than as provided in paragraph (3)); and

(ii) the establishment of temporary roads.

(3) AUTHORIZED ACTIVITIES.—

(A) IN GENERAL.—The Secretary may allow any activities (including helicopter access for recreation and maintenance and the competitive running event permitted since 1992)

that have been authorized by permit or license as of the date of enactment of this Act to continue within the Special Management Areas, subject to such terms and conditions as the Secretary may require.

(B) PERMITTING.—The designation of the Special Management Areas by subsection (a) shall not affect the issuance of permits relating to the activities covered under subparagraph (A) after the date of enactment of this Act.

(C) BICYCLES.—The Secretary may permit the use of bicycles in—

(i) the portion of the Sheep Mountain Special Management Area identified as “Ophir Valley Area” on the map entitled “Proposed Sheep Mountain Special Management Area” and dated September 19, 2018; and

(ii) the portion of the Liberty Bell East Special Management Area identified as “Liberty Bell Corridor” on the map entitled “Proposed Liberty Bell and Last Dollar Additions to the Mt. Sneffels Wilderness, Liberty Bell East Special Management Area” and dated September 6, 2018.

(d) APPLICABLE LAW.—Water and water rights in the Special Management Areas shall be administered in accordance with section 8 of the Colorado Wilderness Act of 1993 (Public Law 103–77; 107 Stat. 762), except that, for purposes of this title—

(1) any reference contained in that section to “the lands designated as wilderness by this Act”, “the Piedra, Roubideau, and Tabeguache areas identified in section 9 of this Act, or the Bowen Gulch Protection Area or the Fossil Ridge Recreation Management Area identified in sections 5 and 6 of this Act”, or “the areas described in sections 2, 5, 6, and 9 of this Act” shall be considered to be a reference to “the Special Management Areas”; and

(2) any reference contained in that section to “this Act” shall be considered to be a reference to “the Colorado Outdoor Recreation and Economy Act”.

(e) SHEEP MOUNTAIN SPECIAL MANAGEMENT AREA NORDIC SKI SAFETY STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary, in consultation with interested parties, shall complete a study on ensuring safe access for Nordic skiing in the vicinity of the Sheep Mountain Special Management Area, consistent with the purposes of the Sheep Mountain Special Management Area.

(2) REQUIREMENT.—In conducting the study under paragraph (1), the Secretary, in coordination with San Miguel County in the State, the State Department of Transportation, and other interested stakeholders, shall identify a range of reasonable actions that could be taken by the Secretary to provide or facilitate off-highway parking areas along State Highway 145 to facilitate safe access for Nordic skiing in the vicinity of the Sheep Mountain Special Management Area.

#### SEC. 5204. RELEASE OF WILDERNESS STUDY AREAS.

(a) DOMINGUEZ CANYON WILDERNESS STUDY AREA.—Subtitle E of title II of Public Law 111–11 is amended—

(1) by redesignating section 2408 (16 U.S.C. 460zzz–7) as section 2409; and

(2) by inserting after section 2407 (16 U.S.C. 460zzz–6) the following:

##### “SEC. 2408. RELEASE.

“(a) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the Dominguez Canyon Wilderness Study Area not designated as wilderness by this subtitle have been adequately studied for wilderness designation.

“(b) RELEASE.—Any public land referred to in subsection (a) that is not designated as wilderness by this subtitle—

“(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

“(2) shall be managed in accordance with this subtitle and any other applicable laws.”.

(b) MCKENNA PEAK WILDERNESS STUDY AREA.—

(1) IN GENERAL.—Congress finds that, for the purposes of section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the portions of the McKenna Peak Wilderness Study Area in San Miguel County in the State not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) have been adequately studied for wilderness designation.

(2) RELEASE.—Any public land referred to in paragraph (1) that is not designated as wilderness by paragraph (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202)—

(A) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)); and

(B) shall be managed in accordance with applicable laws.

#### SEC. 5205. ADMINISTRATIVE PROVISIONS.

(a) FISH AND WILDLIFE.—Nothing in this title affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(b) NO BUFFER ZONES.—

(1) IN GENERAL.—Nothing in this title establishes a protective perimeter or buffer zone around covered land.

(2) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use on land outside of the covered land can be seen or heard from within covered land shall not preclude the activity or use outside the boundary of the covered land.

(c) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this title affects the treaty rights of any Indian Tribe, including rights under the Agreement of September 13, 1873, ratified by the Act of April 29, 1874 (18 Stat. 36, chapter 136).

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the covered land by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

(d) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary or the Secretary of the Interior, as appropriate, shall file a map and a legal description of each wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) (as added by section 5202) and the Special Management Areas with—

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

(B) the Committee on Energy and Natural Resources of the Senate.

(2) FORCE OF LAW.—Each map and legal description filed under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary or the Secretary of the Interior, as appropriate, may correct any typographical errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management and the Forest Service.

## (e) ACQUISITION OF LAND.—

(1) IN GENERAL.—The Secretary or the Secretary of the Interior, as appropriate, may acquire any land or interest in land within the boundaries of a Special Management Area or the wilderness designated under paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 5202) by donation, purchase from a willing seller, or exchange.

(2) MANAGEMENT.—Any land or interest in land acquired under paragraph (1) shall be incorporated into, and administered as a part of, the wilderness or Special Management Area in which the land or interest in land is located.

(f) GRAZING.—The grazing of livestock on covered land, if established before the date of enactment of this Act, shall be permitted to continue subject to such reasonable regulations as are considered to be necessary by the Secretary with jurisdiction over the covered land, in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the applicable guidelines set forth in Appendix A of the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 2570 of the 101st Congress (H. Rept. 101-405) or H.R. 5487 of the 96th Congress (H. Rept. 96-617).

(g) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary with jurisdiction over a wilderness area designated by paragraphs (27) through (29) of section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) (as added by section 5202) may carry out any activity in the wilderness area that the Secretary determines to be necessary for the control of fire, insects, and diseases, subject to such terms and conditions as the Secretary determines to be appropriate.

(h) WITHDRAWAL.—Subject to valid existing rights, the covered land and the approximately 6,590 acres generally depicted on the map entitled “Proposed Naturita Canyon Mineral Withdrawal Area” and dated September 6, 2018, is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

**TITLE III—THOMPSON DIVIDE****SEC. 5301. PURPOSES.**

The purposes of this title are—

(1) subject to valid existing rights, to withdraw certain Federal land in the Thompson Divide area from mineral and other disposal laws in order to protect the agricultural, ranching, wildlife, air quality, recreation, ecological, and scenic values of the area; and

(2) to promote the capture of fugitive methane emissions that would otherwise be emitted into the atmosphere.

**SEC. 5302. DEFINITIONS.**

In this title:

(1) FUGITIVE METHANE EMISSIONS.—The term “fugitive methane emissions” means methane gas from the Federal land or interests in Federal land in Garfield, Gunnison, Delta, or Pitkin County in the State, within the boundaries of the “Fugitive Coal Mine Methane Use Pilot Program Area”, as generally depicted on the pilot program map, that would leak or be vented into the atmosphere from—

(A) an active or inactive coal mine subject to a Federal coal lease; or

(B) an abandoned underground coal mine or the site of a former coal mine—

(i) that is not subject to a Federal coal lease; and

(ii) with respect to which the Federal interest in land includes mineral rights to the methane gas.

(2) PILOT PROGRAM.—The term “pilot program” means the Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program established by section 5305(a)(1).

(3) PILOT PROGRAM MAP.—The term “pilot program map” means the map entitled “Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program Area” and dated April 29, 2022.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) THOMPSON DIVIDE LEASE.—

(A) IN GENERAL.—The term “Thompson Divide lease” means any oil or gas lease in effect on the date of enactment of this Act within the Thompson Divide Withdrawal and Protection Area.

(B) EXCLUSIONS.—The term “Thompson Divide lease” does not include any oil or gas lease that—

(i) is associated with a Wolf Creek Storage Field development right; or

(ii) before the date of enactment of this Act, has expired, been cancelled, or otherwise terminated.

(6) THOMPSON DIVIDE MAP.—The term “Thompson Divide map” means the map entitled “Greater Thompson Divide Legislative Boundary Area Map” and dated September 19, 2023.

(7) THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.—The term “Thompson Divide Withdrawal and Protection Area” means the Federal land and minerals within the area generally depicted as the “Thompson Divide Withdrawal and Protection Area” on the Thompson Divide map.

(8) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHT.—

(A) IN GENERAL.—The term “Wolf Creek Storage Field development right” means a development right for any of the Federal mineral leases numbered COC 0007496, COC 0007497, COC 0007498, COC 0007499, COC 0007500, COC 0007538, COC 0008128, COC 0015373, COC 0128018, COC 0051645, and COC 0051646, as generally depicted on the Thompson Divide map as “Wolf Creek Storage Agreement”.

(B) EXCLUSIONS.—The term “Wolf Creek Storage Field development right” does not include any storage right or related activity within the area described in subparagraph (A).

**SEC. 5303. THOMPSON DIVIDE WITHDRAWAL AND PROTECTION AREA.**

(a) WITHDRAWAL.—Subject to valid existing rights, the Thompson Divide Withdrawal and Protection Area is withdrawn from—

(1) entry, appropriation, and disposal under the public land laws;

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

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(b) SURVEYS.—The exact acreage and legal description of the Thompson Divide Withdrawal and Protection Area shall be determined by surveys approved by the Secretary, in consultation with the Secretary of Agriculture.

(c) GRAZING.—Nothing in this title affects the administration of grazing in the Thompson Divide Withdrawal and Protection Area.

**SEC. 5304. THOMPSON DIVIDE LEASE CREDITS.**

(a) IN GENERAL.—In exchange for the relinquishment by a leaseholder of all Thompson Divide leases of the leaseholder, the Secretary may issue to the leaseholder credits for any bid, royalty, or rental payment due under any Federal oil or gas lease on Federal land in the State, in accordance with subsection (b).

(b) AMOUNT OF CREDITS.—

(1) IN GENERAL.—Subject to paragraph (2), the amount of the credits issued to a leaseholder of a Thompson Divide lease relinquished under subsection (a) shall—

(A) be equal to the sum of—

(i) the amount of the bonus bids paid for the applicable Thompson Divide leases;

(ii) the amount of any rental paid for the applicable Thompson Divide leases as of the date on which the leaseholder submits to the Secretary a notice of the decision to relinquish the applicable Thompson Divide leases; and

(iii) the amount of any reasonable expenses incurred by the leaseholder of the applicable Thompson Divide leases in the preparation of any drilling permit, sundry notice, or other related submission in support of the development of the applicable Thompson Divide leases as of January 28, 2019, including any expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) require the approval of the Secretary.

(2) EXCLUSION.—The amount of a credit issued under subsection (a) shall not include any expenses paid by the leaseholder of a Thompson Divide lease for—

(A) legal fees or related expenses for legal work with respect to a Thompson Divide lease; or

(B) any expenses incurred before the issuance of a Thompson Divide lease.

(c) CANCELLATION.—Effective on relinquishment under this section, and without any additional action by the Secretary, a Thompson Divide lease—

(1) shall be permanently cancelled; and

(2) shall not be reissued.

(d) CONDITIONS.—

(1) APPLICABLE LAW.—Except as otherwise provided in this section, each exchange under this section shall be conducted in accordance with—

(A) this title; and

(B) other applicable laws (including regulations).

(2) ACCEPTANCE OF CREDITS.—The Secretary shall accept credits issued under subsection (a) in the same manner as cash for the payments described in that subsection.

(3) APPLICABILITY.—The use of a credit issued under subsection (a) shall be subject to the laws (including regulations) applicable to the payments described in that subsection, to the extent that the laws are consistent with this section.

(4) TREATMENT OF CREDITS.—All amounts in the form of credits issued under subsection (a) accepted by the Secretary shall be considered to be amounts received for the purposes of—

(A) section 35 of the Mineral Leasing Act (30 U.S.C. 191); and

(B) section 20 of the Geothermal Steam Act of 1970 (30 U.S.C. 1019).

(e) WOLF CREEK STORAGE FIELD DEVELOPMENT RIGHTS.—

(1) CONVEYANCE TO SECRETARY.—As a condition precedent to the relinquishment of a Thompson Divide lease under this section, any leaseholder with a Wolf Creek Storage Field development right shall permanently relinquish, transfer, and otherwise convey to the Secretary, in a form acceptable to the Secretary, all Wolf Creek Storage Field development rights of the leaseholder.

(2) CREDITS.—

(A) IN GENERAL.—In consideration for the transfer of development rights under paragraph (1), the Secretary may issue to a leaseholder described in that paragraph credits for any reasonable expenses incurred by the leaseholder in acquiring the Wolf Creek Storage Field development right or in the preparation of any drilling permit, sundry notice, or other related submission in support of the development right as of January

28, 2019, including any reasonable expenses relating to the preparation of any analysis under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) APPROVAL.—Any credits for a transfer of the development rights under paragraph (1), shall be subject to—

(i) the exclusion described in subsection (b)(2);

(ii) the conditions described in subsection (d); and

(iii) the approval of the Secretary.

(3) LIMITATION OF TRANSFER.—Development rights acquired by the Secretary under paragraph (1)—

(A) shall be held for as long as the parent leases in the Wolf Creek Storage Field remain in effect; and

(B) shall not be—

(i) transferred;

(ii) reissued; or

(iii) otherwise used for mineral extraction.

**SEC. 5305. GREATER THOMPSON DIVIDE FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.**

(a) FUGITIVE COAL MINE METHANE USE PILOT PROGRAM.—

(1) ESTABLISHMENT.—There is established in the Bureau of Land Management a pilot program, to be known as the “Greater Thompson Divide Fugitive Coal Mine Methane Use Pilot Program”.

(2) PURPOSE.—The purpose of the pilot program is to promote the capture, beneficial use, mitigation, and sequestration of fugitive methane emissions—

(A) to reduce methane emissions;

(B) to promote economic development;

(C) to improve air quality; and

(D) to improve public safety.

(3) PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall develop a plan—

(i) to complete an inventory of fugitive methane emissions in accordance with subsection (b);

(ii) to provide for the leasing of fugitive methane emissions in accordance with subsection (c); and

(iii) to provide for the capping or destruction of fugitive methane emissions in accordance with subsection (d).

(B) COORDINATION.—In developing the plan under this paragraph, the Secretary shall coordinate with—

(i) the State;

(ii) Garfield, Gunnison, Delta, and Pitkin Counties in the State;

(iii) lessees of Federal coal within the counties referred to in clause (ii);

(iv) interested institutions of higher education in the State; and

(v) interested members of the public.

(b) FUGITIVE METHANE EMISSIONS INVENTORY.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete an inventory of fugitive methane emissions.

(2) CONDUCT.—

(A) COLLABORATION.—The Secretary may conduct the inventory under paragraph (1) through, or in collaboration with—

(i) the Bureau of Land Management;

(ii) the United States Geological Survey;

(iii) the Environmental Protection Agency;

(iv) the United States Forest Service;

(v) State departments or agencies;

(vi) Garfield, Gunnison, Delta, or Pitkin Counties in the State;

(vii) the Garfield County Federal Mineral Lease District;

(viii) institutions of higher education in the State;

(ix) lessees of Federal coal within a county referred to in subparagraph (F);

(x) the National Oceanic and Atmospheric Administration;

(xi) the National Center for Atmospheric Research; or

(xii) other interested entities, including members of the public.

(B) FEDERAL SPLIT ESTATE.—

(i) IN GENERAL.—In conducting the inventory under paragraph (1) for Federal minerals on split estate land, the Secretary shall rely on available data.

(ii) LIMITATION.—Nothing in this section requires or authorizes the Secretary to enter or access private land to conduct the inventory under paragraph (1).

(3) CONTENTS.—The inventory conducted under paragraph (1) shall include—

(A) the general location and geographic coordinates of vents, seeps, or other sources producing significant fugitive methane emissions;

(B) an estimate of the volume and concentration of fugitive methane emissions from each source of significant fugitive methane emissions, including details of measurements taken and the basis for that emissions estimate;

(C) relevant data and other information available from—

(i) the Environmental Protection Agency;

(ii) the Mine Safety and Health Administration;

(iii) the Colorado Department of Natural Resources;

(iv) the Colorado Public Utility Commission;

(v) the Colorado Department of Health and Environment; and

(vi) the Office of Surface Mining Reclamation and Enforcement; and

(D) such other information as may be useful in advancing the purposes of the pilot program.

(4) PUBLIC PARTICIPATION; DISCLOSURE.—

(A) PUBLIC PARTICIPATION.—The Secretary shall, as appropriate, provide opportunities for public participation in the conduct of the inventory under paragraph (1).

(B) AVAILABILITY.—The Secretary shall make the inventory conducted under paragraph (1) publicly available.

(C) DISCLOSURE.—Nothing in this subsection requires the Secretary to publicly release information that—

(i) poses a threat to public safety;

(ii) is confidential business information; or

(iii) is otherwise protected from public disclosure.

(5) IMPACT ON COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—For the purposes of conducting the inventory under paragraph (1), for land subject to a Federal coal lease, the Secretary shall use readily available methane emissions data.

(B) EFFECT.—Nothing in this section requires the holder of a Federal coal lease to report additional data or information to the Secretary.

(6) USE.—The Secretary shall use the inventory conducted under paragraph (1) in carrying out—

(A) the leasing program under subsection (c); and

(B) the capping or destruction of fugitive methane emissions under subsection (d).

(c) FUGITIVE METHANE EMISSIONS LEASING PROGRAM AND SEQUESTRATION.—

(1) IN GENERAL.—Subject to valid existing rights and in accordance with this section, not later than 1 year after the date of completion of the inventory required under subsection (b), the Secretary shall carry out a program to encourage the use and destruction of fugitive methane emissions.

(2) FUGITIVE METHANE EMISSIONS FROM COAL MINES SUBJECT TO LEASE.—

(A) IN GENERAL.—The Secretary shall authorize the holder of a valid existing Federal coal lease for a mine that is producing fugitive methane emissions to capture for use or destroy the fugitive methane emissions.

(B) CONDITIONS.—The authority under subparagraph (A) shall be subject to—

(i) valid existing rights; and

(ii) such terms and conditions as the Secretary may require.

(C) LIMITATIONS.—The program carried out under paragraph (1) shall only include fugitive methane emissions that can be captured for use or destroyed in a manner that does not—

(i) endanger the safety of any coal mine worker; or

(ii) unreasonably interfere with any ongoing operation at a coal mine.

(D) COOPERATION.—

(i) IN GENERAL.—The Secretary shall work cooperatively with the holders of valid existing Federal coal leases for mines that produce fugitive methane emissions to encourage—

(I) the capture of fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material; or

(II) if the beneficial use of the fugitive methane emissions is not feasible, the destruction of the fugitive methane emissions.

(ii) GUIDANCE.—In support of cooperative efforts with holders of valid existing Federal coal leases to capture for use or destroy fugitive methane emissions, not later than 1 year after the date of enactment of this Act, the Secretary shall issue guidance to the public for the implementation of authorities and programs to encourage the capture for use and destruction of fugitive methane emissions, while minimizing impacts on natural resources or other public interest values.

(E) ROYALTIES.—The Secretary shall determine whether any fugitive methane emissions used or destroyed pursuant to this paragraph are subject to the payment of a royalty under applicable law.

(3) FUGITIVE METHANE EMISSIONS FROM LAND NOT SUBJECT TO A FEDERAL COAL LEASE.—

(A) IN GENERAL.—Except as otherwise provided in this section, notwithstanding section 5303 and subject to valid existing rights and any other applicable law, the Secretary shall, for land not subject to a Federal coal lease—

(i) authorize the capture for use or destruction of fugitive methane emissions; and

(ii) make available for leasing such fugitive methane emissions as the Secretary determines to be in the public interest.

(B) SOURCE.—To the extent practicable, the Secretary shall offer for lease, individually or in combination, each significant source of fugitive methane emissions on land not subject to a Federal coal lease.

(C) BID QUALIFICATIONS.—A bid to lease fugitive methane emissions under this paragraph shall specify whether the prospective lessee intends—

(i) to capture the fugitive methane emissions for beneficial use, such as generating electrical power, producing usable heat, transporting the methane to market, or transforming the fugitive methane emissions into a different marketable material;

(ii) to destroy the fugitive methane emissions; or

(iii) to employ a specific combination of—

(I) capturing the fugitive methane emissions for beneficial use; and

(II) destroying the fugitive methane emissions.

(D) PRIORITY.—

(i) IN GENERAL.—If there is more than 1 qualified bid for a lease under this paragraph, the Secretary shall select the bid that the Secretary determines is likely to most significantly advance the public interest.

(ii) CONSIDERATIONS.—In determining the public interest under clause (i), the Secretary shall take into consideration—

(I) the overall decrease in the fugitive methane emissions;

(II) the impacts to other natural resource values, including wildlife, water, and air; and

(III) other public interest values, including scenic, economic, recreation, and cultural values.

(E) LEASE FORM.—

(i) IN GENERAL.—The Secretary shall develop and provide to prospective bidders a lease form for leases issued under this paragraph.

(ii) DUE DILIGENCE.—The lease form developed under clause (i) shall include terms and conditions requiring the leased fugitive methane emissions to be put to beneficial use or destroyed by not later than 3 years after the date of issuance of the lease.

(F) ROYALTY RATE.—The Secretary shall develop a minimum bid, as the Secretary determines to be necessary, and royalty rate for leases under this paragraph.

(d) SEQUESTRATION.—If, by not later than 4 years after the date of completion of the inventory under subsection (b), any significant fugitive methane emissions are not leased under subsection (c)(3), the Secretary shall, subject to the availability of appropriations and in accordance with applicable law, take all reasonable measures—

(1) to provide incentives for new leases under subsection (c)(3);

(2) to cap those fugitive methane emissions at the source in any case in which the cap will result in the long-term sequestration of all or a significant portion of the fugitive methane emissions; or

(3) to destroy the fugitive methane emissions, if incentivizing leases under paragraph (1) or sequestration under paragraph (2) is not feasible, with priority for locations that destroy the greatest quantity of fugitive methane emissions at the lowest cost.

(e) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report detailing—

(1) the economic and environmental impacts of the pilot program, including information on increased royalties and estimates of avoided greenhouse gas emissions; and

(2) any recommendations of the Secretary on whether the pilot program could be expanded to include—

(A) other significant sources of emissions of fugitive methane located outside the boundaries of the area depicted as “Fugitive Coal Mine Methane Use Pilot Program Area” on the pilot program map; and

(B) the leasing of natural methane seeps under the activities authorized pursuant to subsection (c)(3).

#### SEC. 5306. EFFECT.

Except as expressly provided in this title, nothing in this title—

(1) expands, diminishes, or impairs any valid existing mineral leases, mineral interest, or other property rights wholly or partially within the Thompson Divide Withdrawal and Protection Area, including access to the leases, interests, rights, or land in accordance with applicable Federal, State, and local laws (including regulations);

(2) prevents the capture of methane from any active, inactive, or abandoned coal mine covered by this title, in accordance with applicable laws; or

(3) prevents access to, or the development of, any new or existing coal mine or lease in Delta or Gunnison County in the State.

### TITLE IV—CURECANTI NATIONAL RECREATION AREA

#### SEC. 5401. DEFINITIONS.

In this title:

(1) MAP.—The term “map” means the map entitled “Curecanti National Recreation Area, Proposed Boundary”, numbered 616/100,485D, and dated April 25, 2022.

(2) NATIONAL RECREATION AREA.—The term “National Recreation Area” means the Curecanti National Recreation Area established by section 5402(a).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

#### SEC. 5402. CURECANTI NATIONAL RECREATION AREA.

(a) ESTABLISHMENT.—Effective beginning on the earlier of the date on which the Secretary approves a request under subsection (c)(2)(B)(i)(I) and the date that is 1 year after the date of enactment of this Act, there shall be established as a unit of the National Park System the Curecanti National Recreation Area, in accordance with this division, consisting of approximately 50,300 acres of land in the State, as generally depicted on the map as “Curecanti National Recreation Area Proposed Boundary”.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) ADMINISTRATION.—

(1) IN GENERAL.—The Secretary shall administer the National Recreation Area in accordance with—

(A) this title; and

(B) the laws (including regulations) generally applicable to units of the National Park System, including section 100101(a), chapter 1003, and sections 100751(a), 100752, 100753, and 102101 of title 54, United States Code.

(2) DAM, POWER PLANT, AND RESERVOIR MANAGEMENT AND OPERATIONS.—

(A) IN GENERAL.—Nothing in this title affects or interferes with the authority of the Secretary—

(i) to operate the Uncompahgre Valley Reclamation Project under the reclamation laws;

(ii) to operate the Wayne N. Aspinall Unit of the Colorado River Storage Project under the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (43 U.S.C. 620 et seq.); or

(iii) under the Federal Water Project Recreation Act (16 U.S.C. 4601–12 et seq.).

(B) RECLAMATION LAND.—

(i) SUBMISSION OF REQUEST TO RETAIN ADMINISTRATIVE JURISDICTION.—If, before the date that is 1 year after the date of enactment of this Act, the Commissioner of Reclamation submits to the Secretary a request for the Commissioner of Reclamation to retain administrative jurisdiction over the minimum quantity of land within the land identified on the map as “Lands withdrawn or acquired for Bureau of Reclamation projects” that the Commissioner of Reclamation identifies as necessary for the effective operation of Bureau of Reclamation water facilities, the Secretary may—

(I) approve, approve with modifications, or disapprove the request; and

(II) if the request is approved under subclause (I), make any modifications to the map that are necessary to reflect that the Commissioner of Reclamation retains management authority over the minimum quantity of land required to fulfill the reclamation mission.

(ii) TRANSFER OF LAND.—

(I) IN GENERAL.—Administrative jurisdiction over the land identified on the map as

“Lands withdrawn or acquired for Bureau of Reclamation projects”, as modified pursuant to clause (i)(II), if applicable, shall be transferred from the Commissioner of Reclamation to the Director of the National Park Service by not later than the date that is 1 year after the date of enactment of this Act.

(II) ACCESS TO TRANSFERRED LAND.—

(aa) IN GENERAL.—Subject to item (bb), the Commissioner of Reclamation shall retain access to the land transferred to the Director of the National Park Service under subclause (I) for reclamation purposes, including for the operation, maintenance, and expansion or replacement of facilities.

(bb) MEMORANDUM OF UNDERSTANDING.—The terms of the access authorized under item (aa) shall be determined by a memorandum of understanding entered into between the Commissioner of Reclamation and the Director of the National Park Service not later than 1 year after the date of enactment of this Act.

(3) MANAGEMENT AGREEMENTS.—

(A) IN GENERAL.—The Secretary may enter into management agreements, or modify management agreements in existence on the date of enactment of this Act, relating to the authority of the Director of the National Park Service, the Commissioner of Reclamation, the Director of the Bureau of Land Management, or the Chief of the Forest Service to manage Federal land within or adjacent to the boundary of the National Recreation Area.

(B) STATE LAND.—The Secretary may enter into cooperative management agreements for any land administered by the State that is within or adjacent to the National Recreation Area, in accordance with the cooperative management authority under section 101703 of title 54, United States Code.

(4) RECREATIONAL ACTIVITIES.—

(A) AUTHORIZATION.—Except as provided in subparagraph (B), the Secretary shall allow boating, boating-related activities, hunting, and fishing in the National Recreation Area in accordance with applicable Federal and State laws.

(B) CLOSURES; DESIGNATED ZONES.—

(i) IN GENERAL.—The Secretary, acting through the Superintendent of the National Recreation Area, may designate zones in which, and establish periods during which, no boating, hunting, or fishing shall be permitted in the National Recreation Area under subparagraph (A) for reasons of public safety, administration, or compliance with applicable laws.

(ii) CONSULTATION REQUIRED.—Except in the case of an emergency, any closure proposed by the Secretary under clause (i) shall not take effect until after the date on which the Superintendent of the National Recreation Area consults with—

(I) the appropriate State agency responsible for hunting and fishing activities; and

(II) the Board of County Commissioners in each county in which the zone is proposed to be designated.

(5) LANDOWNER ASSISTANCE.—On the written request of an individual that owns private land located within the area generally depicted as “Conservation Opportunity Area” on the map entitled “Preferred Alternative” in the document entitled “Report to Congress: Curecanti Special Resource Study” and dated June 2009, the Secretary may work in partnership with the individual to enhance the long-term conservation of natural, cultural, recreational, and scenic resources in and around the National Recreation Area—

(A) by acquiring all or a portion of the private land or interests in private land within the Conservation Opportunity Area by purchase, exchange, or donation, in accordance with section 5403;

(B) by providing technical assistance to the individual, including cooperative assistance;

(C) through available grant programs; and  
(D) by supporting conservation easement opportunities.

(6) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land acquired by the United States under paragraph (5) shall—

(A) become part of the National Recreation Area; and

(B) be managed in accordance with this title.

(7) WITHDRAWAL.—Subject to valid existing rights, all Federal land within the National Recreation Area, including land acquired pursuant to this section, is withdrawn from—

(A) entry, appropriation, and disposal under the public land laws;

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

(C) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(8) GRAZING.—

(A) STATE LAND SUBJECT TO A STATE GRAZING LEASE.—

(i) IN GENERAL.—If State land acquired under this title is subject to a State grazing lease in effect on the date of acquisition, the Secretary shall allow the grazing to continue for the remainder of the term of the lease, subject to the related terms and conditions of user agreements, including permitted stocking rates, grazing fee levels, access rights, and ownership and use of range improvements.

(ii) ACCESS.—A lessee of State land may continue to use established routes within the National Recreation Area to access State land for purposes of administering the lease if the use was permitted before the date of enactment of this Act, subject to such terms and conditions as the Secretary may require.

(B) STATE AND PRIVATE LAND.—The Secretary may, in accordance with applicable laws, authorize grazing on land acquired from the State or private landowners under section 5403, if grazing was established before the date of acquisition.

(C) PRIVATE LAND.—On private land acquired under section 5403 for the National Recreation Area on which authorized grazing is occurring before the date of enactment of this Act, the Secretary, in consultation with the lessee, may allow the continuation and renewal of grazing on the land based on the terms of acquisition or by agreement between the Secretary and the lessee, subject to applicable law (including regulations).

(D) FEDERAL LAND.—The Secretary shall—

(i) allow, consistent with the grazing leases, uses, and practices in effect as of the date of enactment of this Act, the continuation and renewal of grazing on Federal land located within the boundary of the National Recreation Area on which grazing is allowed before the date of enactment of this Act, unless the Secretary determines that grazing on the Federal land would present unacceptable impacts (as defined in section 1.4.7.1 of the National Park Service document entitled “Management Policies 2006: The Guide to Managing the National Park System”) to the natural, cultural, recreational, and scenic resource values and the character of the land within the National Recreation Area; and

(ii) retain all authorities to manage grazing in the National Recreation Area.

(E) TERMINATION OF LEASES.—Within the National Recreation Area, the Secretary may—

(i) accept the voluntary termination of a lease or permit for grazing; or

(ii) in the case of a lease or permit vacated for a period of 3 or more years, terminate the lease or permit.

(9) WATER RIGHTS.—Nothing in this title—

(A) affects any use or allocation in existence on the date of enactment of this Act of any water, water right, or interest in water;

(B) affects any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(C) affects any interstate water compact in existence on the date of enactment of this Act;

(D) shall be considered to be a relinquishment or reduction of any water right reserved or appropriated by the United States in the State on or before the date of enactment of this Act; or

(E) constitutes an express or implied Federal reservation of any water or water rights with respect to the National Recreation Area.

(10) FISHING EASEMENTS.—

(A) IN GENERAL.—Nothing in this title diminishes or alters the fish and wildlife program for the Aspinall Unit developed under section 8 of the Act of April 11, 1956 (commonly known as the “Colorado River Storage Project Act”) (70 Stat. 110, chapter 203; 43 U.S.C. 620g), by the United States Fish and Wildlife Service, the Bureau of Reclamation, and the Colorado Division of Wildlife (including any successor in interest to that division) that provides for the acquisition of public access fishing easements as mitigation for the Aspinall Unit (referred to in this paragraph as the “program”).

(B) ACQUISITION OF FISHING EASEMENTS.—The Secretary shall continue to fulfill the obligation of the Secretary under the program to acquire 26 miles of class 1 public fishing easements to provide to sportsmen access for fishing within the Upper Gunnison Basin upstream of the Aspinall Unit, subject to the condition that no existing fishing access downstream of the Aspinall Unit shall be counted toward the minimum mileage requirement under the program.

(C) PLAN.—Not later than 1 year after the date of enactment of this Act, the Secretary shall develop a plan for fulfilling the obligation of the Secretary described in subparagraph (B) by the date that is 10 years after the date of enactment of this Act.

(D) REPORTS.—Not later than each of 2 years, 5 years, and 8 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that describes the progress made in fulfilling the obligation of the Secretary described in subparagraph (B).

(d) TRIBAL RIGHTS AND USES.—

(1) TREATY RIGHTS.—Nothing in this title affects the treaty rights of any Indian Tribe.

(2) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the National Recreation Area by members of Indian Tribes—

(A) for traditional ceremonies; and

(B) as a source of traditional plants and other materials.

#### SEC. 5403. ACQUISITION OF LAND; BOUNDARY MANAGEMENT.

(a) ACQUISITION.—

(1) IN GENERAL.—The Secretary may acquire any land or interest in land within the boundary of the National Recreation Area.

(2) MANNER OF ACQUISITION.—

(A) IN GENERAL.—Subject to subparagraph (B), land described in paragraph (1) may be acquired under this subsection by—

(i) donation;

(ii) purchase from willing sellers with donated or appropriated funds;

(iii) transfer from another Federal agency; or

(iv) exchange.

(B) STATE LAND.—Land or interests in land owned by the State or a political subdivision of the State may only be acquired by purchase, donation, or exchange.

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) FOREST SERVICE LAND.—

(A) IN GENERAL.—Administrative jurisdiction over the approximately 2,500 acres of land identified on the map as “U.S. Forest Service proposed transfer to the National Park Service” is transferred to the Secretary, to be administered by the Director of the National Park Service as part of the National Recreation Area.

(B) BOUNDARY ADJUSTMENT.—The boundary of the Gunnison National Forest shall be adjusted to exclude the land transferred to the Secretary under subparagraph (A).

(2) BUREAU OF LAND MANAGEMENT LAND.—Administrative jurisdiction over the approximately 6,100 acres of land identified on the map as “Bureau of Land Management proposed transfer to National Park Service” is transferred from the Director of the Bureau of Land Management to the Director of the National Park Service, to be administered as part of the National Recreation Area.

(3) WITHDRAWAL.—Administrative jurisdiction over the land identified on the map as “Proposed for transfer to the Bureau of Land Management, subject to the revocation of Bureau of Reclamation withdrawal” shall be transferred to the Director of the Bureau of Land Management on relinquishment of the land by the Bureau of Reclamation and revocation by the Bureau of Land Management of any withdrawal as may be necessary.

(c) POTENTIAL LAND EXCHANGE.—

(1) IN GENERAL.—The withdrawal for reclamation purposes of the land identified on the map as “Potential exchange lands” shall be relinquished by the Commissioner of Reclamation and revoked by the Director of the Bureau of Land Management and the land shall be transferred to the National Park Service.

(2) EXCHANGE; INCLUSION IN NATIONAL RECREATION AREA.—On transfer of the land described in paragraph (1), the transferred land—

(A) may be exchanged by the Secretary for private land described in section 5402(c)(5)—

(i) subject to a conservation easement remaining on the transferred land, to protect the scenic resources of the transferred land; and

(ii) in accordance with the laws (including regulations) and policies governing National Park Service land exchanges; and

(B) if not exchanged under subparagraph (A), shall be added to, and managed as a part of, the National Recreation Area.

(d) ADDITION TO NATIONAL RECREATION AREA.—Any land within the boundary of the National Recreation Area that is acquired by the United States shall be added to, and managed as a part of, the National Recreation Area.

#### SEC. 5404. GENERAL MANAGEMENT PLAN.

Not later than 3 years after the date on which funds are made available to carry out this title, the Director of the National Park Service, in consultation with the Commissioner of Reclamation, shall prepare a general management plan for the National Recreation Area in accordance with section 100502 of title 54, United States Code.

#### SEC. 5405. BOUNDARY SURVEY.

The Secretary (acting through the Director of the National Park Service) shall prepare a boundary survey and legal description of the National Recreation Area.

**SA 6003.** Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. ARKANSAS VALLEY CONDUIT, COLORADO.**

Public Law 87-590 (76 Stat. 389; 123 Stat. 1320) is amended—

(1) in the first section—

(A) in subsection (c), in the second sentence, by striking “or in the case of the Arkansas Valley Conduit, payment in an amount equal to 35 percent of the cost of the conduit that is comprised of revenue generated by payments pursuant to a repayment contract and revenue that may be derived from contracts for the use of Fryingpan-Arkansas project excess capacity or exchange contracts using Fryingpan-Arkansas project facilities.”; and

(B) by adding at the end the following:

“(d) ARKANSAS VALLEY CONDUIT.—

“(1) REPAYMENT CONTRACT.—To provide domestic water supplies to communities and households that do not have reliable access to domestic water supplies, the contract for the Arkansas Valley Conduit shall provide for payment in an amount equal to 35 percent of the cost of the conduit, notwithstanding the reclamation laws or any other provision of this Act. The contract payments shall consist of—

“(A) funding provided during construction from any entity other than the Secretary; and

“(B) based on a demonstration of financial hardship, as determined by the Secretary, repayment of the balance not covered under subparagraph (A) for a period of not more than 75 years with simple interest at a rate that is equal to 50 percent of the interest rate determined by the Secretary of the Treasury under section 2(c), including revenue derived from contracts for the use of excess capacity or exchange contracts using Fryingpan-Arkansas project facilities.

“(2) OPERATIONS AND MAINTENANCE.—The contract for the Arkansas Valley Conduit shall provide for the assumption by the contracting parties of the care, operation, maintenance, and replacement of the conduit.”; and

(2) in section 2(b)(3)(A), by striking “this section” and inserting “subsection (d) of the first section”.

**SA 6004.** Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION E—DOLORES RIVER NATIONAL CONSERVATION AREA AND DOLORES RIVER SPECIAL MANAGEMENT AREA**

**SEC. 5001. SHORT TITLE.**

This division may be cited as the “Dolores River National Conservation Area and Special Management Area Act”.

**SEC. 5002. DEFINITIONS.**

In this division:

(1) CONSERVATION AREA.—The term “Conservation Area” means the Dolores River National Conservation Area established by section 5101(a).

(2) COUNCIL.—The term “Council” means the Dolores River National Conservation Area Advisory Council established under section 5103(a).

(3) COVERED LAND.—The term “covered land” means—

- (A) the Conservation Area; and
- (B) the Special Management Area.

(4) DOLORES PROJECT.—The term “Dolores Project” has the meaning given the term in section 3 of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100-585; 102 Stat. 2974).

(5) MAP.—The term “Map” means the map prepared by the Bureau of Land Management entitled “Proposed Dolores River National Conservation Area and Special Management Area” and dated December 13, 2024.

(6) SECRETARY.—The term “Secretary” means—

- (A) in title I, the Secretary of the Interior;
- (B) in title II, the Secretary of Agriculture; and
- (C) in title IV—

(i) the Secretary of the Interior, with respect to land under the jurisdiction of the Secretary of the Interior; and

(ii) the Secretary of Agriculture, with respect to land under the jurisdiction of the Secretary of Agriculture.

(7) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means the Dolores River Special Management Area established by section 5201(a).

(8) STATE.—The term “State” means the State of Colorado.

(9) UNREASONABLY DIMINISH.—The term “unreasonably diminish” has the same meaning as used in section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)).

(10) WATER RESOURCE PROJECT.—The term “water resource project” means any dam, irrigation and pumping facility, reservoir, water conservation work, aqueduct, canal, ditch, pipeline, well, hydropower project, and transmission and other ancillary facility, and other water diversion, storage, and carriage structure.

**TITLE I—DOLORES RIVER NATIONAL CONSERVATION AREA**

**SEC. 5101. ESTABLISHMENT OF DOLORES RIVER NATIONAL CONSERVATION AREA.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to valid existing rights, there is established the Dolores River National Conservation Area in the State.

(2) LAND INCLUDED.—The Conservation Area shall consist of approximately 52,872 acres of Bureau of Land Management land in the State, as generally depicted as “Proposed Lower Dolores River National Conservation Area” on the Map.

(b) PURPOSE.—The purpose of the Conservation Area is to conserve, protect, and enhance the native fish, whitewater boating, recreational, hunting, fishing, scenic, cultural, archaeological, natural, geological, historical, ecological, watershed, wildlife, educational, and scientific resources of the Conservation Area.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal description of the Conservation Area.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

**SEC. 5102. MANAGEMENT OF CONSERVATION AREA.**

(a) IN GENERAL.—The Secretary shall manage the Conservation Area in accordance with—

- (1) this division;
- (2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
- (3) other applicable laws.

(b) USES.—Subject to the provisions of this division, the Secretary shall allow only such uses of the Conservation Area as are consistent with the purpose described in section 5101(b).

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection, management, and monitoring of the Conservation Area.

(B) REVIEW AND REVISION.—The management plan under subparagraph (A) shall, from time to time, be subject to review and revision, in accordance with—

- (i) this division;
- (ii) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
- (iii) other applicable laws.

(2) CONSULTATION AND COORDINATION.—The Secretary shall prepare and revise the management plan under paragraph (1)—

(A) in consultation with—

- (i) the State;
- (ii) units of local government;
- (iii) the public;
- (iv) the Council; and
- (v) the Native Fish Monitoring and Recommendation Team, as described in section 5402(b)(1); and

(B) in coordination with the Secretary of Agriculture, with respect to the development of the separate management plan for the Special Management Area, as described in section 5202(c).

(3) RECOMMENDATIONS.—In preparing and revising the management plan under paragraph (1), the Secretary shall take into consideration any recommendations from the Council.

(4) TREATY RIGHTS.—In preparing and revising the management plan under paragraph (1), taking into consideration the rights and obligations described in section 5402, the Secretary shall ensure that the management plan does not alter or diminish—

- (A) the treaty rights of any Indian Tribe;
- (B) any rights described in the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100-585; 102 Stat. 2973); or
- (C) the operation or purposes of the Dolores Project.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land located within the boundary of the Conservation Area that is acquired by the United States in accordance with section 5401(c) after the date of enactment of this Act shall—

(1) become part of the Conservation Area; and

(2) be managed as provided in this section.

(e) DEPARTMENT OF ENERGY LEASES.—

(1) IN GENERAL.—Nothing in this title affects valid leases or lease tracts existing on the date of enactment of this Act issued under the uranium leasing program of the Department of Energy.

## (2) MANAGEMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), land designated for the program described in paragraph (1) shall be—

- (i) exempt from section 5401(b); and
- (ii) managed in a manner that allow the leases to fulfill the purposes of the program, consistent with the other provisions of this title and title IV.

(B) DESIGNATION.—Land subject to a lease described in paragraph (1) shall be considered part of the Conservation Area and managed in accordance with other provisions of this title on a finding by the Secretary that—

- (i) (I) the lease has expired; and
- (II) the applicable lease tract has been removed from the leasing program by the Secretary of Energy; and
- (ii) the land that was subject to the lease is suitable for inclusion in the Conservation Area.

(C) EFFECT.—Nothing in subparagraph (B) prevents the Secretary of Energy from extending any lease described in paragraph (1).

**SEC. 5103. DOLORES RIVER NATIONAL CONSERVATION AREA ADVISORY COUNCIL.**

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish an advisory council, to be known as the “Dolores River National Conservation Area Advisory Council”.

(b) DUTIES.—The Council shall advise—

(1) the Secretary with respect to the preparation, implementation, and monitoring of the management plan prepared under section 5102(c); and

(2) the Secretary of Agriculture with respect to the preparation, implementation, and monitoring of the management plan prepared under section 5202(c).

(c) APPLICABLE LAW.—The Council shall be subject to—

(1) chapter 10 of title 5, United States Code (commonly referred to as the “Federal Advisory Committee Act”);

(2) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(3) this division.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall include 14 members to be appointed by the Secretary, of whom, to the extent practicable—

(A) 2 members shall represent agricultural water user interests in the Conservation Area or the Dolores River watershed, of whom 1 shall represent the Dolores Water Conservancy District;

(B) 2 members shall represent conservation interests in the Conservation Area;

(C) 2 members shall represent recreation interests in the Conservation Area, 1 of whom shall represent whitewater boating interests;

(D) 1 member shall be a representative of Dolores County, Colorado;

(E) 1 member shall be a representative of San Miguel County, Colorado;

(F) 1 member shall be a representative of Montezuma County, Colorado;

(G) 1 member shall be a private landowner that owns land in immediate proximity to the Conservation Area;

(H) 1 member shall be a representative of Colorado Parks and Wildlife;

(I) 1 member shall be a holder of a grazing-allotment permit in the Conservation Area; and

(J) 2 members shall be representatives of Indian Tribes, 1 of whom shall be a representative of the Ute Mountain Ute Tribe.

(2) REPRESENTATION.—

(A) IN GENERAL.—The Secretary shall ensure that the membership of the Council is fairly balanced in terms of the points of view represented and the functions to be performed by the Council.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The members of the Council described in subparagraphs (B) and (C) of paragraph (1) shall be residents that live within reasonable proximity to the Conservation Area.

(ii) COUNTY REPRESENTATIVES.—The members of the Council described in subparagraphs (D) and (E) of paragraph (1) shall be—

(I) residents of the respective counties referred to in those subparagraphs; and

(II) capable of representing the interests of the applicable board of county commissioners.

(e) TERMS OF OFFICE.—

(1) IN GENERAL.—The term of office of a member of the Council shall be 5 years.

(2) REAPPOINTMENT.—A member may be reappointed to the Council on completion of the term of office of the member.

(f) COMPENSATION.—A member of the Council—

(1) shall serve without compensation for service on the Council; but

(2) may be reimbursed for qualified expenses of the member.

(g) CHAIRPERSON.—The Council shall elect a chairperson from among the members of the Council.

(h) MEETINGS.—

(1) IN GENERAL.—The Council shall meet at the call of the chairperson—

(A) not less frequently than quarterly until the management plan under section 5102(c) is developed; and

(B) thereafter, at the call of the Secretary.

(2) PUBLIC MEETINGS.—Each meeting of the Council shall be open to the public.

(3) NOTICE.—A notice of each meeting of the Council shall be published in advance of the meeting.

(i) TECHNICAL ASSISTANCE.—The Secretary shall provide, to the maximum extent practicable in accordance with applicable law, any information and technical services requested by the Council to assist in carrying out the duties of the Council.

(j) RENEWAL.—The Secretary shall ensure that the Council charter is renewed as required under applicable law.

(k) DURATION.—The Council—

(1) shall continue to function for the duration of existence of the Conservation Area; but

(2) on completion of the management plan, shall only meet—

(A) at the call of the Secretary; or

(B) in the case of a review or proposed revision to the management plan.

**TITLE II—DOLORES RIVER SPECIAL MANAGEMENT AREA****SEC. 5201. DESIGNATION OF DOLORES RIVER SPECIAL MANAGEMENT AREA.**

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Subject to valid existing rights, there is established the Dolores River Special Management Area in the State.

(2) LAND INCLUDED.—The Special Management Area shall consist of approximately 15,452 acres of Federal land in the San Juan National Forest in the State, including National Forest System land in the Dolores River segment that extends from the Dolores Project boundary downstream to the boundary of the San Juan National Forest, as of the date of enactment of this Act, as generally depicted as “Proposed Dolores River Special Management Area” on the Map.

(b) PURPOSE.—The purpose of the Special Management Area is to conserve, protect, and enhance the native fish, whitewater boating, recreational, hunting, fishing, scenic, cultural, archaeological, natural, geological, historical, ecological, watershed, wildlife, educational, and scientific resources of the Special Management Area.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the

Secretary shall file a map and legal description of the Special Management Area with the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—The map and legal description prepared under paragraph (1) shall have the same force and effect as if included in this title, except that the Secretary may correct minor errors in the map or legal description.

(3) PUBLIC AVAILABILITY.—A copy of the map and legal description shall be on file and available for public inspection in the appropriate offices of the Forest Service.

**SEC. 5202. MANAGEMENT OF SPECIAL MANAGEMENT AREA.**

(a) IN GENERAL.—The Secretary shall manage the Special Management Area in accordance with—

(1) this division;

(2) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); and

(3) other applicable laws.

(b) USES.—The Secretary shall allow only such uses of the Special Management Area as the Secretary determines would further the purpose of the Special Management Area, as described in section 5201(b).

(c) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Secretary shall develop a management plan for the long-term protection, management, and monitoring of the Special Management Area.

(B) REVIEW AND REVISION.—The management plan under subparagraph (A) shall, from time to time, be subject to review and revision in accordance with—

(i) this division;

(ii) the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.); and

(iii) other applicable laws.

(2) CONSULTATION AND COORDINATION.—The Secretary shall prepare and revise the management plan under paragraph (1)—

(A) in consultation with—

- (i) the State;
- (ii) units of local government;
- (iii) the public;
- (iv) the Council; and
- (v) the Native Fish Monitoring and Recommendation Team, as described in section 5402(b)(1); and

(B) in coordination with the Secretary of the Interior, with respect to the development of the separate management plan for the Conservation Area, as described in section 5102(c).

(3) RECOMMENDATIONS.—In preparing and revising the management plan under paragraph (1), the Secretary shall take into consideration any recommendations from the Council.

(4) TREATY RIGHTS.—In preparing and revising the management plan under paragraph (1), taking into consideration the rights and obligations described in section 5402, the Secretary shall ensure that the management plan does not alter or diminish—

(A) the treaty rights of any Indian Tribe;

(B) any rights described in the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100-585; 102 Stat. 2973); or

(C) the operation or purposes of the Dolores Project.

(d) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land located within the boundary of the Special Management Area that is acquired by the United States in accordance with section 5401(c) after the date of enactment of this Act shall—

(1) become part of the Special Management Area; and

(2) be managed as provided in this section.

**TITLE III—TECHNICAL MODIFICATIONS TO POTENTIAL ADDITIONS TO NATIONAL WILD AND SCENIC RIVERS SYSTEM**

**SEC. 5301. PURPOSE.**

The purpose of this title is to release portions of the Dolores River and certain tributaries from designation for potential addition under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) or from further study under that Act.

**SEC. 5302. RELEASE OF DESIGNATED SEGMENTS FROM DOLORES RIVER CONGRESSIONAL STUDY AREA.**

Section 5(a)(56) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)(56)) is amended by inserting “and the segments of the Dolores River located in the Dolores River National Conservation Area designated by the Dolores River National Conservation Area and Special Management Area Act” before the period at the end.

**SEC. 5303. APPLICABILITY OF CONTINUING CONSIDERATION PROVISION.**

Section 5(d)(1) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(d)(1)) shall not apply to—

- (1) the Conservation Area; or
- (2) the Special Management Area.

**TITLE IV—GENERAL PROVISIONS**

**SEC. 5401. MANAGEMENT OF COVERED LAND.**

(a) **MOTORIZED VEHICLES.—**

(1) **IN GENERAL.—**Except in cases in which motorized vehicles are needed for administrative purposes or to respond to an emergency, the use of motorized vehicles in the covered land shall be permitted only on designated routes.

(2) **ROAD CONSTRUCTION.—**Except as necessary for administrative purposes, protection of public health and safety, or providing reasonable access to private property, the Secretary shall not construct any permanent or temporary road within the covered land after the date of enactment of this Act.

(b) **WITHDRAWALS.—**Subject to valid existing rights, all covered land, including any land or interest in land that is acquired by the United States within the covered land after the date of enactment of this Act, is withdrawn from—

- (1) entry, appropriation or disposal under the public land laws;
- (2) location, entry, and patent under the mining laws; and
- (3) operation of the mineral leasing, mineral materials, and geothermal leasing laws, except as provided in section 5102(e).

(c) **WILLING SELLERS.—**Any acquisition of land or interests in land under this division shall be only by purchase from willing sellers, donation, or exchange.

(d) **GRAZING.—**The Secretary shall issue and administer any grazing leases or permits and trailing permits and administer allotments in the covered land in accordance with the laws (including regulations) applicable to the issuance and administration of leases and permits on other land under the jurisdiction of the Bureau of Land Management or Forest Service, as applicable.

(e) **ACCESS TO PRIVATE LAND.—**To ensure reasonable use and enjoyment of private property (whether in existence on the date of enactment of this Act or in an improved state), the Secretary shall grant reasonable and feasible access through the covered land to any private property that is located within or adjacent to the covered land, if other routes to the private property are blocked by physical barriers, such as the Dolores River or the cliffs of the Dolores River.

(f) **EASEMENTS.—**The Secretary may lease or acquire easements on private land from willing lessors, donors, or sellers for recreation, access, conservation, or other permitted uses, to the extent necessary to fulfill

the purposes of the Conservation Area or Special Management Area, as applicable.

(g) **WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—**The Secretary may take any measures that the Secretary determines to be necessary to control fire, insects, and diseases in the covered land (including, as the Secretary determines to be appropriate, the coordination of the measures with the State or a local agency).

(h) **MANAGEMENT OF PONDEROSA GORGE.—**

(1) **IN GENERAL.—**The Secretary shall manage the areas of the Conservation Area and Special Management Area identified on the Map as “Ponderosa Gorge” in a manner that maintains the wilderness character of those areas as of the date of enactment of this Act.

(2) **PROHIBITED ACTIVITIES.—**Subject to paragraphs (3) and (4), in the areas described in paragraph (1), the following activities shall be prohibited:

(A) New permanent or temporary road construction or the renovation of nonsystem roads in existence on the date of enactment of this Act.

(B) The use of motor vehicles, motorized equipment, or mechanical transport, except as necessary to meet the minimum requirements for the administration of the Federal land, to protect public health and safety, or to conduct ecological restoration activities to improve the aquatic habitat of the Dolores River channel.

(C) Projects undertaken for the purpose of harvesting commercial timber.

(3) **UTILITY CORRIDOR.—**Nothing in this subsection affects the operation, maintenance, or location of the utility right-of-way within the corridor, as depicted on the Map.

(4) **EFFECT ON CERTAIN VEGETATION MANAGEMENT PROJECTS.—**Nothing in this subsection—

(A) affects the implementation of the Lone Pine Vegetation Management Project authorized by the Forest Service in a decision notice dated January 23, 2020; or

(B) prohibits activities relating to the harvest of merchantable products that are by-products of activities conducted—

- (i) for ecological restoration; or
- (ii) to further the purposes of this division.

(i) **EFFECT.—**Nothing in this division prohibits the Secretary from issuing a new permit and right-of-way within the covered land for a width of not more than 150 feet for a right-of-way that serves a transmission line in existence on the date of enactment of this Act, on the condition that the Secretary shall relocate the right-of-way in a manner that furthers the purposes of this division.

(j) **CLIMATOLOGICAL DATA COLLECTION.—**Subject to such terms and conditions as the Secretary may require, nothing in this division precludes the installation and maintenance of hydrologic, meteorological, or climatological collection devices in the covered land if the facilities and access to the facilities are essential to public safety, flood warning, flood control, water reservoir operation activities, or the collection of hydrologic data for water resource management purposes.

**SEC. 5402. PROTECTION OF WATER RIGHTS AND OTHER INTERESTS.**

(a) **DOLORES PROJECT.—**

(1) **OPERATION.—**The Dolores Project and the operation of McPhee Reservoir shall continue to be the responsibility of, and be operated by, the Secretary, in cooperation with the Dolores Water Conservancy District, in accordance with applicable laws and obligations.

(2) **EFFECT.—**Nothing in this division affects the Dolores Project or the current or future operation of McPhee Reservoir in accordance with—

- (A) the reclamation laws;
- (B) any applicable—

(i) Dolores Project water contract, storage contract, or carriage contract; or

(ii) allocation of Dolores Project water;

(C) the environmental assessment and finding of no significant impact prepared by the Bureau of Reclamation Upper Colorado Region and approved August 2, 1996;

(D) the operating agreement entitled “Operating Agreement, McPhee Dam and Reservoir, Contract No. 99-WC-40-R6100, Dolores Project, Colorado” and dated April 25, 2000 (or any subsequent renewal or revision of that agreement);

(E) mitigation measures for whitewater boating, including any such measure described in—

(i) the document entitled “Dolores Project Colorado Definite Plan Report” and dated April 1977;

(ii) the Dolores Project final environmental statement dated May 9, 1977; or

(iii) a document referred to in subparagraph (C) or (D);

(F) applicable Federal or State laws relating to the protection of the environment, including—

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

(ii) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

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

(G) the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100-585; 102 Stat. 2973).

(b) **MANAGEMENT OF FLOWS.—**

(1) **IN GENERAL.—**In managing available flows below McPhee Dam to conserve, protect, and enhance the resources described in sections 5101(b) and 5201(b) of the Dolores River within the covered land, including native fish and whitewater boating resources, the Secretary shall seek to provide regular and meaningful consultation and collaboration with interested stakeholders, including the Native Fish Monitoring and Recommendation Team, which includes water management entities, affected counties, conservation interests, whitewater boating interests, Colorado Parks and Wildlife, and the Ute Mountain Ute Tribe, during the process of decision making.

(2) **ANNUAL REPORT.—**Beginning on the date that is 1 year after the date of enactment of this Act and annually thereafter, the Commissioner of Reclamation shall prepare and make publically available a report that describes any progress with respect to the conservation, protection, and enhancement of native fish in the Dolores River.

(c) **WATER RESOURCE PROJECTS.—**

(1) **IN GENERAL.—**Subject to valid existing rights and paragraph (2), after the date of enactment of this Act, the Secretary or any other officer, employee, or agent of the United States may not assist by loan, grant, license, or otherwise in the construction or modification of any water resource project—

(A) located on the covered land that would—

(i) affect the free-flowing character of any stream within the covered land; or

(ii) unreasonably diminish the resource values described in sections 5101(b) and 5201(b) of the Dolores River within the covered land; or

(B) located outside the covered land that would unreasonably diminish the resource values described in sections 5101(b) and 5201(b) of the Dolores River within the covered land.

(2) **LIMITATIONS.—**Subject to the requirements of this section, nothing in paragraph (1)—

- (A) prevents, outside the covered land—
  - (i) the construction of small diversion dams or stock ponds;

(ii) new minor water developments in accordance with existing decreed water rights; or

(iii) minor modifications to structures; or

(B) affects access to, or operation, maintenance, relicensing, repair, or replacement of, existing water resource projects.

(d) EFFECT.—Nothing in this division—

(1) affects—

(A) any water right that is—

(i) decreed under the laws of the State; and

(ii) in existence on the date of enactment of this Act;

(B) the use, allocation, ownership, or control, in existence on the date of enactment of this Act, of any water or water right;

(C) any vested absolute or decreed conditional water right in existence on the date of enactment of this Act, including any water right held by the United States;

(D) any interstate water compact in existence on the date of enactment of this Act; or

(E) State jurisdiction over any water law, water right, or adjudication or administration relating to any water resource;

(2) imposes—

(A) any mandatory streamflow requirement within the covered land; or

(B) any Federal water quality standard within, or upstream of, the covered land that is more restrictive than would be applicable if the covered land had not been designated as the Conservation Area or Special Management Area under this division; or

(3) constitutes an express or implied reservation by the United States of any reserved or appropriative water right within the covered land.

#### SEC. 5403. EFFECT ON PRIVATE PROPERTY AND REGULATORY AUTHORITY.

(a) EFFECT.—Nothing in this division—

(1) affects valid existing rights;

(2) requires any owner of private property to bear any costs associated with the implementation of the management plan under this division;

(3) affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State;

(4) requires a change in or affects local zoning laws of the State or a political subdivision of the State; or

(5) affects—

(A) the jurisdiction over, use, or maintenance of county roads in the covered land; or

(B) the administration of the portion of the road that is not a county road and that is commonly known as the “Dolores River Road” within the Conservation Area, subject to the condition that the Secretary shall not improve the road beyond the existing primitive condition of the road.

(b) ADJACENT MANAGEMENT.—

(1) NO BUFFER ZONES.—The designation of the Conservation Area and the Special Management Area by this division shall not create any protective perimeter or buffer zone around the Conservation Area or Special Management Area, as applicable.

(2) PRIVATE LAND.—Nothing in this division requires the prohibition of any activity on private land outside the boundaries of the Conservation Area or the Special Management Area that can be seen or heard from within such a boundary.

#### SEC. 5404. TRIBAL RIGHTS AND TRADITIONAL USES.

(a) TREATY RIGHTS.—Nothing in this division affects the treaty rights of any Indian Tribe, including rights under the Agreement of September 13, 1873, ratified by the Act of April 29, 1874 (18 Stat. 36, chapter 136).

(b) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions as the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of the covered land by members of Indian Tribes—

(1) for traditional ceremonies; and

(2) as a source of traditional plants and other materials.

**SA 6005.** Mr. BENNET (for himself and Mr. HICKENLOPPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1094. GUNNISON OUTDOOR RESOURCES PROTECTION.

(a) DEFINITIONS.—In this section:

(1) COLLABORATIVELY DEVELOPED.—The term “collaboratively developed”, with respect to a project, means the project is developed and implemented through a collaborative process that—

(A) includes multiple interested persons representing diverse interests; and

(B)(i) is transparent and nonexclusive; or

(ii) meets the requirements for a resource advisory committee under—

(I) for projects carried out on National Forest System land, subsections (c) through (f) of section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125); or

(II) for projects carried out on Bureau of Land Management land, subpart 1784 of part 1700 of title 43, Code of Federal Regulations (or successor regulations).

(2) COUNTY.—The term “County” means Gunnison County, Colorado.

(3) COVERED AREA.—The term “covered area” means each of the Special Management Areas, Wildlife Conservation Areas, Protection Areas, and Recreation Management Areas and the Scientific Research and Education Area.

(4) DECOMMISSION.—The term “decommission”, with respect to a road, means—

(A) reestablishing native vegetation on the road;

(B) restoring any natural drainage, watershed function, or other ecological processes that were disrupted or adversely impacted by the road by removing or hydrologically disconnecting the road prism and reestablishing stable slope contours;

(C) effectively blocking the road to vehicular traffic, where feasible; and

(D) developing and implementing an effective monitoring and response plan for invasive species and vehicular traffic incursions.

(5) ECOLOGICAL INTEGRITY.—The term “ecological integrity” has the meaning given the term in section 219.19 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(6) OFF-HIGHWAY VEHICLE.—The term “off-highway vehicle”—

(A) with respect to National Forest System land, has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (or a successor regulation); and

(B) with respect to land managed by the Bureau of Land Management, has the meaning given the term “off-road vehicle” in section 8340.0–5 of title 43, Code of Federal Regulations (or a successor regulation).

(7) OVER-SNOW VEHICLE.—The term “over-snow vehicle” has the meaning given the term in section 212.1 of title 36, Code of Federal Regulations (or a successor regulation).

(8) PROTECTION AREA.—The term “Protection Area” means a protection area designated by subsection (d)(1).

(9) RECREATION MANAGEMENT AREA.—The term “Recreation Management Area” means a recreation management area designated by subsection (e)(1).

(10) RESTORE.—The term “restore” has the meaning given the term in section 219.19 of title 36, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(11) SCIENTIFIC RESEARCH AND EDUCATION AREA.—The term “Scientific Research and Education Area” means the Rocky Mountain Scientific Research and Education Area designated by subsection (f)(1).

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

(A) the Secretary of Agriculture (acting through the Chief of the Forest Service), with respect to National Forest System land; and

(B) the Secretary of the Interior with respect to land managed by the Director of the Bureau of Land Management.

(13) SPECIAL MANAGEMENT AREA.—The term “Special Management Area” means a special management area designated by subsection (b)(1).

(14) STATE.—The term “State” means the State of Colorado.

(15) WILDERNESS AREA.—The term “wilderness area” means any area designated as wilderness by the amendments to section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103–77) made by subsection (g)(1).

(16) WILDLAND-URBAN INTERFACE.—The term “wildland-urban interface” means land within a covered area that is within ¼ mile of the interface and intermix areas mapped as the wildland-urban interface in the document entitled “The 2010 Wildland-Urban Interface of the Conterminous United States” and published by the Department of Agriculture in 2015.

(17) WILDLIFE CONSERVATION AREA.—The term “Wildlife Conservation Area” means a wildlife conservation area designated by subsection (c)(1).

(18) WINTER TRAVEL MANAGEMENT PLAN.—The term “winter travel management plan” means a decision designating roads, trails, or areas for over-snow vehicle use in accordance with—

(A) in the case of Forest Service land within a covered area, subpart C of part 212 of title 36, Code of Federal Regulations (or successor regulations); and

(B) in the case of Bureau of Land Management land within a covered area, subpart 8342 of title 43, Code of Federal Regulations (or successor regulations).

(b) DESIGNATION OF SPECIAL MANAGEMENT AREAS.—

(1) DESIGNATION.—

(A) AMERICAN FLAG SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 36,171 acres, as generally depicted as “American Flag SMA” on the map entitled “Sheet 4: Brush Creek, Cement Creek, and Spring Creek” and dated August 27, 2024, is designated as the “American Flag Special Management Area”.

(B) BECKWITHS SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 24,031 acres, as generally depicted as “Beckwiths SMA” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “Beckwiths Special Management Area”.

(C) CLEAR FORK SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 37,998 acres, as generally depicted as “Clear Fork SMA” on the map entitled

“Sheet 2: McClure Pass” and dated August 27, 2024, is designated as the “Clear Fork Special Management Area”.

(D) MCINTOSH MOUNTAIN SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Bureau of Land Management and the Forest Service comprising approximately 22,497 acres, as generally depicted as “McIntosh Mountain SMA” on the map entitled “Sheet 8: Gunnison Valley and Ohio Pass” and dated August 27, 2024, is designated as the “McIntosh Mountain Special Management Area”.

(E) NORTH POVERTY GULCH SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 5,476 acres, as generally depicted as “North Poverty Gulch SMA” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “North Poverty Gulch Special Management Area”.

(F) PILOT KNOB SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 16,973 acres, as generally depicted as “Pilot Knob SMA” on the map entitled “Sheet 2: McClure Pass” and dated August 27, 2024, is designated as the “Pilot Knob Special Management Area”.

(G) SIGNAL PEAK SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Bureau of Land Management and the Forest Service comprising approximately 28,345 acres, as generally depicted as “Signal Peak SMA” on the map entitled “Sheet 9: Cabin Creek” and dated August 27, 2024, is designated as the “Signal Peak Special Management Area”.

(H) UNION PARK SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 22,483 acres, as generally depicted as “Union Park SMA” on the map entitled “Sheet 5: Union Park” and dated August 27, 2024, is designated as the “Union Park Special Management Area”.

(I) WHETSTONE HEADWATERS SPECIAL MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service and the Bureau of Land Management comprising approximately 20,676 acres, as generally depicted as “Whetstone Headwaters SMA” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “Whetstone Headwaters Special Management Area”.

(2) PURPOSE.—The purpose of the Special Management Areas is to conserve, protect, and enhance for the benefit of present and future generations the natural, scenic, scientific, cultural, watershed, recreation, and wildlife resources of the Special Management Areas.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the Special Management Areas in a manner that—

(i) conserves, protects, and enhances the resources of the Special Management Areas; and

(ii) is in accordance with—

(I) this section; and

(II) other applicable laws.

(B) USES.—

(i) IN GENERAL.—The Secretary shall only allow uses of the Special Management Areas that the Secretary determines would further the purpose described in paragraph (2).

(ii) VEHICLE AND BICYCLE USE.—

(I) IN GENERAL.—The use of off-highway vehicles and bicycles in the Special Manage-

ment Areas shall be permitted only on roads, trails, and areas designated for use by those vehicles on the date of enactment of this Act, except—

(aa) as needed for administrative purposes;

(bb) to respond to an emergency; or

(cc) as authorized under subclauses (II) and (III).

(II) WINTER TRAVEL MANAGEMENT.—For any portion of a Special Management Area for which the Secretary has not adopted a winter travel management plan as of the date of enactment of this Act, the Secretary—

(aa) shall, not later than 3 years after the date of enactment of this Act, adopt a winter travel management plan with respect to the applicable portion of the Special Management Area; and

(bb) may, during any period beginning on the date of enactment of this Act and ending on the date of adoption of a winter travel management plan for the applicable portion under item (aa), permit the use of over-snow vehicles in the applicable portion of the Special Management Area in accordance with the applicable land management plan or other applicable management direction.

(III) POTENTIAL TRAILS.—The Secretary may permit—

(aa) the use of bicycles on the potential trails described in subparagraph (C) if the trails are designated by the Secretary for the use; and

(bb) the use of off-highway vehicles on the potential trails described in clauses (i), (iii), and (vi) of subparagraph (C) if the trails are designated by the Secretary for the use.

(C) LIMITATION.—Nothing in this subsection affects the potential development, in accordance with applicable law, of—

(i) a proposed trail of less than 50 inches in width, commonly known as the “Big Grassy Trail”, within the American Flag Special Management Area designated by paragraph (1)(A);

(ii) the proposed trails, commonly known as the “Crested Butte to Paonia Trail” and the “Crested Butte to Carbondale Trail”, within the Beckwiths Special Management Area designated by paragraph (1)(B);

(iii) the proposed trails, commonly known as the “Antelope Ridge Trail and Connector”, the “East West Antelope Trail”, the “West Antelope Trail”, and the “Mill Creek Connector”, within the McIntosh Mountain Special Management Area designated by paragraph (1)(D);

(iv) the proposed trail, commonly known as the “Gunnison to Crested Butte Trail”, and the trails generally depicted in figure 7 of the document entitled “Candidate Conservation Agreement: For the Gunnison sage-grouse, *Centrocercus minimus*—Gunnison Basin Population” and dated 2012 within the Signal Peak Special Management Area designated by paragraph (1)(G);

(v) the proposed trails, commonly known as the “Gunnison to Crested Butte Trail” and the “Baxter Gulch to Splain’s Gulch Trail”, in the Whetstone Headwaters Special Management Area designated by paragraph (1)(I); or

(vi) the proposed trail, commonly known as the “Splain’s Gulch to Carbon Creek Trail”, in the Whetstone Headwaters Special Management Area designated by paragraph (1)(I).

(c) DESIGNATION OF WILDLIFE CONSERVATION AREAS.—

(1) DESIGNATION.—

(A) CABIN CREEK WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Bureau of Land Management and the Forest Service comprising approximately 29,518 acres, as generally depicted as “Cabin Creek WCA” on the map entitled “Sheet 9: Cabin Creek” and dated August 27, 2024, is

designated as the “Cabin Creek Wildlife Conservation Area”.

(B) FLAT TOP WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 28,844 acres, as generally depicted as “Flat Top WCA” on the map entitled “Sheet 8: Gunnison Valley and Ohio Pass” and dated August 27, 2024, is designated as the “Flat Top Wildlife Conservation Area”.

(C) LAKE GULCH AND CEBOLLA CREEK WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Bureau of Land Management comprising approximately 50,535 acres, as generally depicted as “Lake Gulch and Cebolla Creek WCA” on the map entitled “Sheet 11: Lake Fork” and dated August 27, 2024, is designated as the “Lake Gulch and Cebolla Creek Wildlife Conservation Area”.

(D) MATCHLESS WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service and the Bureau of Land Management comprising approximately 12,975 acres, as generally depicted as “Matchless WCA” on the map entitled “Sheet 4: Brush Creek, Cement Creek, and Spring Creek” and dated August 27, 2024, is designated as the “Matchless Wildlife Conservation Area”.

(E) MUNSEY CREEK WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service and the Bureau of Land Management comprising approximately 3,281 acres, as generally depicted as “Munsey Creek WCA” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “Munsey Creek Wildlife Conservation Area”.

(F) PINNACLES WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service and the Bureau of Land Management comprising approximately 27,935 acres, as generally depicted as “Pinnacles WCA” on the map entitled “Sheet 8: Gunnison Valley and Ohio Pass” and dated August 27, 2024, is designated as the “Pinnacles Wildlife Conservation Area”.

(G) POWDERHORN WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Bureau of Land Management comprising approximately 27,668 acres, as generally depicted as “Powderhorn WCA” on the map entitled “Sheet 11: Lake Fork” and dated August 27, 2024, is designated as the “Powderhorn Wildlife Conservation Area”.

(H) SAWTOOTH WILDLIFE CONSERVATION AREA.—Subject to valid existing rights, certain Federal land in the County and in Saguache County, Colorado, managed by the Bureau of Land Management comprising approximately 43,109 acres, as generally depicted as “Sawtooth WCA” on the map entitled “Sheet 11: Lake Fork” and dated August 27, 2024, is designated as the “Sawtooth Wildlife Conservation Area”.

(2) PURPOSES.—The purposes of the Wildlife Conservation Areas are—

(A) to conserve, protect, enhance, and restore for the benefit and enjoyment of present and future generations the wildlife and wildlife habitat of the Wildlife Conservation Areas; and

(B) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the natural, scenic, scientific, cultural, watershed, and recreation resources of the Wildlife Conservation Areas.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the Wildlife Conservation Areas in a manner that—

(i) furthers the purposes of the Wildlife Conservation Areas; and

(ii) is in accordance with—

(I) this section; and

(II) other applicable laws.

(B) USES.—

(i) IN GENERAL.—The Secretary shall only allow uses of the Wildlife Conservation Areas that the Secretary determines would further the purposes described in paragraph (2).

(ii) VEHICLE AND BICYCLE USE.—

(I) IN GENERAL.—The use of off-highway vehicles and bicycles in the Wildlife Conservation Areas shall be permitted only on roads, trails, and areas designated for the uses on the date of enactment of this Act.

(II) EXCEPTIONS.—Notwithstanding subclause (I)—

(aa) off-highway vehicles and bicycles may be permitted—

(AA) as needed for administrative purposes; or

(BB) to respond to an emergency;

(bb) for any portion of a Wildlife Conservation Area for which the Secretary has not adopted a winter travel management plan as of the date of enactment of this Act, the Secretary—

(AA) shall, not later than 3 years after the date of enactment of this Act, adopt a winter travel management plan for the applicable portion of the Wildlife Conservation Area; and

(BB) may, during the period beginning on the date of enactment of this Act and ending on the date of adoption of a winter travel management plan for the applicable portion under subitem (AA), permit the use of over-snow vehicles in the applicable portion of the Wildlife Conservation Area in accordance with the applicable land management plan or other applicable management direction;

(cc) except as authorized under item (aa), the use of off-highway vehicles and bicycles shall be prohibited in the Matchless Wildlife Conservation Area designated by paragraph (1)(D); and

(dd) the Secretary may permit the use of bicycles on the potential trails described in subparagraph (C) if the trails are designated by the Secretary for the use.

(C) LIMITATION.—Nothing in this subsection affects the potential development, in accordance with applicable law, of—

(i) the proposed trail, commonly known as the “Gunnison to Crested Butte Trail”, in the Flat Top Wildlife Conservation Area designated by paragraph (1)(B);

(ii) the proposed trail, commonly known as the “Crested Butte to Carbondale Trail”, in the Munsey Creek Wildlife Conservation Area designated by paragraph (1)(E); or

(iii) the proposed trails, commonly known as the “Tenderfoot Mountain to Bambi’s Trail” and the “Big Loop Trail”, in the Sawtooth Wildlife Conservation Area designated by paragraph (1)(H).

(d) DESIGNATION OF PROTECTION AREAS.—

(1) DESIGNATION.—

(A) CASTLE PROTECTION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 6,390 acres, as generally depicted as “Castle Protection Area” on the map entitled “Sheet 8: Gunnison Valley and Ohio Pass” and dated August 27, 2024, is designated as the “Castle Protection Area”.

(B) DEER CREEK PROTECTION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 3,136 acres, as generally depicted as “Deer Creek Protection Area” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “Deer Creek Protection Area”.

(C) GRANITE BASIN PROTECTION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service and the Bureau of Land Management comprising approximately 9,666 acres, as generally depicted as “Granite Basin Protection Area” on the map entitled “Sheet 4: Brush Creek, Cement Creek, and Spring Creek” and dated August 27, 2024, is designated as the “Granite Basin Protection Area”.

(D) SOUTH POVERTY GULCH PROTECTION AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service and the Bureau of Land Management comprising approximately 1,350 acres, as generally depicted as “South Poverty Gulch Protection Area” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “South Poverty Gulch Protection Area”.

(2) PURPOSES.—The purposes of the Protection Areas are—

(A) to protect the natural and undeveloped character of the Protection Areas; and

(B) to conserve and protect for the benefit and enjoyment of present and future generations the natural, scenic, scientific, cultural, watershed, recreation, and wildlife resources of the Protection Areas.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the Protection Areas in a manner that—

(i) furthers the purposes of the Protection Areas described in paragraph (2); and

(ii) is in accordance with—

(I) this section; and

(II) other applicable laws.

(B) USES.—

(i) IN GENERAL.—The Secretary shall only allow uses of the Protection Areas that the Secretary determines would further the purposes described in paragraph (2).

(ii) VEHICLE USE.—

(I) IN GENERAL.—Except as provided in subclause (II), as needed for administrative purposes, or to respond to an emergency, the use of off-highway vehicles in the Protection Areas is prohibited.

(II) OVER-SNOW VEHICLES.—The Secretary may permit the use of over-snow vehicles in the Deer Creek Protection Area designated by paragraph (1)(B) on roads, trails, and areas designated for the use on the date of enactment of this Act.

(iii) BICYCLES.—The Secretary may permit the use of bicycles in the Protection Areas only—

(I) on roads and trails designated for the use on the date of enactment of this Act;

(II) as needed for administrative purposes;

(III) to respond to an emergency; or

(IV) if designated by the Secretary for the use on the potential trails described in subparagraph (C).

(C) LIMITATION.—Nothing in this subsection affects the potential development, in accordance with applicable law, of—

(i) the proposed trail, commonly known as the “Deer Creek to Brush Creek Connector Trail”, within the Deer Creek Protection Area designated by paragraph (1)(B);

(ii) the proposed trail, commonly known as the “Eccher Exit Trail”, within the Granite Basin Protection Area designated by paragraph (1)(C); or

(iii) the proposed trail, commonly known as the “Lower Loop Trail Extension”, in the South Poverty Gulch Protection Area designated by paragraph (1)(D).

(e) DESIGNATION OF RECREATION MANAGEMENT AREAS.—

(1) DESIGNATION.—

(A) DOUBLE TOP RECREATION MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 14,734 acres, as generally depicted as “Double Top RMA” on the map entitled

“Sheet 4: Brush Creek, Cement Creek, and Spring Creek” and dated August 27, 2024, is designated as the “Double Top Recreation Management Area”.

(B) HORSE RANCH PARK RECREATION MANAGEMENT AREA.—Subject to valid existing rights, certain Federal land in the County managed by the Forest Service comprising approximately 3,513 acres, as generally depicted as “Horse Ranch Park RMA” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “Horse Ranch Park Recreation Management Area”.

(2) PURPOSES.—The purposes of the Recreation Management Areas are—

(A) to provide for, and improve the management of, recreation resources in the Recreation Management Areas for the benefit and enjoyment of present and future generations; and

(B) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the natural, scenic, scientific, cultural, watershed, and wildlife resources of the Recreation Management Areas.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the Recreation Management Areas in a manner that—

(i) furthers the purposes of the Recreation Management Areas described in paragraph (2); and

(ii) is in accordance with—

(I) this section; and

(II) other applicable laws.

(B) USES.—

(i) IN GENERAL.—The Secretary shall only allow uses of the Recreation Management Areas that the Secretary determines would further the purposes described in paragraph (2).

(ii) VEHICLE AND BICYCLE USE.—

(I) DOUBLE TOP.—

(aa) IN GENERAL.—Except as provided in item (bb), the use of off-highway vehicles and bicycles in the Double Top Recreation Management Area designated by paragraph (1)(A) shall be permitted only on roads and trails designated for the use on the date of enactment of this Act.

(bb) EXCEPTIONS.—

(AA) OVER-SNOW VEHICLES.—Except as provided in subitem (BB), the use of over-snow vehicles shall not be permitted in the Double Top Recreation Management Area designated by paragraph (1)(A).

(BB) ADMINISTRATIVE USE.—Nothing in this subsection limits the use of off-highway vehicles in the Double Top Recreation Management Area designated by paragraph (1)(A) as necessary for administrative purposes or to respond to an emergency (including as appropriate for administrative support and emergency response during the Grand Traverse skiing event, as permitted by the Grand Mesa, Uncompahgre, and Gunnison National Forests).

(II) HORSE RANCH PARK.—

(aa) VEHICLE USE.—

(AA) IN GENERAL.—Except as provided in subitem (BB), the use of off-highway vehicles in the Horse Ranch Park Recreation Management Area designated by paragraph (1)(B) is prohibited.

(BB) EXCEPTIONS.—The Secretary may permit the use of over-snow vehicles in the Horse Ranch Park Recreation Management Area designated by paragraph (1)(B) only on roads, trails, and areas designated for the use on the date of enactment of this Act or as needed for administrative purposes or to respond to an emergency.

(bb) BICYCLES.—The Secretary may permit the use of bicycles in the Horse Ranch Park Recreation Management Area designated by paragraph (1)(B) only—

(AA) on roads, trails, and areas designated for the use on the date of enactment of this Act;

(BB) as needed for administrative purposes;

(CC) to respond to an emergency; or

(DD) if designated by the Secretary for the use on the potential trails described in item (cc).

(c) LIMITATION.—Nothing in this subsection affects the potential development, in accordance with applicable law, of the proposed trail commonly known as the “Crested Butte to Paonia Trail”, the proposed trail commonly known as the “Crested Butte to Carbondale Trail”, or the proposed trail commonly known as the “Dark Canyon Loop Trail”, in the Horse Ranch Park Recreation Management Area designated by paragraph (1)(B).

(f) DESIGNATION OF THE ROCKY MOUNTAIN SCIENTIFIC RESEARCH AND EDUCATION AREA.—

(1) DESIGNATION.—Subject to valid existing rights, certain Federal land managed by the Forest Service comprising approximately 12,250 acres, as generally depicted as “Rocky Mountain Scientific Research and Education Area” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024, is designated as the “Rocky Mountain Scientific Research and Education Area”.

(2) PURPOSES.—The purposes of the Scientific Research and Education Area are—

(A) to encourage and preserve conditions necessary for ecological, evolutionary, geological, biogeochemical, climatological, biological, meteorological, and other natural science research and education;

(B) to provide opportunities for the use of continually emerging techniques and methodologies in the conduct of the research and education described in subparagraph (A); and

(C) to conserve, protect, and enhance for the benefit and enjoyment of present and future generations the natural, scenic, scientific, cultural, watershed, recreation, and wildlife resources of the Scientific Research and Education Area.

(3) MANAGEMENT.—

(A) IN GENERAL.—The Secretary shall manage the Scientific Research and Education Area in a manner that—

(i) furthers the purposes of the Scientific Research and Education Area described in paragraph (2); and

(ii) is in accordance with—

(I) this section; and

(II) other applicable laws.

(B) USES.—

(i) IN GENERAL.—The Secretary shall only allow uses of the Scientific Research and Education Area that the Secretary determines would further the purposes described in paragraph (2).

(ii) VEHICLE USE.—Except as needed for administrative purposes or to respond to an emergency, the use of off-highway vehicles in the Scientific Research and Education Area shall be permitted only on roads designated for the use on the date of enactment of this Act.

(iii) BICYCLES.—The use of bicycles in the Scientific Research and Education Area shall be permitted only—

(I) on roads and trails designated for the use by the Secretary on the date of enactment of this Act; or

(II) on trails designated for the use by the Secretary after the date of enactment of this Act if the Secretary determines that the use is consistent with the purposes described in subparagraphs (A) and (B) of paragraph (2).

(4) EFFECT.—Nothing in this subsection limits the authority of the Rocky Mountain Biological Laboratory to conduct scientific research or education activities inside or outside the boundaries of the Scientific Research and Education Area.

(g) DESIGNATION OF WILDERNESS.—

(1) DESIGNATION.—Section 2(a) of the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; 107 Stat. 756; 114 Stat. 1955; 116 Stat. 1055; 128 Stat. 3823) is amended—

(A) in paragraph (6), by striking “1993,” and inserting “1993, and approximately 2,096 acres, as generally depicted as ‘Crystal Creek Wilderness Addition’ and ‘Lottis Creek Wilderness Addition’ on the map entitled ‘Sheet 4: Brush Creek, Cement Creek, and Spring Creek’ and dated August 27, 2024.”;

(B) in paragraph (9)—

(i) by striking “Gunnison” and inserting “Gunnison and White River”; and

(ii) by striking “1993,” and inserting “1993, and approximately 11,780 acres, as generally depicted as ‘Poverty Gulch Wilderness Addition’, ‘Treasure Wilderness Addition’, and ‘Erickson Springs Wilderness Addition’ on the map entitled ‘Sheet 3: Kebler and Schofield Pass’ and dated August 27, 2024.”;

(C) by adding at the end the following:

“(23) MATCHLESS WILDERNESS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 8,656 acres, as generally depicted as ‘Matchless Wilderness’ on the map entitled ‘Sheet 4: Brush Creek, Cement Creek, and Spring Creek’ and dated August 27, 2024, which shall be known as the ‘Matchless Wilderness’.

“(24) EAST CEMENT WILDERNESS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 7,684 acres, as generally depicted as ‘East Cement Wilderness’ on the map entitled ‘Sheet 4: Brush Creek, Cement Creek, and Spring Creek’ and dated August 27, 2024, which shall be known as the ‘East Cement Wilderness’.

“(25) STAR PEAK WILDERNESS.—Certain Federal land in the Grand Mesa, Uncompahgre, Gunnison, and the White River National Forests comprising approximately 7,210 acres, as generally depicted as ‘Star Peak Wilderness’ on the map entitled ‘Sheet 4: Brush Creek, Cement Creek, and Spring Creek’ and dated August 27, 2024, which shall be known as the ‘Star Peak Wilderness’.

“(26) MAROON BELLS-SNOWMASS WILDERNESS ADDITION.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 3,321 acres, as generally depicted as ‘Deer Creek Wilderness Addition’ and ‘Ashcroft Wilderness Addition’ on the map entitled ‘Sheet 4: Brush Creek, Cement Creek, and Spring Creek’ and dated August 27, 2024, which shall be incorporated in, and managed as part of, the Maroon Bells-Snowmass Wilderness.

“(27) WEST ELK WILDERNESS ADDITION.—Certain Federal land in the Gunnison Field Office administered by the Bureau of Land Management, in the Grand Mesa, Uncompahgre, and Gunnison National Forests and in the Curecanti National Recreation Area, comprising approximately 58,603 acres, as generally depicted as ‘Lamborn Wilderness Addition’, ‘Castle Wilderness Addition’, ‘Beaver Wilderness Addition’, ‘Steuken Creek Wilderness Addition’, ‘East Elk Creek Wilderness Addition’, ‘Dillon Mesa Wilderness Addition’, ‘Soap Creek Wilderness Addition’, and ‘Curecanti Wilderness Addition’ on the map entitled ‘Sheet 7: West Elk Additions’ and dated August 27, 2024, which shall be incorporated in, and managed as part of, the West Elk Wilderness.

“(28) UNCOMPAHGRE WILDERNESS ADDITIONS.—Certain Federal land in the Grand Mesa, Uncompahgre, and Gunnison National Forests comprising approximately 13,948 acres, as generally depicted as ‘Uncompahgre Wilderness Additions’ on the map entitled ‘Sheet 10: Uncompahgre Additions’ and dated August 27, 2024, which shall be incorporated

in, and managed as part of, the Uncompahgre Wilderness.

“(29) POWDERHORN WILDERNESS ADDITION.—Certain Federal land in the Gunnison Field Office administered by the Bureau of Land Management comprising approximately 9,604 acres, as generally depicted as ‘Powderhorn Wilderness Addition’ on the map entitled ‘Sheet 11: Lake Fork’ and dated August 27, 2024, which shall be incorporated in, and managed as part of, the Powderhorn Wilderness.”.

(2) APPLICABLE LAW.—Any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) or the Colorado Wilderness Act of 1993 (16 U.S.C. 1132 note; Public Law 103-77) to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act for purposes of administering the wilderness areas.

(3) FIRE, INSECTS, AND DISEASES.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may carry out any measure within the wilderness areas that the Secretary determines to be necessary to control fire, insects, and diseases, subject to any terms and conditions that the Secretary determines to be appropriate.

(4) WEST ELK WILDERNESS BOUNDARY MODIFICATION.—

(A) IN GENERAL.—The boundary of the West Elk Wilderness in the County is modified to exclude the approximately 15 acres generally depicted as “West Elk Wilderness Boundary Pullback” on the map entitled “Sheet 3: Kebler and Schofield Pass” and dated August 27, 2024.

(B) WITHDRAWAL.—Subject to valid existing rights, the Federal land excluded from the boundary of the West Elk Wilderness under subparagraph (A) is withdrawn from—

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

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

(iii) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(5) RELEASE.—Congress finds that, for the purposes of subsection (c) of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the land within the Powderhorn Wilderness Study Area not designated as wilderness by this subsection (or an amendment made by this subsection)—

(A) has been adequately studied for wilderness designation; and

(B) is no longer subject to that subsection.

(h) NORTH FORK VALLEY WATERSHED.—

(1) WITHDRAWAL.—

(A) IN GENERAL.—Subject to valid existing rights, the Federal land in Delta County, Colorado, as generally depicted as “Oil and Gas Withdrawal” on the map entitled “Sheet 6: North Fork Valley” and dated August 27, 2024, is withdrawn from operation of the mineral leasing laws with respect to oil and gas.

(B) EFFECT.—Nothing in subparagraph (A) prevents the Secretary of the Interior from authorizing the use or destruction of methane gas that would leak or be vented into the atmosphere from—

(i) an active or inactive coal mine subject to a Federal coal lease; or

(ii) an abandoned underground coal mine or the site of a former coal mine—

(I) that is not subject to a Federal coal lease; and

(II) with respect to which the Federal interest in land includes mineral rights to the methane gas.

(2) NO SURFACE OCCUPANCY RESTRICTION.—Subject to valid existing rights, the Federal land in Delta County, Colorado, as generally depicted as “Oil and Gas No Surface Occupancy” on the map entitled “Sheet 1: Electric Mountain” and dated August 27, 2024,

shall be subject to a no surface occupancy restriction with respect to oil and gas exploration, development, production, and distribution.

(3) GUNNISON RIVER MOTORIZED BOATS AND BOAT RAMP USE.—

(A) IN GENERAL.—Notwithstanding the limitation on transfer in the Gunnison Gorge National Conservation Area Approved Resource Management Plan dated November 2004, the Secretary of the Interior, in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and subject to subparagraph (B) and such terms and conditions as the Secretary of the Interior may require, may transfer the special recreation use permit for the use of motorized boats within the Gunnison Gorge Wilderness Area, if the use was established before the date of designation of the Gunnison Gorge Wilderness Area.

(B) BOAT RAMP.—The Secretary of the Interior may only transfer the special recreation use permit described in subparagraph (A) under that subparagraph if the Secretary of the Interior determines that—

(i) the right of the public to the permanent and reasonable use of the boat ramp for the Gunnison River at the Gunnison Forks Day Use Area in Delta County, Colorado, has been acquired by a Federal agency or a State or local government; and

(ii) any fees to be charged by the Federal agency or the State or local government for public use of the boat ramp described in clause (i) would be reasonable.

(i) LAND TO BE HELD IN TRUST FOR THE UTE MOUNTAIN UTE TRIBE.—

(1) TRUST.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act and subject to valid existing rights, on request by the Ute Mountain Ute Tribe (referred to in this subsection as the “Tribe”), the Secretary of the Interior shall take into trust for the benefit of the Tribe the approximately 19,080 acres of land in the County, owned in fee by the Tribe, as generally depicted on the map entitled “Ute Mountain Ute Tribe; Pinecrest Ranch—Fee to Trust Legislation” and dated September 20, 2024.

(B) ADMINISTRATION.—The land taken into trust by subparagraph (A) shall—

(i) be part of the reservation of the Tribe; and

(ii) be administered in accordance with the laws and regulations generally applicable to property held in trust by the United States for the benefit of an Indian Tribe.

(C) RESTRICTION ON USE FOR GAMING ACTIVITIES.—The land taken into trust by subparagraph (A) shall not be eligible for, or considered to have been taken into trust for, any gaming activity under any Federal law, including the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) and regulations promulgated by the Secretary of the Interior or the National Indian Gaming Commission under that Act.

(2) SURVEY.—Not later than 1 year after the date of enactment of this Act, if any land is taken into trust under paragraph (1), the Secretary of the Interior shall complete a survey to establish the boundaries of the land taken into trust under that paragraph.

(3) EFFECT.—Nothing in this subsection shall affect the rights, title, interests, or jurisdiction of the County in County Road 25 or its right-of-way.

(j) GENERAL PROVISIONS.—

(1) MAPS AND LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the covered areas and wilderness areas with—

(i) the Committee on Energy and Natural Resources of the Senate; and

(ii) the Committee on Natural Resources of the House of Representatives.

(B) FORCE OF LAW.—Each map and legal description filed under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct any typographical errors in the maps and legal descriptions.

(C) PUBLIC AVAILABILITY.—Each map and legal description filed under subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the Bureau of Land Management or the Forest Service, as applicable.

(2) ACQUISITION OF LAND.—

(A) IN GENERAL.—The Secretary may acquire any land or interest in land within a covered area or wilderness area only through exchange, donation, or purchase from a willing seller.

(B) MANAGEMENT.—Any land or interest in land acquired under subparagraph (A) shall be incorporated in, and administered as a part of, the covered area or wilderness area in which the land or interest in land is located.

(3) WITHDRAWAL.—Subject to valid existing rights, the covered areas and wilderness areas are withdrawn from—

(A) all forms of entry, appropriation, and disposal under the public land laws;

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

(C) operation of the mineral leasing, mining materials, and geothermal leasing laws.

(4) FISH AND WILDLIFE.—Nothing in this section affects the jurisdiction or responsibility of the State with respect to fish and wildlife in the State.

(5) GRAZING.—The laws (including regulations) and policies followed by the Secretary in issuing and administering grazing permits or leases on land under the jurisdiction of the Secretary shall continue to apply within a covered area.

(6) WILDFIRE, INSECT, AND DISEASE MANAGEMENT.—In accordance with this section, the Secretary may—

(A) carry out any measures that the Secretary determines to be necessary to manage wildland fire, and treat hazardous fuels, insects, and diseases, in the covered areas; and

(B) coordinate the measures with the appropriate State or local agency, as the Secretary determines to be necessary.

(7) VEGETATION MANAGEMENT.—

(A) IN GENERAL.—No project shall be carried out in a covered area for the purpose of harvesting commercial timber.

(B) ECOLOGICAL RESTORATION.—Any vegetation management project carried out in a covered area outside of the wildland-urban interface that includes the harvest or sale of merchantable materials shall—

(i) be collaboratively developed;

(ii) limit the sale of merchantable materials to small diameter trees or biomass; and

(iii) in accordance with the best available science—

(I) restore ecological integrity;

(II) maximize the retention of old growth and large trees, as appropriate for the forest type; and

(III) focus on prescribed fire as the primary means to achieve modified wildland fire behavior, as measured by the projected reduction of uncharacteristically severe wildfire effects for the forest type.

(8) ROADS AND TRAILS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), no road shall be constructed in a covered area.

(B) EXCEPTION.—Nothing in subparagraph (A) prevents the Secretary from—

(i) constructing a temporary road in a Protection Area, Recreation Management Area, or Special Management Area as the Secretary determines to be necessary as a min-

imum requirement for carrying out a vegetation management project in accordance with this section;

(ii) responding to an emergency; or

(iii) authorizing the transportation of scientific research equipment within the Scientific Research and Education Area.

(C) DECOMMISSIONING OF TEMPORARY ROADS.—Not later than 3 years after the date on which an applicable vegetation management project is completed, the Secretary shall decommission any temporary road constructed under subparagraph (B)(i) for the applicable vegetation management project.

(D) REROUTING.—Nothing in this section prevents the Secretary from rerouting a trail within a covered area to protect public safety or natural resources from degradation, as determined to be appropriate by the Secretary.

(9) WATER RIGHTS.—Nothing in this section affects the use or allocation of any absolute or conditional water right that is—

(A) decreed under the laws of the State; and

(B) in existence on the date of enactment of this Act.

(10) NO BUFFER ZONES.—

(A) IN GENERAL.—Nothing in this section establishes a protective perimeter or buffer zone around a covered area or wilderness area.

(B) OUTSIDE ACTIVITIES.—The fact that a non-wilderness activity or use on land outside of a covered area or wilderness area can be seen or heard from an area within a covered area or wilderness area shall not preclude the conduct of the activity or use outside the boundary of the covered area or wilderness area.

(11) SEASONAL CLOSURES.—As appropriate and in accordance with applicable law, the Secretary shall develop and implement seasonal closures for off-highway vehicles and bicycles to protect wildlife and wildlife habitat in—

(A) the McIntosh Mountain Special Management Area designated by subsection (b)(1)(D);

(B) the Signal Peak Special Management Area designated by subsection (b)(1)(G);

(C) the Cabin Creek Wildlife Conservation Area designated by subsection (c)(1)(A);

(D) the Flat Top Wildlife Conservation Area designated by subsection (c)(1)(B);

(E) the Lake Gulch and Cebolla Creek Wildlife Conservation Area designated by subsection (c)(1)(C); and

(F) the Pinnacles Wildlife Conservation Area designated by subsection (c)(1)(F).

(12) RESTORATION ACTIVITIES.—

(A) IN GENERAL.—As appropriate and in accordance with applicable law, the Secretary shall conduct wet meadow and riparian restoration projects to improve climate resiliency and wildlife habitat in—

(i) the McIntosh Mountain Special Management Area designated by subsection (b)(1)(D);

(ii) the Signal Peak Special Management Area designated by subsection (b)(1)(G);

(iii) the Flat Top Wildlife Conservation Area designated by subsection (c)(1)(B);

(iv) the Lake Gulch and Cebolla Creek Wildlife Conservation Area designated by subsection (c)(1)(C);

(v) the Pinnacles Wildlife Conservation Area designated by subsection (c)(1)(F); and

(vi) the Sawtooth Wildlife Conservation Area designated by subsection (c)(1)(H).

(B) COLLABORATION.—In carrying out the projects described in subparagraph (A), the Secretary shall seek to collaborate with—

(i) the Colorado Division of Parks and Wildlife;

(ii) the Upper Gunnison River Water Conservancy District;

(iii) the County;

(iv) in the case of a project located in the Sawtooth Wildlife Conservation Area designated by subsection (c)(1)(H), Saguache County, Colorado;

(v) the United States Fish and Wildlife Service; and

(vi) other interested entities and individuals.

(13) TRIBAL RIGHTS AND USES.—

(A) TREATY RIGHTS.—Nothing in this section affects the treaty rights of any Indian Tribe.

(B) TRADITIONAL TRIBAL USES.—Subject to any terms and conditions that the Secretary determines to be necessary and in accordance with applicable law, the Secretary shall allow for the continued use of a covered area or wilderness area by members of Indian Tribes—

(i) for traditional ceremonies; and

(ii) as a source of traditional plants and other materials.

**SA 6006.** Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. CONVEYANCE OF FEDERAL LAND TO OURAY, COLORADO.**

(a) DEFINITIONS.—In this section:

(1) CITY.—The term “City” means the City of Ouray, Colorado.

(2) FEDERAL LAND.—The term “Federal land” means—

(A) the site known as “Crystal Reservoir” in Ouray County, Colorado, including—

(i) the lake associated with that reservoir;

(ii) Full Moon Dam and associated facilities, including the spillway and outlet;

(iii) Full Moon Ditch and Reservoir Number 10; and

(iv) all infrastructure associated with the reservoir; and

(B) the parcel comprising approximately 45 acres of land underlying and surrounding Crystal Reservoir, as depicted on the Map, managed by the Forest Service as necessary for access for repair, operation, and maintenance of Crystal Reservoir and the features described in clauses (i) through (iv) of subparagraph (A).

(3) MAP.—The term “Map” means the map prepared by the Forest Service entitled “Crystal Reservoir Conveyance” and dated June 23, 2025.

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(b) CONVEYANCE.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the City—

(1) except as otherwise provided in this Act, all right, title, and interest of the United States in and to the Federal land; and

(2) all right, title and interest of the United States in and to any water rights held for use on, appurtenant to, or otherwise associated with the Federal land, including the Full Moon Ditch and Reservoir Number 10 water rights described in the decree of the State of Colorado in Civil Action No. 1959, dated May 11, 1942.

(c) REQUIREMENTS.—The conveyance under subsection (b) shall—

(1) convey fee simple title to the Federal land;

(2) be subject to—

(A) valid existing rights;

(B) the reservation to the United States, in the deed conveying the Federal land, of easements for each road, trail, and trailhead in existence on the date of the conveyance, together with such additional rights as are reasonably necessary for access, administration, operation, maintenance, repair, and replacement of those improvements; and

(C) the reversionary interest described in subsection (e)(3); and

(3) except as provided in subsection (d)(2), be completed at no cost to the City.

(d) COSTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall pay all costs associated with the conveyance under subsection (b).

(2) SURVEY.—The City shall pay all costs associated with any surveys conducted for the purpose of accomplishing the conveyance under subsection (b).

(e) TERMS AND CONDITIONS.—

(1) IN GENERAL.—As a condition of the conveyance of the Federal land under subsection (b), the City shall agree—

(A) effective beginning on the date of the conveyance, to assume responsibility for the costs of all repairs, operations, maintenance, replacement, rehabilitation, and regulatory compliance relating to Full Moon Dam and related infrastructure, including Full Moon Ditch and Reservoir Number 10;

(B) to maintain the Federal land in perpetuity as open space, to be held open—

(i) for public access for recreational activities, including fishing, except as reasonably necessary for public safety, resource protection, emergency response, or the operation, maintenance, repair, replacement, or rehabilitation of Full Moon Dam, Crystal Reservoir, or related infrastructure; and

(ii) not subject to any fee for recreational access;

(C) not to conduct on the Federal land any development, commercial operations, or construction, other than as needed for the operation, maintenance, repair, replacement, rehabilitation, public safety, and regulatory compliance for dam safety of Full Moon Dam, Crystal Reservoir, and related infrastructure, including Full Moon Ditch and Reservoir Number 10; and

(D) not to expand the surface footprint of Crystal Reservoir at normal operating levels (as depicted on the Map) in a manner that would flood, impair, or harm any wetlands located upstream of the Federal land, subject to the condition that deepening Crystal Reservoir in a manner consistent with the water rights of the City shall otherwise be allowed.

(2) NECESSARY ACTION AGREEMENT.—The conveyance under subsection (b) shall be made subject to terms agreed to by the Secretary and the City that authorize the City to take such action on the easements described in subsection (c)(2)(B) as the City determines is reasonable and necessary for—

(A) public safety;

(B) emergency response; or

(C) the operation, maintenance, repair, replacement, or rehabilitation by the City of Full Moon Dam, Crystal Reservoir, or related infrastructure.

(3) OTHER TERMS AND CONDITIONS.—The conveyance under subsection (b) shall be subject to such other terms and conditions as the Secretary determines to be appropriate.

(4) REVERSIONARY INTEREST.—

(A) WRITTEN NOTICE.—If the Federal land conveyed under subsection (b) ceases to be used in accordance with the terms and conditions under this subsection the Secretary shall submit to the City written notice with respect to such use.

(B) REVERSION.—After the 90-day period beginning on the date written notice is submitted to the City under subparagraph (A), if the Federal land conveyed under subsection (b) continues to be used in a manner not in accordance with the terms and conditions under this subsection during such period, the Federal land shall revert to the United States, at the discretion of the Secretary, if the Secretary determines that reversion is in the best interest of the United States.

(f) EASEMENT.—

(1) IN GENERAL.—After the conveyance under subsection (b), the Secretary—

(A) shall recognize a perpetual easement for the Red Mountain Ditch for use by the City—

(i) for the purposes relating to the Ditch specified in the decrees entitled “Case No. 1751-B” and “Case No. 2013CW3040” for the State of Colorado, including the diversion and delivery of water (not to exceed 6 cubic feet per second) for storage in Crystal Reservoir and subsequent beneficial use; and

(ii) to access, operate, maintain, repair, replace, or improve the Ditch and its appurtenances for such purposes; and

(B) may require special use authorizations for non-routine maintenance and repairs of Red Mountain Ditch or for the replacement or improvement of the Ditch.

(2) RED MOUNTAIN DITCH DEFINED.—In this subsection, the term “Red Mountain Ditch” means the Ditch known as Red Mountain Ditch constructed in or about 1945 located, as of the date of the enactment of this Act, on lands administered by the San Juan National Forest and the Grand Mesa, Uncompahgre, and Gunnison National Forest, in Section 14, Township 42 North, Range 8 West, New Mexico Principal Meridian.

(g) WATER RIGHTS.—After the conveyance under subsection (b), the City may use water in Crystal Reservoir for any beneficial use, subject to applicable water laws of the State of Colorado.

(h) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall finalize the Map and a legal description of the Federal land to be conveyed under subsection (b).

(2) CORRECTIONS.—The Secretary and the City, by mutual agreement, may correct any clerical or typographical errors in the Map or legal description under paragraph (1).

(3) MAP ON FILE.—The Map and legal description under paragraph (1) shall be on file and available for public inspection in each appropriate office of the Forest Service.

**SA 6007.** Mr. CORNYN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. REVOCATION OF SECURITY CLEARANCES FOR CERTAIN PERSONS.**

(a) PROHIBITION.—Notwithstanding any other provision of law, the Secretary of Defense shall suspend or revoke a security clearance or eligibility for access to classified information for any retired or separated member of the Armed Forces or civilian employee of the Department of Defense who engages in an activity described in subsection (b).

(b) **ACTIVITIES DESCRIBED.**—The activities described in this subsection are lobbying activities or lobbying contacts for or on behalf of any entity that is—

(1) identified by the Secretary of Defense in the most recent report submitted under section 1260H of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (10 U.S.C. 113 note) as a Chinese military company; or

(2) included in the Non-SDN Chinese Military-Industrial Complex Companies List published by the Department of the Treasury.

(c) **WAIVER.**—The Secretary of Defense may, for periods not to exceed 180 days, waive the application of the prohibition in subsection (a) for an individual if the Secretary certifies to the congressional defense committees that doing so is in the national security interest of the United States.

(d) **DEFINITIONS.**—In this section:

(1) The term “lobbying activities” has the meaning given such term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602).

(2) The term “lobbying contact” has the meaning given such term in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602), except that clause (iv) of paragraph (8)(B)(iv) of such section shall not apply.

**SA 6008.** Mr. CORNYN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ TREATMENT OF EXEMPTIONS UNDER THE FOREIGN AGENTS REGISTRATION ACT OF 1938.**

(a) **SHORT TITLE.**—This section may be cited as the “Preventing Adversary Influence, Disinformation, and Obscured Foreign Financing Act of 2026” or the “PAID OFF Act of 2026”.

(b) **TREATMENT OF EXEMPTIONS UNDER THE FOREIGN AGENTS REGISTRATION ACT OF 1938.**—Section 3 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 613), is amended—

(1) in the matter preceding subsection (a), by inserting “, except as provided in subsection (i)” after “principals”; and

(2) by adding at the end the following:

“(i) **LIMITATIONS.**—The exemptions under subsections (d)(1), (d)(2), and (h) shall not apply to any agent of a foreign principal that is a corporate or government entity that is owned or controlled by 1 or more of the identified countries listed in clauses (i) through (v) of section 1(m)(1)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)(1)(A)).”

(c) **MECHANISM TO AMEND DEFINITION OF “COUNTRY OF CONCERN”.**—Section 1(m) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)) is amended—

(1) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(2) by inserting after paragraph (5) the following:

“(6) **MODIFICATION TO DEFINITION OF ‘COUNTRY OF CONCERN’.**—

“(A) **IN GENERAL.**—The Secretary of State may, in consultation with the Attorney General, propose the addition or deletion of countries described in paragraph (1)(A).

“(B) **SUBMISSION.**—Any proposal described in subparagraph (A) shall—

“(i) be submitted to the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate and the Chairman and Ranking Member of the Committee on the Judiciary of the House of Representatives; and

“(ii) become effective upon enactment of a joint resolution of approval as described in subparagraph (C).

“(C) **JOINT RESOLUTION OF APPROVAL.**—

“(i) **IN GENERAL.**—For purposes of subparagraph (B)(ii), the term ‘joint resolution of approval’ means only a joint resolution—

“(I) that does not have a preamble;

“(II) that includes in the matter after the resolving clause the following: ‘That Congress approves the modification of the definition of “country of concern” under section 1(m) of the State Department Basic Authorities Act of 1956, as submitted by the Secretary of State on \_\_\_\_; and section 1(m)(1)(A) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(m)(1)(A)) is amended by \_\_\_\_.’, the blank spaces being appropriately filled in with the appropriate date and the amendatory language required to modify the list of countries in paragraph (1)(A) of this subsection by adding or deleting 1 or more countries; and

“(III) the title of which is as follows: ‘Joint resolution approving modifications to definition of “country of concern” under section 1(m) of the State Department Basic Authorities Act of 1956.’

“(ii) **REFERRAL.**—

“(I) **SENATE.**—A resolution described in clause (i) that is introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate.

“(II) **HOUSE OF REPRESENTATIVES.**—A resolution described in clause (i) that is introduced in the House of Representatives shall be referred to the Committee on the Judiciary of the House of Representatives.”

(d) **SUNSET.**—The amendments made by this section shall terminate on the date that is 5 years after the date of enactment of this Act.

**SA 6009.** Mr. GRASSLEY (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 1094. SHARING OF INFORMATION WITH RESPECT TO SUSPECTED VIOLATIONS OF INTELLECTUAL PROPERTY RIGHTS.**

Section 628A of the Tariff Act of 1930 (19 U.S.C. 1628a) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “suspects” and inserting “has a reasonable suspicion”; and

(B) in paragraph (1)—

(i) by inserting “, packing materials, containers,” after “its packaging” the first place it appears;

(ii) by striking “and its packaging and labels” after “images of the merchandise” and inserting “, its packaging, packing materials, containers, and labels”; and

(iii) by striking “; and” and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting a semicolon; and

(D) by adding at the end the following:

“(3) may provide to the person nonpublic information about the merchandise that was generated by an online marketplace or other similar market platform, express consignment operator, freight forwarder, or any other entity that plays a role in the sale or importation of merchandise, or the facilitation thereof, into the United States that has been provided to, shared with, or obtained by U.S. Customs and Border Protection; and

“(4) in the case of the provision of nonpublic information described in paragraph (3), shall provide to the person notification of the information transmitted, in accordance with such regulations as the Secretary may prescribe.”; and

(2) in subsection (b)—

(A) in paragraph (3), by striking “; and” and inserting a semicolon;

(B) in paragraph (4), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(5) any other party with an interest in the merchandise, as determined appropriate by the Commissioner.”

**SA 6010.** Ms. BLUNT ROCHESTER (for herself, Mr. COONS, Mr. FETTERMAN, and Ms. ALSOBROOKS) submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ DELAWARE RIVER BASIN CONSERVATION REAUTHORIZATION.**

(a) **FINDINGS.**—Section 3501(2) of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322; 130 Stat. 1771) is amended by inserting “Maryland,” after “Delaware.”

(b) **DEFINITIONS OF BASIN AND BASIN STATE.**—Section 3502 of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322; 130 Stat. 1773) is amended—

(1) in paragraph (1)—

(A) by striking “4-State” and inserting “5-State”; and

(B) by inserting “Maryland,” after “Delaware,”; and

(2) in paragraph (2), by inserting “Maryland,” after “Delaware.”

(c) **PRIORITY.**—Section 3504 of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322; 130 Stat. 1774) is amended by adding at the end the following:

“(d) **PRIORITY.**—In selecting a project to be funded under the grant program, the Secretary may give priority to a project that serves a small, rural, or disadvantaged community.”

(d) **SUNSET.**—Section 3507 of the Water Infrastructure Improvements for the Nation Act (Public Law 114-322; 130 Stat. 1775) is amended by striking “2023” and inserting “2033”.

**SA 6011.** Mr. REED (for himself, Ms. COLLINS, Ms. MURKOWSKI, Mrs. SHAHEEN, and Mr. COONS) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . WEATHERIZATION ASSISTANCE PROGRAM.**

(a) WEATHERIZATION READINESS FUND.—Section 414 of the Energy Conservation and Production Act (42 U.S.C. 6864) is amended by adding at the end the following:

“(d) WEATHERIZATION READINESS FUND.—

“(1) IN GENERAL.—The Secretary shall establish a fund, to be known as the ‘Weatherization Readiness Fund’, from which the Secretary shall distribute funds to States receiving financial assistance under this part, in accordance with subsection (a).

“(2) USE OF FUNDS.—

“(A) IN GENERAL.—A State receiving funds under paragraph (1) shall use the funds for repairs to dwelling units described in subparagraph (B) that will remediate the applicable structural defects or hazards of the dwelling unit so that weatherization measures may be installed.

“(B) DWELLING UNIT.—A dwelling unit referred to in subparagraph (A) is a dwelling unit occupied by a low-income person that, on inspection pursuant to the program under this part, was found to have significant defects or hazards that prevented the installation of weatherization measures under the program.

“(3) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated under section 422, there is authorized to be appropriated to the Secretary to carry out this subsection \$30,000,000 for each of fiscal years 2027 through 2031.”

(b) STATE AVERAGE COST PER UNIT.—

(1) IN GENERAL.—Section 415(c) of the Energy Conservation and Production Act (42 U.S.C. 6865(c)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) in the first sentence, by striking “\$6,500” and inserting “\$15,000”; and

(II) by striking “(c)(1) Except as provided in paragraphs (3) and (4)” and inserting the following:

“(c) FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—Except as provided in paragraphs (3), (4), and (6)”; and

(ii) by conforming the margins of subparagraphs (A) through (D) to the margin of subparagraph (E);

(iii) in subparagraph (D), by striking “, and” and inserting “; and”; and

(iv) in subparagraph (E), by adding a period at the end;

(B) in paragraph (2), in the first sentence, by striking “weatherized (including dwelling units partially weatherized)” and inserting “fully weatherized”;

(C) in paragraph (4), by striking “\$3,000” and inserting “\$6,000”;

(D) in paragraph (5)—

(i) in subparagraph (A)(i), by striking “(6)(A)(ii)” and inserting “(7)(A)(ii)”; and

(ii) by striking “(6)(A)(i)(I)” each place it appears and inserting “(7)(A)(i)(I)”; and

(E) by redesignating paragraph (6) as paragraph (7); and

(F) by inserting after paragraph (5) the following:

“(6) LIMIT INCREASE.—The Secretary may increase the amount of financial assistance provided per dwelling unit under this part beyond the limit specified in paragraph (1) if the Secretary determines that market conditions require such an increase to achieve the purposes of this part.”

(2) CONFORMING AMENDMENT.—Section 414D(b)(1)(C) of the Energy Conservation and Production Act (42 U.S.C. 6864d(b)(1)(C)) is amended by striking “415(c)(6)(A)” and inserting “415(c)(7)”.

**SA 6012.** Mr. BOOKER (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . FREEDOM TO HEAL ACT.**

(a) SHORT TITLE.—This Act may be cited as the “Freedom to Heal Act of 2026”.

(b) SPECIAL REGISTRATION REQUIREMENTS RELATED TO RIGHT TO TRY.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following:

“(p) SPECIAL REGISTRATION FOR SCHEDULE I ELIGIBLE INVESTIGATIONAL DRUGS UNDER RIGHT TO TRY.—

“(1) DEFINITIONS.—In this subsection, the terms ‘eligible investigational drug’ and ‘eligible patient’ have the meanings given those terms in section 561B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-0a).

“(2) SPECIAL REGISTRATION PROCESS.—The Attorney General shall register physicians to directly administer eligible investigational drugs in schedule I to eligible patients under section 561B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-0a) in accordance with paragraphs (3) through (8) of this subsection.

“(3) REQUIREMENTS.—

“(A) APPLICATION.—A physician desiring a registration to directly administer an eligible investigational drug as described in paragraph (2) shall submit to the Attorney General an application containing—

“(i) evidence of a valid registration to dispense or administer controlled substances in schedules II through V;

“(ii) evidence of compliance with section 561B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-0a), including—

“(I) documentation from the manufacturer or sponsor verifying the investigational drug in schedule I is an eligible investigational drug;

“(II) an agreement from the manufacturer or sponsor to supply the eligible investigational drug, along with guidance on its administration, to the requesting physician for the treatment of eligible patients; and

“(III) an affirmation that the physician will only directly administer the eligible investigational drug to treat eligible patients in a manner consistent with the guidance provided by the manufacturer or sponsor;

“(iii) the quantity of the eligible investigational drug to be supplied by the manufacturer or sponsor to the physician to treat eligible patients;

“(iv) evidence that the physician may treat eligible patients with eligible investigational drugs under the laws of the State in which the treatment will take place;

“(v) evidence of training, credentials, or experience relevant to treating patients with the eligible investigational drug;

“(vi) a description of the site at which the physician intends to store and administer the eligible investigational drug; and

“(vii) any additional information the Attorney General determines necessary to prevent diversion.

“(B) APPROVAL.—Not later than 45 days after receiving an application containing the information required under subparagraph (A), the Attorney General shall—

“(i) register the applicant; or

“(ii) serve an order to show cause upon the applicant in accordance with section 304(c).

“(4) ELECTRONIC SUBMISSIONS.—The Attorney General shall provide a means for a physician to submit an application under paragraph (3)(A) electronically.

“(5) LIMITATION ON AMOUNTS.—A physician treating eligible patients with an eligible investigational drug in schedule I under this subsection may only possess the amounts of the eligible investigational drug identified in—

“(A) the application submitted to the Attorney General under paragraph (3)(A); or

“(B) a supplemental notification that the physician may submit to the Attorney General if the physician needs additional amounts of the eligible investigational drug for the treatment of eligible patients, which supplemental notification—

“(i) shall include—

“(I) the name of the physician;

“(II) the additional quantity of the eligible investigational drug needed; and

“(III) an attestation that the treatment with the eligible investigational drug is consistent with the scope of treatment that was the subject of the application under paragraph (3)(A); and

“(ii) shall be deemed approved on the date that is 30 days after the date on which the physician submits the supplemental notification to the Attorney General, unless the Attorney General serves an order to show cause upon the applicant in accordance with section 304(c).

“(6) SINGLE REGISTRATION FOR RELATED TREATMENT SITES.—A physician may treat eligible patients with an eligible investigational drug in schedule I under a single registration under this subsection if—

“(A) the treatment occurs exclusively on sites all of which are—

“(i) within the same city or county; and

“(ii) under the control of the same institution, organization, or agency; and

“(B) before commencing the treatment, the physician notifies the Attorney General of each site where the eligible investigational drug will be stored or administered in accordance with paragraph (3)(A)(vi).

“(7) RULEMAKING.—Notwithstanding the requirements of section 553 of title 5, United States Code, not later than 240 days after the date of enactment of this subsection, the Attorney General shall issue an interim final rule to implement this subsection, including with respect to—

“(A) the manner in which an eligible investigational drug may be delivered to an approved registrant;

“(B) the storage and security of an eligible investigational drug;

“(C) the maintenance of records for an approved registrant;

“(D) the process for renewal, suspension, or revocation of a registration; and

“(E) any other matters necessary to ensure effective controls against diversion.

“(8) FINAL RULE.—Not later than 2 years after issuing an interim final rule under paragraph (7), the Attorney General shall issue a final rule to implement this subsection in accordance with section 553 of title 5, United States Code.”

**SA 6013.** Mr. SCHIFF submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction,

and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

**SEC. \_\_\_\_ . COLLABORATION ON ADVERSARIAL THREATS AND AI SECURITY RISKS.**

(a) DEFINITIONS.—In this section:

(1) ANTITRUST LAWS; NON-FEDERAL ENTITY.—The terms “antitrust laws” and “non-Federal entity” have the meanings given those terms, respectively, in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(2) ARTIFICIAL INTELLIGENCE.—The term “artificial intelligence” has the meaning given that term in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 4001 note).

(3) ASSISTANCE.—The term “assistance” includes the provision of software, hardware, data, personnel, and other resources.

(4) COVERED ARTIFICIAL INTELLIGENCE SECURITY PURPOSE.—The term “covered artificial intelligence security purpose” means the purpose of protecting against, identifying, evaluating, testing, analyzing, preventing, investigating, or mitigating a covered artificial intelligence security risk.

(5) COVERED ARTIFICIAL INTELLIGENCE SECURITY RISK.—The term “covered artificial intelligence security risk” means the potential for artificial intelligence, including during development, training, testing, evaluation, deployment, use, or release, to do 1 or more of the following:

(A) Substantially facilitate the development or deployment of a chemical, biological, radiological, nuclear, or offensive cyber weapon.

(B) Cause a disruption to, degradation of, impairment of, or loss of operational control over critical infrastructure that is reasonably likely to result in a significant impact on security, national economic security, national public health or safety, or any combination thereof.

(C) Substantially reduce the ability of a developer, deployer, owner, operator, user, evaluator, auditor, Federal department or agency, or other governmental authority to oversee, evaluate, monitor, control, contain, restrict access to, disable, or terminate such artificial intelligence, if the applicable person or governmental authority has authority or responsibility to do so, including through unauthorized, deceptive, evasive, or malicious activity involving such artificial intelligence.

(D) Autonomously improve, or substantially facilitate the autonomous improvement of the capabilities of artificial intelligence in a manner that creates a reasonable risk of a consequence described in subparagraph (A), (B), or (C).

(E) Be stolen, weaponized, trained, developed, or deployed by a covered nation (as defined in section 4872(f)(2) of title 10, United States Code) or an entity owned, controlled, or directed by a covered nation in a manner that poses a significant threat to the national security, including through covert, clandestine, undisclosed, or otherwise concealed development activities that attempt to evade detection or verification.

(F) Be vulnerable to unauthorized access that—

(i) creates a substantial risk of a consequence described in subparagraphs (A) through (D); or

(ii) is for the benefit of, at the direction of, or under the control of—

(I) a covered nation (as defined in section 4872(f)(2) of title 10, United States Code); or

(II) an entity owned, controlled, or directed by a covered nation.

(6) EXCLUSIVE PURPOSE.—The term “exclusive purpose”, with respect to the provision of information or assistance, means for the purpose of, with not more than an insubstantial part of the information or assistance being for other purposes.

(7) UNAUTHORIZED ACCESS.—The term “unauthorized access” with respect to artificial intelligence—

(A) means unauthorized access or use of artificial intelligence; and

(B) includes—

(i) extraction or copying of model weights, parameters, or other nonpublic model information;

(ii) systematic querying or automated extraction designed to distill, replicate, or reconstruct model capabilities; and

(iii) compromise affecting the integrity, reliability, or security of artificial intelligence, including through malicious code, a backdoor, manipulated data, or compromise of an artificial intelligence model, training dataset, or artificial intelligence component.

(b) ANTITRUST EXEMPTION.—

(1) IN GENERAL.—It shall not be considered a violation of any provision of the antitrust laws for—

(A) 2 or more non-Federal entities to provide or exchange information or assistance relating to a covered artificial intelligence security risk in good faith for the exclusive purpose of a covered artificial intelligence security purpose; or

(B) 2 or more non-Federal entities to provide or exchange information or assistance for the exclusive purpose of coordinating strategies to reduce covered artificial intelligence security risks via delaying or otherwise limiting the release, deployment, use, development, training, testing, or evaluation of artificial intelligence, provided that the non-Federal entities submit prior written notice of the proposed coordinated delay or limitation to the Attorney General and the Federal Trade Commission, detailing the specific covered artificial intelligence security risk and the scope of the proposed restriction.

(2) LIMITATION.—Paragraph (1) shall not apply to a non-Federal entity receiving information or assistance unless the non-Federal entity uses such information or assistance for a covered artificial intelligence security purpose and has implemented reasonable internal controls to limit the extent to which such information or assistance can be used for other purposes.

(3) AFFIRMATIVE DEFENSE.—In any action or proceeding brought under the antitrust laws, the exemption provided under paragraph (1) shall constitute an affirmative defense, and any non-Federal entity claiming the exemption shall bear the burden of proving by a preponderance of the evidence that the entity’s actions were taken in good faith and for the exclusive purpose described in paragraph (1).

(4) RULE OF CONSTRUCTION.—Paragraph (1)(A) shall not be construed to permit price-fixing, allocating a market between competitors, monopolizing or attempting to monopolize a market, boycotting, or exchanges of price or cost information.

(5) EXEMPTION FROM DISCLOSURE.—Any information submitted to the Attorney General or the Federal Trade Commission pursuant to paragraph (1)(B), including any written notice submitted under that subsection and any information derived from such submission that would reveal the substance of such submission, shall be—

(A) used solely for the purpose of subsection (c);

(B) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code; and

(C) withheld, without discretion, from the public under section 552(b)(3) of title 5, United States Code.

(c) INJUNCTIVE RELIEF.—

(1) IN GENERAL.—The Attorney General or the Federal Trade Commission may seek, in a court of competent jurisdiction, an injunction against the initiation or continuation of the provision or exchange of information or assistance by non-Federal entities described in section 3 that violates the antitrust laws if the Attorney General or the Federal Trade Commission determines that the non-Federal entities are not acting in good faith or are otherwise unreasonably engaging in anti-competitive acts.

(2) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

(A) create any immunity or exemption from the antitrust laws if the Attorney General or the Federal Trade Commission determines that the non-Federal entities are not acting in good faith or are otherwise unreasonably engaging in anticompetitive acts; or

(B) to limit any private right of action for any violation of the antitrust laws that is not exempt under subsection (b).

**SA 6014.** Mrs. BLACKBURN (for herself and Mr. WARNOCK) submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle F of title V, insert the following:

**SEC. 553. EXPANSION OF ELIGIBILITY FOR ENROLLMENT IN DEPARTMENT OF DEFENSE EDUCATION ACTIVITY SCHOOLS.**

Section 2164(n) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking “RESERVE COMPONENTS” and inserting “ARMED FORCES”;

(2) in paragraph (1)—

(A) by striking “at the military installation that is the permanent station of such member”;

(B) by striking “automatically”;

(C) by inserting “, on a tuition-free basis,” after “granted enrollment”;

(D) by striking “shall” each place it appears and inserting “may”;

(3) by striking paragraph (2) and inserting the following:

“(2) A member described in this paragraph is a member of the armed forces—

“(A) serving on active duty or full-time National Guard duty;

“(B) not residing on an installation supported by a school established under this section; and

“(C) who has relocated to the member’s permanent station pursuant to an order for a permanent change of station accompanied by dependents.

“(3) This subsection—

“(A) applies only with respect to schools located within the several States; and

“(B) does not apply with respect to schools—

“(i) on installations selected under subsection (c) of section 2164b of this title for participation in the program under subsection (a) of that section; or

“(ii) located in the territories or possessions of the United States.”.

**SA 6015.** Mrs. BLACKBURN (for herself and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 7. INTEROPERABLE CREDENTIALING AND PRIVILEGING SYSTEM OR SYSTEMS FOR MEDICAL PROVIDERS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.**

(a) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs, in consultation with the Domestic Policy Council, shall jointly submit to the appropriate committees of Congress a report on the medical provider credentialing and privileging systems in use by the Department of Defense and the Department of Veterans Affairs.

(2) ELEMENTS.—The report required by paragraph (1) shall include each of the following:

(A) A description of the scope and scale of the medical provider credentialing and privileging systems in use by the Department of Defense and the Department of Veterans Affairs.

(B) A description of the type of data stored on each system.

(C) A description of the portability of provider credentialing and privileging information under each system.

(D) A description of the interoperability between provider credentialing systems.

(E) A description of the risk management system, adverse actions, cross-agency stewardship responsibilities, auditability, and governance of each system.

(F) A description of the limitations and gaps in the interoperability, implementation, and administration of each system.

(G) Recommendations for scaling each system and addressing gaps in the interoperability and administration of each system, or using a new system, with the goal of achieving an interoperable system or systems to be used by both the Department of Defense and the Department of Veterans Affairs.

(b) SELECTION.—Not later than January 1, 2027, the Secretary of Defense and the Secretary of Veterans Affairs, in consultation with the Domestic Policy Council, shall jointly consider appropriate systems in use or not in use by the Department of Defense and the Department of Veterans Affairs to serve as an interoperable credentialing and privileging system or systems for both the Department of Defense and the Department of Veterans Affairs.

(c) CAPABILITY OF SYSTEMS.—The Secretary of Defense and the Secretary of Veterans Affairs shall ensure that the credentialing and privileging system or systems selected under subsection (b) have the capability to import and share provider credentialing and privileging information, including governance information, audit information, data stewardship information necessary to support privileging decisions, and any other necessary information related thereto.

(d) CERTIFICATION OF IMPLEMENTATION.—

(1) CREDENTIALING SYSTEMS.—Not later than January 1, 2028, the Secretary of De-

fense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a written certification that the interoperable credentialing system or systems selected under subsection (b) have been implemented and are operational.

(2) PRIVILEGING SYSTEMS.—Not later than January 1, 2029, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a written certification that the interoperable privileging system or systems selected under subsection (b) have been implemented and are operational.

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

(1) the Committee on Armed Services and the Committee on Veterans’ Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans’ Affairs of the House of Representatives.

**SA 6016.** Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**DIVISION — SAFER STREETS AND COMMUNITIES**

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This division may be cited as the “James T. Woods Community Safety Act”.

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

Sec. 1. Short title; table of contents.

**TITLE I—JAMES T. WOODS ACT**

Sec. 101. Short title.

**Subtitle A—SAFE Act**

Sec. 111. Short title.

Sec. 112. Findings.

Sec. 113. Amendment of Federal sentencing guideline relating to child sexual abuse material.

**Subtitle B—Ending Coercion of Children and Harm Online**

Sec. 121. Short title.

Sec. 122. Coercion of children to commit harm.

Sec. 123. Clerical and conforming amendments.

Sec. 124. Severability.

**Subtitle C—Stop Sextortion**

Sec. 131. Short title.

Sec. 132. Criminalizing threats to distribute child sexual abuse material.

Sec. 133. Penalties for threats to distribute child sexual abuse material.

Sec. 134. Severability.

**TITLE II—COMBATING ORGANIZED RETAIL CRIME**

Sec. 201. Short title.

Sec. 202. Findings.

Sec. 203. Amendments to title 18, United States Code.

Sec. 204. Establishment of a Center to Combat Organized Retail and Supply Chain Crime.

**TITLE III—LIEUTENANT OSVALDO ALBARATI STOPPING PRISON CONTRABAND ACT**

Sec. 301. Short title.

Sec. 302. Prohibited provision of a phone.

Sec. 303. Review of policies.

**TITLE IV—COMBATING ILLICIT XYLAZINE**

Sec. 401. Short title.

Sec. 402. Definitions.

Sec. 403. Adding xylazine to schedule III.

Sec. 404. Amendments.

Sec. 405. Arcos tracking.

Sec. 406. Sentencing Commission.

Sec. 407. Report to Congress on xylazine.

**TITLE I—JAMES T. WOODS ACT**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “James T. Woods Act”.

**Subtitle A—SAFE Act**

**SEC. 111. SHORT TITLE.**

This subtitle may be cited as the “Sentencing Accountability For Exploitation Act” or the “SAFE Act”.

**SEC. 112. FINDINGS.**

Congress finds the following:

(1) Over many years, the complexity and scale of online child sex offenses have worsened, as offenders have taken advantage of technological developments to target and victimize ever-increasing numbers of children.

(2) In addition, offenders have pursued increasingly dangerous ways of victimizing children, including by resorting to organized efforts at extorting and manipulating children into engaging in sexually explicit conduct and other types of degrading and dangerous acts.

(3) Offenders have also been increasingly adept at globalizing their offenses, including by, for example, paying adults overseas to provide customized child sexual abuse material, which may be video recorded or live-streamed, to offenders in the United States.

(4) Meanwhile, as the complexity, scale, and dangerousness of online child sex crimes has worsened, long-existing sex crimes against children continue to flourish on the dark web, through social media and related applications, and otherwise.

(5) Effective investigation and prosecution are a critical component of the efforts of the United States to keep children safe, punish those who victimize them, and deter would-be offenders. It is imperative that the Federal sentencing guidelines account for these interests and ensure that offenders face advisory sentencing ranges that appropriately account for the scale, complexity, and dangerousness of these offenses.

**SEC. 113. AMENDMENT OF FEDERAL SENTENCING GUIDELINE RELATING TO CHILD SEXUAL ABUSE MATERIAL.**

(a) DEFINITIONS.—In this section:

(1) CHILD.—The term “child” means an individual who has not attained 18 years of age.

(2) CHILD SEXUAL ABUSE MATERIAL.—The term “child sexual abuse material” has the meaning given the term “child pornography” in section 2256(8) of title 18, United States Code.

(3) PROHIBITED CONDUCT AGAINST A CHILD.—The term “prohibited conduct against a child”—

(A) means—

(i) conduct committed against a child relating to—

(I) kidnapping;

(II) illegal sexual abuse, contact, or activity;

(III) live streaming of child sexual abuse;

(IV) using a child to produce child sexual abuse material; or

(V) sexual exploitation, including child sex trafficking; or

(ii) an attempt or conspiracy to engage in any conduct described in subclauses (I) through (V) of clause (i);

(B) does not include—

(i) conduct involving or similar to advertising, transporting, mailing, distributing, receiving, possession, accessing, or viewing child sexual abuse material; or

(ii) acquitted conduct, to the extent that such conduct is excluded from the scope of relevant conduct under section 1B1.3(c) of the United States Sentencing Guidelines Manual; and

(C) does not require a conviction.

(b) **DIRECTIVE.**—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines and policy statements applicable to persons convicted of an offense under section 1466A, 2251(d)(1)(A), 2252, 2252A, or 2260(b) of title 18, United States Code, in order to reflect the intent of Congress that penalties for the offense under the guidelines and policy statements—

(1) appropriately account for—

(A) the actual and potential harm to victims and to the public from the offense; and

(B) changes that have occurred since the relevant guidelines and policy statements were last amended with respect to—

(i) typical offense behavior; and

(ii) the use of modern computer and internet technologies; and

(2) to better reflect the current spectrum of offender culpability.

(c) **REQUIREMENTS.**—In carrying out subsection (b), the United States Sentencing Commission shall—

(1) ensure that the Federal sentencing guidelines and policy statements reflect—

(A) the seriousness of the offenses described in that subsection;

(B) the need to afford adequate deterrence to commission of the offenses;

(C) the need for just punishment for the offenses;

(D) the need to protect the public from further crimes of a defendant convicted of any such offense; and

(E) the need to differentiate among offenders based on their culpability and potential dangerousness;

(2) avoid duplicative punishment within the applicable guidelines and under the Federal sentencing guidelines for substantially the same conduct;

(3) develop a guideline that accounts for—

(A) whether, prior to, during, or after the offense at issue, the defendant engaged in, conspired to engage in, or attempted to engage in—

(i) an act of prohibited conduct against a child; or

(ii) a pattern of activity involving prohibited conduct against a child, whether involving a single victim or multiple victims;

(B) whether, prior to, during, or after the offense at issue, the defendant—

(i) participated in a group dedicated to child sexual abuse material or prohibited conduct against a child; or

(ii) encouraged, instructed, required, or similarly caused another individual to commit an offense involving child sexual abuse material or prohibited conduct against a child;

(C) whether the defendant engaged in multiple acts, not accounted for in the defendant's criminal history or counts of conviction, involving child sexual abuse material over an extended period of time or with a high degree of frequency;

(D) whether the defendant intentionally used, or promoted the use of, software, technology, procedures, or any other means to conceal the offense or the identity or location of the defendant or any victim, or to destroy evidence for an improper purpose, unless accounted for in the conduct of conviction;

(E) whether 3 or more online channels, technologies, platforms, or methods were used to commit the offense;

(F) gradations in—

(i) the severity of the depicted sexually explicit conduct, including especially severe physical or emotional trauma; and

(ii) the age or physical development of the minor;

(G) the number of items of child sexual abuse material or the number of victims involved in the offense;

(H) whether the offense involved distribution of child sexual abuse material, accounting for the nature of the distribution, including—

(i) distribution in order to receive any valuable consideration; and

(ii) distribution through any method that does not limit who can obtain the material or how many individuals can obtain the material;

(I) whether the offense involved the production, creation, or manufacture of child sexual abuse material that is not subject to the cross reference in section 2G2.2(c)(1) of the United States Sentencing Guidelines Manual to section 2G2.1 of the Manual;

(J) whether the offense was the direct and proximate cause of the victim's death by suicide; and

(K) any other conduct or factors that the United States Sentencing Commission determines appropriate to reflect the seriousness of the offense and differentiate among offenders;

(4) make any necessary conforming changes to the guidelines; and

(5) ensure that the guidelines adequately meet the purposes of sentencing, as set forth in section 3553(a)(2) of title 18, United States Code.

(d) **AUTHORITY FOR UNITED STATES SENTENCING COMMISSION.**—In carrying out this section, the United States Sentencing Commission—

(1) may amend provisions of the Federal sentencing guidelines that were promulgated pursuant to any other specific congressional directives or legislation directly amending the guidelines and promulgate amendments that would result in sentencing ranges different than those that would have applied under such directives or legislation; and

(2) in developing a guideline that comports with the requirements of this section, particularly accounting for the factors set forth in subsection (c)(3)—

(A) may—

(i) design the specific offense characteristics, including the increase in offense level that each offense characteristic would provide; and

(ii) define any terms; and

(B) may not lower the applicable base offense level provided in section 2G2.2(a) of the United States Sentencing Guidelines Manual as in effect on the date of enactment of this Act.

(e) **REPEALS.**—

(1) **LAWS.**—The following provisions of law are repealed:

(A) Section 632 of the Treasury, Postal Service and General Government Appropriations Act, 1992 (28 U.S.C. 994 note; Public Law 102-141).

(B) Sections 2 and 3 of the Sex Crimes Against Children Prevention Act of 1995 (28 U.S.C. 994 note; Public Law 104-71).

(C) Section 401(i)(1) of the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (28 U.S.C. 994 note; Public Law 108-21).

(2) **GUIDELINES.**—Section 2G2.2(b) of the United States Sentencing Commission Guidelines Manual is amended by striking paragraph (7).

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect on the date on which the amendments to the Federal sentencing guidelines and policy statements required under subsection (b) take effect.

### Subtitle B—Ending Coercion of Children and Harm Online

#### SEC. 121. SHORT TITLE.

This title may be cited as the “Ending Coercion of Children and Harm Online Act” or the “ECCHO Act”.

#### SEC. 122. COERCION OF CHILDREN TO COMMIT HARM.

Chapter 110A of title 18, United States Code, is amended by inserting after section 2261B the following:

#### “§ 2261C. Coercion of children to commit harm

“(a) **DEFINITIONS.**—For purposes of this section:

“(1) **COERCE.**—The term ‘coerce’ includes the use of extortion, threats, fraud, deceit, duress, intimidation, harassment, humiliation, degradation, or manipulation.

“(2) **MINOR.**—The term ‘minor’ means any individual who has not attained the age of 18 years.

“(3) **SUBSTANTIAL BODILY INJURY.**—The term ‘substantial bodily injury’ has the meaning given that term in section 113.

“(b) **OFFENSE.**—It shall be unlawful for any person, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, to intentionally coerce a minor, directly or through an intermediary, to—

“(1)(A) die by suicide or attempt to die by suicide; or

“(B) kill or attempt to kill any individual;

“(2) kill or attempt to kill any pet, emotional support animal, service animal, or horse;

“(3) strangle, suffocate, poison, burn, lacerate, or inflict serious bodily injury or substantial bodily injury on any individual (including the minor), pet, emotional support animal, service animal, or horse; or

“(4) commit or attempt to commit arson.

“(c) **PENALTY.**—Any person who violates, or attempts or conspires to violate—

“(1) subparagraph (A) or (B) of subsection (b)(1) shall be fined under this title, imprisoned for any term of years or life, or both; or

“(2) paragraph (2), (3), or (4) of subsection (b) shall be fined under this title, imprisoned for not more than 30 years, or both.”.

#### SEC. 123. CLERICAL AND CONFORMING AMENDMENTS.

(a) **CLERICAL AMENDMENT.**—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2261B the following:

“2261C. Coercion of children to commit harm.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **TITLE 18.**—

(A) **CHAPTER 110.**—Chapter 110 of title 18, United States Code, is amended—

(i) in section 2252A(g), by inserting “section 2261C,” after “section 1591,”; and

(ii) in section 2258A—

(I) in subsection (a)—

(aa) in paragraph (1)(A), by striking “online child sexual exploitation and to prevent the online sexual exploitation of children” and inserting “, and to prevent, online child sexual exploitation and online coercion of children”; and

(bb) in paragraph (2)(A)—

(AA) by striking “or 2260 that involves child pornography,” and inserting “2260, 2261C, or 2422(b), or”; and

(BB) by striking “, or of 2422(b)”;

(II) in subsection (b), in the matter preceding paragraph (1), by striking “sexual” and inserting “online”;

(III) in subsection (c)—

(aa) in paragraph (1), by striking “, kidnapping, or enticement crimes” and inserting “or kidnapping, online coercion, or enticement crimes involving children”;

(bb) in paragraph (2), by inserting “or kidnapping, online coercion, or enticement crimes involving children” after “sexual exploitation”;

(cc) in paragraph (3), by striking “, kidnapping, or enticement crimes” and inserting “or kidnapping, online coercion, or enticement crimes involving children”;

(IV) in subsection (d)(5)(A)(ii)(II), by striking “, kidnapping, or enticement crimes” and inserting “or kidnapping, online coercion, or enticement crimes involving children”;

(V) in subsection (g)(3)—

(aa) in subparagraph (A), by striking “, kidnapping, or enticement crimes” and inserting “or kidnapping, online coercion, or enticement crimes involving children”;

(bb) in subparagraph (B), by striking “, kidnapping, or enticement crimes” and inserting “or kidnapping, online coercion, or enticement crimes involving children”;

(cc) in subparagraph (C), by striking “, kidnapping, or enticement crimes” and inserting “or kidnapping, online coercion, or enticement crimes involving children”;

(VI) in subsection (h)(5), by striking “the proliferation of online child sexual exploitation or preventing the online sexual exploitation of children” and inserting “or preventing the proliferation of online child sexual exploitation or online coercion of children”.

(B) SECTION 3509.—Section 3509(a)(2)(A) of title 18, United States Code, is amended by striking “physical abuse, sexual abuse, or exploitation” and inserting “child abuse”.

(C) SECTION 5032.—Section 5032 of title 18, United States Code, is amended—

(i) in the first undesignated paragraph—

(I) by striking “or section 1002(a)” and inserting “section 1002(a)”;

(II) by striking “section 922(x) or section 924(b), (g), or (h) of this title” and inserting “or section 922(x), section 924(b), (g), or (h), or section 2261C(b)(1) or (2) of this title”;

(ii) in the fourth undesignated paragraph, by striking “section 922(x) of this title, or in section 924(b), (g), or (h) of this title” and inserting “section 922(x), section 924(b), (g), or (h), or section 2261C(b)(1) or (2) of this title”.

(2) PROTECT OUR CHILDREN ACT OF 2008.—Section 2 of the PROTECT Our Children Act of 2008 (34 U.S.C. 21101) is amended by striking paragraph (1) and inserting the following:

“(1) CHILD EXPLOITATION.—The term ‘child exploitation’ means—

“(A) any conduct, attempted conduct, or conspiracy to engage in conduct that—

“(i) violates chapter 110 or section 2261C, 2422(b), or 2423 of title 18, United States Code; or

“(ii) involves a minor and violates section 1591 or chapter 109A of title 18, United States Code; or

“(B) any sexual activity involving a minor for which any person can be charged with a criminal offense.”

#### SEC. 124. SEVERABILITY.

If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle, the amendments made by this subtitle, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

### Subtitle C—Stop Sextortion

#### SEC. 131. SHORT TITLE.

This subtitle may be cited as the “Stop Sextortion Act”.

#### SEC. 132. CRIMINALIZING THREATS TO DISCRIMINATE CHILD SEXUAL ABUSE MATERIAL.

Title 18, United States Code, is amended—

(1) in section 2252—

(A) in subsection (a)(2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting “, or threatens to distribute any visual depiction with intent to intimidate, coerce, extort, or cause substantial emotional distress to any person,” after “distributes, any visual depiction”;

(II) by striking “foreign commerce or that” and inserting “foreign commerce, or involving a visual depiction that”;

(III) by striking “, or which contains materials which have been mailed or so shipped or transported.”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “Whoever” and inserting “Except as provided in paragraph (3), whoever”;

(ii) by adding at the end the following:

“(3) Whoever violates, or attempts or conspires to violate, subsection (a)(2) for threatening to distribute any visual depiction, as described in that subsection, shall be punished as provided in paragraph (2) of this subsection if no such visual depiction existed.”;

(2) in section 2252A—

(A) in subsection (a)(2)(A)—

(i) by inserting “, or threatens to distribute any child pornography with intent to intimidate, coerce, extort, or cause substantial emotional distress to any person,” after “any child pornography”;

(ii) by striking “foreign commerce or that” and inserting “foreign commerce, or involving any child pornography that”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “Whoever” and inserting “Except as provided in paragraph (4), whoever”;

(ii) by adding at the end the following:

“(4) Whoever violates, or attempts or conspires to violate, subsection (a)(2)(A) for threatening to distribute any child pornography, as described in that subsection, shall be punished as provided in paragraph (2) of this subsection if no such child pornography existed.”

#### SEC. 133. PENALTIES FOR THREATS TO DISCRIMINATE CHILD SEXUAL ABUSE MATERIAL.

(a) IN GENERAL.—Title 18, United States Code, is amended—

(1) in section 1466A—

(A) in subsection (a), in the matter preceding subsection (b), by inserting “, but if the offense involves the knowing use of a visual depiction of a minor engaged in sexually explicit conduct, with the intent to intimidate, coerce, extort, or cause substantial emotional distress to any person, the maximum term of imprisonment provided in section 2252A(b)(1) shall be increased by 10 years” before the period at the end; and

(B) in subsection (b), in the matter preceding subsection (c), by inserting “, but if the offense involves the knowing use of a visual depiction of a minor engaged in sexually explicit conduct, with the intent to intimidate, coerce, extort, or cause substantial emotional distress to any person, the maximum term of imprisonment provided in section 2252A(b)(2) shall be increased by 10 years” before the period at the end; and

(2) in section 2260A—

(A) in the section heading, by striking “Penalties for registered sex offenders” and inserting “Other offenses and penalties”;

(B) by striking “Whoever” and inserting the following:

“(1) OFFENSES BY REGISTERED SEX OFFENDERS.—Whoever”;

(C) by adding at the end the following:

“(2) ADDITIONAL PENALTIES.—If any offense under section 875(d), 2251, 2252, 2252A, or 2260 involves the knowing use of child pornography with the intent to intimidate, coerce, extort, or cause substantial emotional distress to any person, the maximum term of imprisonment provided in section 875(d), 2251(e), 2252(b), 2252A(b), or 2260(c) shall be increased by 10 years.”

(b) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by striking the item relating to section 2260A and inserting the following:

“2260A. Other offenses and penalties.”

#### SEC. 134. SEVERABILITY.

If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle, the amendments made by this subtitle, and the application of the provisions of such to any person or circumstance shall not be affected thereby.

### TITLE II—COMBATING ORGANIZED RETAIL CRIME

#### SEC. 201. SHORT TITLE.

This title may be cited as the “Combating Organized Retail Crime Act of 2026”.

#### SEC. 202. FINDINGS.

It is the sense of Congress that—

(1) organized theft groups, involving sophisticated and structured groups of individuals, continue to increase criminal activities carried out by the groups against the retail industry and the supply chain of the Nation, and these activities, at unprecedented levels, involve theft and fraud of both physical and digital goods, leading to escalating financial losses and violence in the workplace—all impacting the national economy and security of the United States;

(2) retailers face mounting thefts and fraud because of organized retail crime in and around stores, online, and throughout the retail ecosystem, and, according to the National Retail Federation, larceny incidents increased by 93 percent in 2023 compared to 2019, with a 90 percent rise in average dollar loss;

(3) these thefts are often orchestrated by organized theft groups reselling and redistributing the stolen goods back into the economy of the United States or overseas to gain illicit profit and to finance other criminal activity, and more than 84 percent of retailers report that violence and aggression from these criminal activities has become more of a concern since 2022, resulting in injuries and deaths among employees, customers, security officers, and law enforcement personnel;

(4) product manufacturers and the supply chain of the Nation are victims of alarming increases in cargo theft across rails, roads, and the various distribution points across the Nation;

(5) CargoNet, a database of reported incidents in the United States, reported a 27 percent increase in cargo theft incidents in 2024 compared to the previous year, while during the same period, the average value per theft rose to over \$202,000;

(6) these thefts range from large-scale physical theft of goods from containers and storage to sophisticated cybercriminal methods that divert shipments to illicit receivers, causing significant financial losses and operational supply chain disruptions;

(7) since 2022, more than 30 State laws have been enacted to address organized theft,

allow for aggregation of thefts, and adjust penalties and enhancements, including in 2024, California voters overwhelmingly approving a constitutional reform to allow aggregation of multiple or repeated thefts;

(8) although larceny and organized retail crime are sometimes prosecuted at State and local levels, States face resource and investigative challenges from groups operating beyond local, State, and regional law enforcement capabilities, and more needs to be done to address the cross-jurisdictional, interstate, and international aspects of these crimes;

(9) organized theft groups vary in scope and scale, operating across State jurisdictions to avoid or disrupt local, State, and Tribal law enforcement response, and these organized theft groups build hierarchies to easily redistribute stolen goods and illicit profits back into the economy of the United States or overseas with disregard for product and consumer safety;

(10) the groups exist and operate at the local, regional, and transnational level, targeting goods that include raw and finished materials, various branded retail products across all consumer categories, operational assets in retail commerce such as reusable transport packaging products, and consumable goods including agriculture, food products, and medicines;

(11) these groups are often polycriminal organizations, using profit from the reselling of stolen goods to support crimes involving drugs and weapons trafficking;

(12) the organized theft groups engage in human smuggling and have been known to use migrants to commit crimes to support the organizations;

(13) the groups move products and illicit proceeds beyond the borders of the United States, funding nefarious groups and activities and threatening the integrity of the international economy;

(14) organized theft groups—

(A) threaten the safety and liberty of individuals in the United States when those individuals engage in commerce;

(B) impact the ability of the Nation to distribute goods to consumers, undermine consumer confidence in the supply chain, and threaten the integrity of agricultural and consumable goods;

(C) erode the national economy by increasing the cost of goods, resulting in higher prices for consumers, reducing tax revenues, and impacting employees, customers, and businesses alike; and

(D) impact the national security of the United States through financing transnational criminal activity and providing profit and proceeds supporting larger criminal goals of the criminal organizations; and

(15) it has become necessary for Congress to—

(A) amend title 18, United States Code, to ensure that law enforcement has the legal tools necessary to combat organized retail crime in the same capacity that law enforcement is able to combat theft and diversion from other portions of the supply chain; and

(B) direct the executive branch to create a central coordination center to align Federal, State, local, territorial, and Tribal efforts to combat organized retail crime and organized supply chain crime.

#### SEC. 203. AMENDMENTS TO TITLE 18, UNITED STATES CODE.

Part I of title 18, United States Code, is amended—

(1) in section 982(a)(5)—

(A) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(B) by inserting after subparagraph (B) the following:

“(C) section 659 (interstate or foreign shipments by carrier; State prosecutions);”;

(C) in subparagraph (E), as so redesignated, by striking “; or” and inserting a semicolon; and

(D) by inserting after subparagraph (F), as so redesignated, the following:

“(G) section 2314 (transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting); or

“(H) section 2315 (sale or receipt of stolen goods, securities, moneys, or fraudulent State tax stamps);”;

(2) in section 1956(c)—

(A) in paragraph (5), by striking “and money orders” and inserting “money orders, general-use prepaid cards, gift certificates, and store gift cards”; and

(B) in paragraph (7)(D)—

(i) by inserting “section 659 (interstate or foreign shipments by carrier; State prosecutions),” after “section 658 (relating to property mortgaged or pledged to farm credit agencies);”; and

(ii) by inserting “section 2314 (transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting), section 2315 (sale or receipt of stolen goods, securities, moneys, or fraudulent State tax stamps),” after “section 2281 (relating to violence against maritime fixed platforms);”;

(3) in section 2314, in the first paragraph—

(A) by inserting “or of an aggregate value of \$5,000 or more during any 12-month period,” after “more;”;

(B) by inserting “embezzled,” after “stolen;”; and

(C) by inserting “, false pretense, or other illegal means” after “fraud”; and

(4) in section 2315, in the first paragraph, by inserting “or of an aggregate value of \$5,000 or more during any 12-month period,” after “\$5,000 or more.”

#### SEC. 204. ESTABLISHMENT OF A CENTER TO COMBAT ORGANIZED RETAIL AND SUPPLY CHAIN CRIME.

(a) IN GENERAL.—Title III of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4341 et seq.) is amended by inserting after section 305 the following:

##### “SEC. 305A. ORGANIZED RETAIL AND SUPPLY CHAIN CRIME COORDINATION CENTER.

“(a) DEFINITIONS.—In this section:

“(1) CENTER.—The term ‘Center’ means the Organized Retail and Supply Chain Crime Coordination Center established pursuant to subsection (b)(1).

“(2) ORGANIZED RETAIL AND SUPPLY CHAIN CRIME.—The term ‘organized retail and supply chain crime’ includes—

“(A) any crime described in section 659, 2117, 2314, or 2315 of title 18, United States Code, that is committed by, in coordination with, or at the instruction of an organization;

“(B) aiding or abetting the commission of, or conspiring to commit, any act that is in furtherance of a violation of a crime referred to in subparagraph (A); and

“(C) other crimes related to those described in subparagraphs (A) and (B).

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of Homeland Security.

“(4) EXECUTIVE ASSOCIATE DIRECTOR.—The term ‘Executive Associate Director’ means the Executive Associate Director of Homeland Security Investigations.

“(b) ORGANIZED RETAIL AND SUPPLY CHAIN CRIME COORDINATION CENTER.—

“(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the Combating Organized Retail Crime Act of 2026, the Secretary shall direct the Executive Associate Director to establish the Organized

Retail and Supply Chain Crime Coordination Center.

“(2) DUTIES.—The duties of the Center shall include—

“(A) coordinating Federal law enforcement activities related to organized retail and supply chain crime, including investigations of national and transnational criminal organizations that are engaged in organized retail and supply chain crime;

“(B) establishing relationships with State and local law enforcement agencies and organizations, including organized retail crime associations and cargo theft associations, and sharing information regarding organized retail and supply chain crime threats with such agencies and organizations;

“(C) assisting State and local law enforcement agencies with State and local investigations of organized retail and supply chain crime groups;

“(D) establishing relationships with retail, transportation, and other companies determined by the Executive Associate Director to have significant interests relating to organized retail and supply chain crime threats, sharing information with those companies regarding such threats, collaborating on investigations and loss prevention activities as appropriate, and providing a mechanism for the receipt of investigative information on such threats;

“(E) establishing a secure system for sharing information regarding organized retail and supply chain crime threats by leveraging existing information systems at the Department of Homeland Security and the Department of Justice;

“(F) tracking trends with respect to organized retail and supply chain crime and releasing annual public reports on such trends; and

“(G) supporting the provision of training and technical assistance in accordance with subsection (c).

“(3) LEADERSHIP; STAFFING.—

“(A) DIRECTOR.—The Center shall be headed by a Director, who shall be—

“(i) an experienced law enforcement officer;

“(ii) appointed by the Director of U.S. Immigration and Customs Enforcement; and

“(iii) in a Senior Executive Service position as defined in section 3132 of title 5, United States Code.

“(B) DEPUTY DIRECTOR.—The Director of the Center shall be assisted by a Deputy Director, who shall be appointed, on a 2-year rotational basis, upon request from the Executive Associate Director, by—

“(i) the Director of the Federal Bureau of Investigation;

“(ii) the Director of the United States Secret Service; or

“(iii) the Chief Postal Inspector.

“(C) FEDERAL STAFF.—The staff of the Center shall include—

“(i) special agents and analysts from Homeland Security Investigations; and

“(ii) detailed criminal investigators, analysts, and liaisons from other Federal agencies who have responsibilities related to organized retail and supply chain crime, including detailees from—

“(I) U.S. Customs and Border Protection;

“(II) the United States Secret Service;

“(III) the United States Postal Inspection Service;

“(IV) the Bureau of Alcohol, Tobacco, Firearms and Explosives;

“(V) the Drug Enforcement Administration;

“(VI) the Federal Bureau of Investigation; and

“(VII) the Federal Motor Carrier Safety Administration.

“(D) STATE AND LOCAL STAFF.—The staff of the Center may include detailees from State

and local law enforcement agencies, who shall serve at the Center on a nonreimbursable basis.

“(4) COORDINATION.—

“(A) IN GENERAL.—The Center shall coordinate its activities, as appropriate, with other Federal agencies and centers responsible for countering transnational organized crime threats.

“(B) SHARED RESOURCES.—In establishing the Center, the Executive Associate Director may co-locate or otherwise share resources and personnel, including detailees and agency liaisons, with—

“(i) the National Intellectual Property Rights Coordination Center established pursuant to section 305(a)(1); or

“(ii) other existing interagency centers within the Department of Homeland Security.

“(C) AGREEMENTS.—The Director of the Center, or his or her designee, may enter into agreements with Federal, State, local, and Tribal agencies and private sector entities to facilitate carrying out the duties described in paragraph (2).

“(D) INFORMATION SHARING.—

“(i) IN GENERAL.—Subject to the approval of the Director of the Center, information that would otherwise be subject to the limitation on the disclosure of confidential information set forth in section 1905 of title 18, United States Code, may be shared if such disclosure is operationally necessary.

“(ii) NON-DELEGABLE AUTHORITY.—The Director may not delegate his or her authority under this subparagraph.

“(5) REPORTING REQUIREMENTS.—

“(A) INITIAL REPORT.—

“(i) IN GENERAL.—Not later than 1 year after the date of enactment of the Combating Organized Retail Crime Act of 2026, the Secretary shall submit a report regarding the establishment of the Center to—

“(I) the Committee on the Judiciary of the Senate;

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

“(III) the Committee on the Judiciary of the House of Representatives; and

“(IV) the Committee on Homeland Security of the House of Representatives.

“(ii) CONTENTS.—The report required under clause (i) shall include a description of—

“(I) the organizational structure of the Center;

“(II) the agencies and partner organizations that are represented within the Center;

“(III) any challenges required to be addressed while establishing the Center;

“(IV) any lessons learned from establishing the Center, including successful prosecutions resulting from the activities of the Center;

“(V) recommendations for ways to strengthen the enforcement of laws involving organized retail and supply chain crime;

“(VI) the intersections and commonalities between organized retail crime organizations and other organized theft groups, including supply chain diversion and theft; and

“(VII) the impact of organized theft groups on the scarcity of vital products, including medicines, personal protective equipment, and infant formula.

“(B) ANNUAL REPORT.—Beginning on the date that is 1 year after the submission of the report required under subparagraph (A), and each year thereafter, the Secretary shall submit an annual report that describes the activities of the Center during the previous year to the congressional committees listed in subparagraph (A)(i).

“(6) SUNSET.—

“(A) IN GENERAL.—The authority of the Center shall terminate on the date that is 7 years after the date on which the Center is established under paragraph (1).

“(B) WIND DOWN.—The Secretary shall take such actions as may be necessary to wind down the Center in accordance with subparagraph (A).

“(c) TRAINING AND TECHNICAL ASSISTANCE.—

“(1) EVALUATION.—Not later than 180 days after the date of enactment of the Combating Organized Retail Crime Act of 2026, the Secretary and the Attorney General shall conduct an evaluation of existing Federal programs that provide grants, training, and technical support to State, local, and Tribal law enforcement to assist in countering organized retail and supply chain crime.

“(2) EVALUATION SCOPE.—The evaluation required under paragraph (1) shall evaluate, at a minimum—

“(A) the Homeland Security Grant Program at the Federal Emergency Management Agency;

“(B) grant programs at the Office of Justice Programs within the Department of Justice; and

“(C) relevant training programs at the Federal Law Enforcement Training Center.

“(3) REPORT.—Not later than 45 days after the completion of the evaluation required under paragraph (1), the Secretary and the Attorney General shall jointly submit a report to the congressional committees listed in subsection (b)(5)(A)(i) that—

“(A) describes the results of such evaluation; and

“(B) includes recommendations on ways to expand grants, training, and technical assistance for combating organized retail and supply chain crime.

“(4) ENHANCING OR MODIFYING TRAINING AND TECHNICAL ASSISTANCE.—Not later than 45 days after submitting the report required under paragraph (3), the Secretary and the Attorney General shall jointly issue formal guidance to relevant agencies and offices within the Department of Homeland Security and the Department of Justice for modifying or expanding, as appropriate, the prioritization of training and technical assistance designed to counter organized retail and supply chain crime.”

(b) CLERICAL AMENDMENT.—The table of contents for the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114-125; 130 Stat. 122) is amended by inserting after the item relating to section 305 the following:

“Sec. 305A. Organized Retail and Supply Chain Crime Coordination Center.”

**TITLE III—LIEUTENANT OSVALDO ALBARATI STOPPING PRISON CONTRABAND ACT**

**SEC. 301. SHORT TITLE.**

This title may be cited as the “Lieutenant Osvaldo Albarati Stopping Prison Contraband Act”.

**SEC. 302. PROHIBITED PROVISION OF A PHONE.**

Section 1791(b) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

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

“(4) in the case of a violation of subsection (a)(1), imprisonment for not more than 2 years, or both, if the object is specified in subsection (d)(1)(F) of this section;”;

(3) in paragraph (5), as so redesignated, by inserting “, in the case of a violation of subsection (a)(2),” before “(d)(1)(F)”.

**SEC. 303. REVIEW OF POLICIES.**

Not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Prisons shall—

(1) conduct a review of the policies of the Bureau of Prisons pertaining to inmates who

make, possess, obtain, or attempt to make or obtain a prohibited object, as defined in section 1791(d)(1) of title 18, United States Code; and

(2) update those policies as needed to improve protections for incarcerated individuals and staff.

**TITLE IV—COMBATING ILLICIT XYLAZINE**

**SEC. 401. SHORT TITLE.**

This title may be cited as the “Combating Illicit Xylazine Act”.

**SEC. 402. DEFINITIONS.**

(a) IN GENERAL.—In this title—

(1) the term “practitioner” has the meaning given the term under section 102 of the Controlled Substances Act (21 U.S.C. 802); and

(2) the term “xylazine” has the meaning given the term in paragraph (61) of section 102 of the Controlled Substances Act, as added by subsection (b) of this section.

(b) CONTROLLED SUBSTANCES ACT.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by adding at the end the following:

“(61) The term ‘xylazine’ means the substance xylazine, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible.”

**SEC. 403. ADDING XYLAZINE TO SCHEDULE III.**

Schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812) is amended by adding at the end the following:

“(f) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of xylazine.”

**SEC. 404. AMENDMENTS.**

(a) AMENDMENT.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by striking paragraph (27) and inserting the following:

“(27)(A) Except as provided in subparagraph (B), the term ‘ultimate user’ means a person who has lawfully obtained, and who possesses, a controlled substance for the use by the person or for the use of a member of the household of the person or for an animal owned by the person or by a member of the household of the person.

“(B)(i) In the case of xylazine, other than for a drug product approved under subsection (b) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), the term ‘ultimate user’ means a person—

“(I) to whom xylazine was dispensed by—

“(aa) a veterinarian registered under this Act; or

“(bb) a pharmacy registered under this Act pursuant to a prescription of a veterinarian registered under this Act; and

“(II) who possesses xylazine for—

“(aa) an animal owned by the person or by a member of the household of the person;

“(bb) an animal under the care of the person;

“(cc) use in government animal-control programs authorized under applicable Federal, State, Tribal, or local law; or

“(dd) use in wildlife programs authorized under applicable Federal, State, Tribal, or local law.

“(ii) In this subparagraph, the term ‘person’ includes—

“(I) a government agency or business where animals are located; and

“(II) an employee or agent of an agency or business acting within the scope of their employment or agency.”

(b) FACILITIES.—An entity that manufactures xylazine, as of the date of enactment of this Act, shall not be required to make capital expenditures necessary to install the security standard required of schedule III of the Controlled Substances Act (21 U.S.C. 801

et seq.) for the purposes of manufacturing xylazine.

(c) LABELING.—The requirements related to labeling, packaging, and distribution logistics of a controlled substance in schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) shall not take effect for xylazine until the date that is 1 year after the date of enactment of this Act.

(d) PRACTITIONER REGISTRATION.—The requirements related to practitioner registration, inventory, and recordkeeping of a controlled substance in schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) shall not take effect for xylazine until the date that is 60 days after the date of enactment of this Act. A practitioner that has applied for registration during the 60-day period beginning on the date of enactment of this Act may continue their lawful activities until such application is approved or denied.

(e) MANUFACTURER TRANSITION.—The Food and Drug Administration and the Drug Enforcement Administration shall facilitate and expedite the relevant manufacturer submissions or applications required by the placement of xylazine on schedule III of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

(f) CLARIFICATION.—Nothing in this section, or the amendments made by this section, shall be construed to require the registration of an ultimate user of xylazine under the Controlled Substances Act (21 U.S.C. 801 et seq.) in order to possess xylazine in accordance with subparagraph (B) of section 102(27) of that Act (21 U.S.C. 802(27)), as added by subsection (a) of this section.

#### SEC. 405. ARCOS TRACKING.

Section 307(i) of the Controlled Substances Act (21 U.S.C. 827(i)) is amended—

(1) in the matter preceding paragraph (1)—  
(A) by inserting “or xylazine” after “gamma hydroxybutyric acid”;

(B) by inserting “or 512” after “section 505”; and

(C) by inserting “respectively,” after “the Federal Food, Drug, and Cosmetic Act.”; and

(2) in paragraph (6), by inserting “and xylazine” after “gamma hydroxybutyric acid”.

#### SEC. 406. SENTENCING COMMISSION.

Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend its sentencing guidelines, policy statements, and official commentary applicable to persons convicted of an offense under section 401 of the Controlled Substances Act (21 U.S.C. 841) or section 1010 of the Controlled Substances Import and Export Act (21 U.S.C. 960) to provide appropriate penalties for offenses involving xylazine that are consistent with the amendments made by this title. In carrying out this section, the Commission should consider the common forms of xylazine as well as its use alongside other scheduled substances.

#### SEC. 407. REPORT TO CONGRESS ON XYLAZINE.

(a) CONTROL REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Attorney General, acting through the Administrator of the Drug Enforcement Administration and in coordination with the Secretary of Health and Human Services, shall submit to Congress a report with an assessment of the factors listed in section 201(c) of the Controlled Substances Act (21 U.S.C. 811(c)) for xylazine, which includes a scientific and medical evaluation and recommendations from the Secretary of Health and Human Services and a law enforcement and abuse evaluation by the Drug Enforcement Administration.

(2) REQUIREMENTS.—The report required under paragraph (1) shall—

(A) include the full text of the scientific and medical evaluation and recommendations regarding whether xylazine should be controlled as a controlled substance, submitted by the Secretary of Health and Human Services to the Attorney General pursuant to section 201(b) of the Controlled Substances Act (21 U.S.C. 811(b)) on or before December 31, 2025; and

(B) be published on the websites of the Department of Health and Human Services and the Department of Justice.

(b) INITIAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the Attorney General, acting through the Administrator of the Drug Enforcement Administration and in coordination with the Commissioner of Food and Drugs, shall submit to Congress a report on the prevalence of illicit use of xylazine in the United States and the impacts of such use, including—

(1) where the drug is being diverted;

(2) where the drug is originating; and

(3) whether any analogues to xylazine, or related or derivative substances, exist and present a substantial risk of abuse.

(c) ADDITIONAL REPORT.—Not later than 4 years after the date of the enactment of this Act, the Attorney General, acting through the Administrator of the Drug Enforcement Administration and in coordination with the Commissioner of Food and Drugs, shall submit to Congress a report updating Congress on the prevalence and proliferation of xylazine trafficking and misuse in the United States.

**SA 6017.** Mr. GRASSLEY (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

#### TITLE XVII—CRIMINAL PROVISIONS

##### Subtitle A—STOP CSAM Act of 2026

#### SEC. 1701. SHORT TITLE.

This subtitle may be cited as the “Strengthening Transparency and Obligations to Protect Children Suffering from Abuse and Mistreatment Act of 2026” or the “STOP CSAM Act of 2026”.

#### SEC. 1702. PROTECTING CHILD VICTIMS AND WITNESSES IN FEDERAL COURT.

(a) IN GENERAL.—Section 3509 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking “or exploitation” and inserting “exploitation, or kidnapping, including international parental kidnapping”;

(B) in paragraph (3), by striking “physical or mental injury” and inserting “physical injury, psychological abuse”;

(C) by striking paragraphs (5), (6), and (7) and inserting the following:

“(5) the term ‘psychological abuse’ includes—

“(A) a pattern of acts, threats of acts, or coercive tactics intended to degrade, humiliate, intimidate, or terrorize a child; and

“(B) the infliction of trauma on a child through—

“(i) isolation;

“(ii) the withholding of food or other necessities in order to control behavior;

“(iii) physical restraint; or

“(iv) the confinement of the child without the child’s consent and in degrading conditions;

“(6) the term ‘exploitation’ means—

“(A) child pornography;

“(B) child sex trafficking; or

“(C) an obscene visual depiction of a child;

“(7) the term ‘multidisciplinary child abuse team’ means a professional unit of individuals working together to investigate child abuse and provide assistance and support to a victim of child abuse, composed of representatives from—

“(A) health, social service, and legal service agencies that represent the child;

“(B) law enforcement agencies and prosecutorial offices; and

“(C) children’s advocacy centers.”;

(D) in paragraph (9)(D)—

(i) by striking “genitals” and inserting “anus, genitals.”; and

(ii) by striking “or animal”;

(E) in paragraph (11), by striking “and” at the end;

(F) in paragraph (12)—

(i) by striking “the term ‘child abuse’ does not” and inserting “the terms ‘physical injury’ and ‘psychological abuse’ do not”; and

(ii) by striking the period and inserting a semicolon; and

(G) by adding at the end the following:

“(13) the term ‘covered person’ means a person of any age who—

“(A) is or is alleged to be—

“(i) a victim of a crime of physical abuse, sexual abuse, exploitation, or kidnapping, including international parental kidnapping; or

“(ii) a witness to a crime committed against another person; and

“(B) was under the age of 18 when the crime described in subparagraph (A) was committed;

“(14) the term ‘protected information’, with respect to a covered person, includes—

“(A) personally identifiable information of the covered person, including—

“(i) the name of the covered person;

“(ii) an address;

“(iii) a phone number;

“(iv) a user name or identifying information for an online, social media, or email account; and

“(v) any information that can be used to distinguish or trace the identity of the covered person, either alone or when combined with other information that is linked or linkable to the covered person;

“(B) medical, dental, behavioral, psychiatric, or psychological information of the covered person;

“(C) educational or juvenile justice records of the covered person; and

“(D) any other information concerning the covered person that is deemed ‘protected information’ by order of the court under subsection (d)(5);

“(15) the term ‘child pornography’ has the meaning given the term in section 2256(8); and

“(16) the term ‘obscene visual depiction of a child’ means any visual depiction prohibited by section 1466A involving an identifiable minor, as that term is defined in section 2256(9).”;

(2) in subsection (b)—

(A) in paragraph (1)(C), by striking “minor” and inserting “child”; and

(B) in paragraph (2)—

(i) in the heading, by striking “VIDEOTAPED” and inserting “RECORDED”;

(ii) in subparagraph (A), by striking “that the deposition be recorded and preserved on videotape” and inserting “that a video recording of the deposition be made and preserved”;

(iii) in subparagraph (B)—

(I) in clause (ii), by striking “that the child’s deposition be taken and preserved by videotape” and inserting “that a video recording of the child’s deposition be made and preserved”;

(II) in clause (iii)—

(aa) in the matter preceding subclause (I), by striking “videotape” and inserting “recorded”; and

(bb) in subclause (IV), by striking “videotape” and inserting “recording”; and

(III) in clause (v)—

(aa) in the heading, by striking “VIDEO- TAPE” and inserting “VIDEO RECORDING”;

(bb) in the first sentence, by striking “made and preserved on video tape” and inserting “recorded and preserved”; and

(cc) in the second sentence, by striking “videotape” and inserting “video recording”;

(iv) in subparagraph (C), by striking “child’s videotaped” and inserting “video recording of the child’s”;

(v) in subparagraph (D)—

(I) by striking “videotaping” and inserting “deposition”; and

(II) by striking “videotaped” and inserting “recorded”;

(vi) in subparagraph (E), by striking “videotaped” and inserting “recorded”; and

(vii) in subparagraph (F), by striking “videotape” each place the term appears and inserting “video recording”;

(3) in subsection (d)—

(A) in paragraph (1)(A)—

(i) in clause (i), by striking “the name or any other information concerning a child” and inserting “a covered person’s protected information”; and

(ii) in clause (ii)—

(I) by striking “documents described in clause (i) or the information in them that concerns a child” and inserting “a covered person’s protected information”; and

(II) by striking “, have reason to know such information” and inserting “(including witnesses or potential witnesses), have reason to know each item of protected information to be disclosed”;

(B) in paragraph (2)—

(i) by striking “the name of or any other information concerning a child” each place the term appears and inserting “a covered person’s protected information”;

(ii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(iii) by striking “All papers” and inserting the following:

“(A) IN GENERAL.—All papers”; and

(iv) by adding at the end the following:

“(B) ENFORCEMENT OF VIOLATIONS.—The court may address a violation of subparagraph (A) in the same manner as disobedience or resistance to a lawful court order under section 401(3).”;

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) by striking “a child from public disclosure of the name of or any other information concerning the child” and inserting “a covered person’s protected information from public disclosure”; and

(II) by striking “, if the court determines that there is a significant possibility that such disclosure would be detrimental to the child”;

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) by striking “a child witness, and the testimony of any other witness” and inserting “any witness”; and

(bb) by striking “the name of or any other information concerning a child” and inserting “a covered person’s protected information”; and

(II) in clause (ii), by striking “child” and inserting “covered person”; and

(iii) by adding at the end the following:

“(C)(i) For purposes of this paragraph, there shall be a presumption that public disclosure of a covered person’s protected information would be detrimental to the covered person.

“(ii) The court shall deny a motion for a protective order under subparagraph (A) only if the court finds that the party opposing the motion has rebutted the presumption under clause (i) of this subparagraph.”;

(D) in paragraph (4)—

(i) by striking “This subsection” and inserting the following:

“(A) DISCLOSURE TO CERTAIN PARTIES.—This subsection”;

(ii) in subparagraph (A), as so designated—

(I) by striking “the name of or other information concerning a child” and inserting “a covered person’s protected information”; and

(II) by striking “or an adult attendant, or to” and inserting “an adult attendant, a law enforcement agency for any intelligence or investigative purpose, or”;

(iii) by adding at the end the following:

“(B) REQUEST FOR PUBLIC DISCLOSURE.—If any party requests public disclosure of a covered person’s protected information to further a public interest, the court shall deny the request unless the court finds that—

“(i) the party seeking disclosure has established that there is a compelling public interest in publicly disclosing the covered person’s protected information;

“(ii) there is a substantial probability that the public interest would be harmed if the covered person’s protected information is not disclosed;

“(iii) the substantial probability of harm to the public interest outweighs the harm to the covered person from public disclosure of the covered person’s protected information; and

“(iv) there is no alternative to public disclosure of the covered person’s protected information that would adequately protect the public interest.”;

(E) by adding at the end the following:

“(5) OTHER PROTECTED INFORMATION.—The court may order that information shall be considered to be ‘protected information’ for purposes of this subsection if the court finds that the information is sufficiently personal, sensitive, or identifying that it should be subject to the protections and presumptions under this subsection.”;

(4) by striking subsection (f) and inserting the following:

“(f) VICTIM IMPACT STATEMENT.—

“(1) PROBATION OFFICER.—In preparing the presentence report pursuant to rule 32(c) of the Federal Rules of Criminal Procedure, the probation officer shall request information from the multidisciplinary child abuse team, if applicable, or other appropriate sources to determine the impact of the offense on a child victim and any other children who may have been affected by the offense.

“(2) GUARDIAN AD LITEM.—A guardian ad litem appointed under subsection (h) shall—

“(A) make every effort to obtain and report information that accurately expresses the views of a child victim, and the views of family members as appropriate, concerning the impact of the offense; and

“(B) use forms that permit a child victim to express the child’s views concerning the personal consequences of the offense, at a level and in a form of communication commensurate with the child’s age and ability.”;

(5) in subsection (h), by adding at the end the following:

“(4) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection \$25,000,000 for each fiscal year.

“(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under sub-

paragraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.”;

(6) in subsection (i)—

(A) by striking “A child testifying at or attending a judicial proceeding” and inserting the following:

“(1) IN GENERAL.—A child testifying at a judicial proceeding, including in a manner described in subsection (b),”;

(B) in paragraph (1), as so designated—

(i) in the third sentence, by striking “proceeding” and inserting “testimony”; and

(ii) by striking the fifth sentence; and

(C) by adding at the end the following:

“(2) RECORDING.—If the adult attendant is in close physical proximity to or in contact with the child while the child testifies—

“(A) at a judicial proceeding, a video recording of the adult attendant shall be made and shall become part of the court record; or

“(B) in a manner described in subsection (b), the adult attendant shall be visible on the closed-circuit television or in the recorded deposition.

“(3) COVERED PERSONS ATTENDING PROCEEDING.—A covered person shall have the right to be accompanied by an adult attendant when attending any judicial proceeding.”;

(7) in subsection (j)—

(A) by striking “child” each place the term appears and inserting “covered person”; and

(B) in the fourth sentence—

(i) by striking “and the potential” and inserting “, the potential”;

(ii) by striking “child’s” and inserting “covered person’s”; and

(iii) by inserting before the period at the end the following: “, and the necessity of the continuance to protect the defendant’s rights”;

(8) in subsection (k), by striking “child” each place the term appears and inserting “covered person”;

(9) in subsection (l), by striking “child” each place the term appears and inserting “covered person”; and

(10) in subsection (m)—

(A) by striking “(as defined by section 2256 of this title)” each place it appears;

(B) by inserting “or an obscene visual depiction of a child” after “child pornography” each place it appears except the second instance in paragraph (3);

(C) in paragraph (1), by inserting “and any civil action brought under section 2255 or 2255A” after “any criminal proceeding”;

(D) in paragraph (2), by adding at the end the following:

“(C)(i) Notwithstanding rule 26 of the Federal Rules of Civil Procedure, a court shall deny, in any civil action brought under section 2255 or 2255A, any request by any party to copy, photograph, duplicate, or otherwise reproduce any property or material that constitutes child pornography or an obscene visual depiction of a child.

“(ii) In a civil action brought under section 2255 or 2255A, for purposes of paragraph (1), the court may—

“(I) order the plaintiff or defendant to provide to the court or the Government, as applicable, any equipment necessary to maintain care, custody, and control of such property or material; and

“(II) take reasonable measures, and may order the Government (if such property or material is in the care, custody, and control of the Government) to take reasonable measures, to provide each party to the action, the attorney of each party, and any individual a party may seek to qualify as an expert, with ample opportunity to inspect, view, and examine such property or material at the court or a Government facility, as applicable.”;

(E) in paragraph (3)—

(i) by inserting “and during the 1-year period following the date on which the criminal proceeding becomes final or is terminated” after “any criminal proceeding”;

(ii) by striking “, as defined under section 2256(8).”; and

(iii) by inserting “or obscene visual depiction of a child” after “such child pornography”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to conduct that occurs before, on, or after the date of enactment of this Act.

**SEC. 1703. FACILITATING PAYMENT OF RESTITUTION; TECHNICAL AMENDMENTS TO RESTITUTION STATUTES.**

Title 18, United States Code, is amended—

(1) in section 1593(c)—

(A) by inserting “(1)” after “(c)”;

(B) by striking “chapter, including, in” and inserting the following: “chapter.

“(2) In”; and

(C) in paragraph (2), as so designated, by inserting “may assume the rights of the victim under this section” after “suitable by the court”;

(2) in section 2248(c)—

(A) by striking “For purposes” and inserting the following:

“(1) IN GENERAL.—For purposes”;

(B) by striking “chapter, including, in” and inserting the following: “chapter.

“(2) ASSUMPTION OF CRIME VICTIM’S RIGHTS.—In”; and

(C) in paragraph (2), as so designated, by inserting “may assume the rights of the victim under this section” after “suitable by the court”;

(3) in section 2259—

(A) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under—

“(1) section 1466A, to the extent the conduct involves a visual depiction of an identifiable minor; or

“(2) this chapter.”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “DIRECTIONS.—Except as provided in paragraph (2), the” and inserting “RESTITUTION FOR CHILD PORNOGRAPHY PRODUCTION.—If the defendant was convicted of child pornography production, the”; and

(ii) in paragraph (2)(B), by striking “\$3,000.” and inserting the following: “—

“(i) \$3,000; or

“(ii) 10 percent of the full amount of the victim’s losses, if the full amount of the victim’s losses is less than \$3,000.”; and

(C) in subsection (c)—

(i) by striking paragraph (1) and inserting the following:

“(1) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term ‘child pornography production’ means—

“(A) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) to the extent the conduct involves production of a visual depiction of an identifiable minor;

“(B) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) involving possession with intent to distribute, or section 1466A(b), to the extent the conduct involves a visual depiction of an identifiable minor—

“(i) produced by the defendant; or

“(ii) that the defendant attempted or conspired to produce;

“(C) a violation of subsection (a), (b), or (c) of section 2251, or an attempt or conspiracy to violate any of those subsections under subsection (e) of that section;

“(D) a violation of section 2251A;

“(E) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

“(i) produced by the defendant; or

“(ii) that the defendant attempted or conspired to produce;

“(F) a violation of subsection (a)(7) of section 2252A, or an attempt or conspiracy to violate that subsection under subsection (b)(3) of that section, to the extent the conduct involves production with intent to distribute;

“(G) a violation of section 2252A(g) if the series of felony violations involves not fewer than 1 violation—

“(i) described in subparagraph (A), (B), (E), or (F) of this paragraph;

“(ii) of section 1591; or

“(iii) of section 1201, chapter 109A, or chapter 117, if the victim is a minor;

“(H) a violation of subsection (a) of section 2260, or an attempt or conspiracy to violate that subsection under subsection (c)(1) of that section;

“(I) a violation of section 2260B(a)(2) for promoting or facilitating an offense—

“(i) described in subparagraph (A), (B), (D), or (E) of this paragraph; or

“(ii) under section 2422(b); and

“(J) a violation of chapter 109A or chapter 117, if the offense involves the production or attempted production of, or conspiracy to produce, child pornography.”;

(ii) by striking paragraph (3) and inserting the following:

“(3) TRAFFICKING IN CHILD PORNOGRAPHY.—For purposes of this section and section 2259A, the term ‘trafficking in child pornography’ means—

“(A) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) to the extent the conduct involves distribution or receipt of a visual depiction of an identifiable minor;

“(B) a violation of, attempted violation of, or conspiracy to violate section 1466A(a) involving possession with intent to distribute, or section 1466A(b), to the extent the conduct involves a visual depiction of an identifiable minor—

“(i) not produced by the defendant; or

“(ii) that the defendant did not attempt or conspire to produce;

“(C) a violation of subsection (d) of section 2251 or an attempt or conspiracy to violate that subsection under subsection (e) of that section;

“(D) a violation of paragraph (1), (2), or (3) of subsection (a) of section 2252, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

“(E) a violation of section 2252(a)(4) or 2252A(a)(5), or an attempt or conspiracy to violate either of those sections under section 2252(b)(2) or 2252A(b)(2), to the extent such conduct involves child pornography—

“(i) not produced by the defendant; or

“(ii) that the defendant did not attempt or conspire to produce;

“(F) a violation of paragraph (1), (2), (3), (4), or (6) of subsection (a) of section 2252A, or an attempt or conspiracy to violate any of those paragraphs under subsection (b)(1) of that section;

“(G) a violation of subsection (a)(7) of section 2252A, or an attempt or conspiracy to violate that subsection under subsection (b)(3) of that section, to the extent the conduct involves distribution;

“(H) a violation of section 2252A(g) if the series of felony violations exclusively involves violations described in this paragraph (except subparagraphs (A) and (B));

“(I) a violation of subsection (b) of section 2260, or an attempt or conspiracy to violate

that subsection under subsection (c)(2) of that section; and

“(J) a violation of subsection (a)(1) of section 2260B, or a violation of subsection (a)(2) of that section for promoting or facilitating an offense described in this paragraph (except subparagraphs (A) and (B)).”; and

(iii) in paragraph (4), in the first sentence, by inserting “or an identifiable minor harmed as a result of the commission of a crime under section 1466A” after “under this chapter”;

(4) in section 2259A(a)—

(A) in paragraph (1), by striking “under section 2252(a)(4) or 2252A(a)(5)” and inserting “described in subparagraph (B) or (E) of section 2259(c)(3)”; and

(B) in paragraph (2), by striking “any other offense for trafficking in child pornography” and inserting “any offense for trafficking in child pornography other than an offense described in subparagraph (B) or (E) of section 2259(c)(3)”; and

(5) in section 2429—

(A) in subsection (b)(3), by striking “2259(b)(3)” and inserting “2259(c)(2)”; and

(B) in subsection (d)—

(i) by inserting “(1)” after “(d)”;

(ii) by striking “chapter, including, in” and inserting the following: “chapter.

“(2) In”; and

(iii) in paragraph (2), as so designated, by inserting “may assume the rights of the victim under this section” after “suitable by the court”; and

(6) in section 3664, by adding at the end the following:

“(q) TRUSTEE OR OTHER FIDUCIARY.—

“(1) IN GENERAL.—

“(A) APPOINTMENT OF TRUSTEE OR OTHER FIDUCIARY.—When the court issues an order of restitution under section 1593, 2248, 2259, 2429, or 3663, or subparagraphs (A)(i) and (B) of section 3663A(c)(1), for a victim described in subparagraph (B) of this paragraph, the court, at its own discretion or upon motion by the Government, may appoint a trustee or other fiduciary to hold any amount paid for restitution in a trust or other official account for the benefit of the victim.

“(B) COVERED VICTIMS.—A victim referred to in subparagraph (A) is a victim who is—

“(i) under the age of 18 at the time of the proceeding;

“(ii) incompetent or incapacitated; or

“(iii) subject to paragraph (3), a foreign citizen or stateless person residing outside the United States.

“(2) ORDER.—When the court appoints a trustee or other fiduciary under paragraph (1), the court shall issue an order specifying—

“(A) the duties of the trustee or other fiduciary, which shall require—

“(i) the administration of the trust or maintaining an official account in the best interests of the victim; and

“(ii) disbursing payments from the trust or account—

“(I) to the victim; or

“(II) to any individual or entity on behalf of the victim;

“(B) that the trustee or other fiduciary—

“(i) shall avoid any conflict of interest;

“(ii) may not profit from the administration of the trust or maintaining an official account for the benefit of the victim other than as specified in the order; and

“(iii) may not delegate administration of the trust or maintaining the official account to any other person;

“(C) if and when the trust or the duties of the other fiduciary will expire; and

“(D) the fees payable to the trustee or other fiduciary to cover expenses of administering the trust or maintaining the official account for the benefit of the victim, and the schedule for payment of those fees.

“(3) FACT-FINDING REGARDING FOREIGN CITIZENS AND STATELESS PERSON.—In the case of a victim who is a foreign citizen or stateless person residing outside the United States and is not under the age of 18 at the time of the proceeding or incompetent or incapacitated, the court may appoint a trustee or other fiduciary under paragraph (1) only if the court finds it necessary to—

“(A) protect the safety or security of the victim; or

“(B) provide a reliable means for the victim to access or benefit from the restitution payments.

“(4) PAYMENT OF FEES.—

“(A) IN GENERAL.—The court may, with respect to the fees of the trustee or other fiduciary—

“(i) pay the fees in whole or in part; or

“(ii) order the defendant to pay the fees in whole or in part.

“(B) APPLICABILITY OF OTHER PROVISIONS.—With respect to a court order under subparagraph (A)(ii) requiring a defendant to pay fees—

“(i) subsection (f)(3) shall apply to the court order in the same manner as that subsection applies to a restitution order;

“(ii) subchapter C of chapter 227 (other than section 3571) shall apply to the court order in the same manner as that subchapter applies to a sentence of a fine; and

“(iii) subchapter B of chapter 229 shall apply to the court order in the same manner as that subchapter applies to the implementation of a sentence of a fine.

“(C) EFFECT ON OTHER PENALTIES.—Imposition of payment under subparagraph (A)(ii) shall not relieve a defendant of, or entitle a defendant to a reduction in the amount of, any special assessment, restitution, other fines, penalties, or costs, or other payments required under the defendant’s sentence.

“(D) SCHEDULE.—Notwithstanding any other provision of law, if the court orders the defendant to make any payment under subparagraph (A)(ii), the court may provide a payment schedule that is concurrent with the payment of any other financial obligation described in subparagraph (C).

“(5) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There is authorized to be appropriated to the United States courts to carry out this subsection \$15,000,000 for each fiscal year.

“(B) SUPERVISION OF PAYMENTS.—Payments from appropriations authorized under subparagraph (A) shall be made under the supervision of the Director of the Administrative Office of the United States Courts.”

**SEC. 1704. CYBERTIPLINE IMPROVEMENTS, AND ACCOUNTABILITY AND TRANSPARENCY BY THE TECH INDUSTRY.**

(a) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended—

(1) in section 2258A—

(A) by striking subsections (a), (b), and (c) and inserting the following:

“(a) DUTY TO REPORT.—

“(1) DUTY.—In order to reduce the proliferation of online child sexual exploitation and to prevent the online sexual exploitation of children, as soon as reasonably possible after obtaining actual knowledge of any facts or circumstances described in paragraph (2) or any apparent child pornography on the provider’s service, and in any event not later than 60 days after obtaining such knowledge, a provider shall submit to the CyberTipline of NCMEC, or any successor to the CyberTipline operated by NCMEC, a report that—

“(A) shall contain—

“(i) the mailing address, telephone number, facsimile number, electronic mailing address of, and individual point of contact for, such provider; and

“(ii) information or material described in subsection (b)(1)(A) concerning such facts or circumstances or apparent child pornography; and

“(B) may contain information described in subsection (b)(2), including any available information to identify or locate any involved minor.

“(2) FACTS OR CIRCUMSTANCES.—The facts or circumstances described in this paragraph are any facts or circumstances indicating an apparent, planned, or imminent violation of section 1591 (if the violation involves a minor), 2251, 2251A, 2252, 2252A, 2252B, 2260, or 2422(b).

“(3) COMPLAINANT INFORMATION.—For a report premised on a complaint or notification submitted to a provider by a user of the provider’s product or service, or a parent, guardian, or representative of such user, the provider shall take reasonable measures to determine what information or material in the user’s account shall be included in the report as provided in subsection (b)(1)(A)(vi).

“(b) CONTENTS OF REPORT.—

“(1) IN GENERAL.—In an effort to prevent the future sexual victimization of children, and to the extent the information is within the custody or control of a provider, each report provided under subsection (a)(1)—

“(A) shall include, to the extent that it is applicable and reasonably available—

“(i) the name, address, electronic mail address, user or account identification, Internet Protocol address, port number, and uniform resource locator of any individual who is a subject of the report;

“(ii) the terms of service in effect at the time of—

“(I) the apparent violation; or

“(II) the detection of apparent child pornography or a planned or imminent violation;

“(iii) a copy of any apparent child pornography that is the subject of the report, or all accessible chats, messages, or text exchanges that are related to the report, that were identified in a publicly available location;

“(iv) for each item of apparent child pornography included in the report under clause (iii) or paragraph (2)(E), information indicating whether—

“(I) the apparent child pornography was publicly available; or

“(II) the provider, in its sole discretion, viewed the apparent child pornography, or any copy thereof, at any point concurrent with or prior to the submission of the report;

“(v) for each item of apparent child pornography that is the subject of the report, an indication as to whether the apparent child pornography—

“(I) is created in whole or in part through the use of software, machine learning, artificial intelligence, or any other computer-generated or technological means, including by adapting, modifying, manipulating, or altering an authentic visual depiction;

“(II) has previously been the subject of a report under subsection (a)(1); or

“(III) is the subject of multiple contemporaneous reports due to rapid and widespread distribution; and

“(vi) any and all information or material (including apparent child pornography, chats, messages, or text exchanges) relating to the subject of the report in the account of a user of the provider’s product or service, if the user, or the parent, guardian, or representative of such user—

“(I) provided the information or material in a notification or complaint to the provider;

“(II) indicates that such information or material should be included in the report; or

“(III) consents to the inclusion of such information or material in the report; and

“(B) may, at the sole discretion of the provider, include the information described in paragraph (2) of this subsection.

“(2) OTHER INFORMATION.—The information referred to in paragraph (1)(B) is the following:

“(A) INFORMATION ABOUT ANY INVOLVED INDIVIDUAL.—Any information relating to the identity or location of any individual who is a subject of the report, including payment or financial information (excluding personally identifiable information) and self-reported identifying or locating information.

“(B) INFORMATION ABOUT ANY INVOLVED MINOR.—Information relating to the identity or location of any involved minor, which may include an address, electronic mail address, Internet Protocol address, port number, uniform resource locator, payment or financial information (excluding personally identifiable information), or any other information that may identify or locate any involved minor, including self-reported identifying or locating information.

“(C) HISTORICAL REFERENCE.—Information relating to when and how a customer or subscriber of a provider uploaded, transmitted, or received content relating to the report or when and how content relating to the report was reported to, or discovered by the provider, including a date and time stamp and time zone.

“(D) GEOGRAPHIC LOCATION INFORMATION.—Information relating to the geographic location of the involved individual or website, which may include the Internet Protocol address, port number, or verified address, or, if not reasonably available, at least one form of geographic identifying information, including area code or ZIP Code, provided by the customer or subscriber, or stored or obtained by the provider.

“(E) APPARENT CHILD PORNOGRAPHY.—Any apparent child pornography not described in paragraph (1)(A)(iii), or other content related to the subject of the report.

“(F) COMPLETE COMMUNICATION.—The complete communication containing any apparent child pornography or other content, including—

“(i) any data or information regarding the transmission of the communication; and

“(ii) any visual depictions, data, or other digital files contained in, or attached to, the communication.

“(G) TECHNICAL IDENTIFIER.—An industry-standard hash value or other similar industry-standard technical identifier for any reported visual depiction as it existed on the provider’s service.

“(H) DESCRIPTION.—For any item of apparent child pornography that is the subject of the report, an indication of whether—

“(i) the depicted sexually explicit conduct involves—

“(I) genital, oral, or anal sexual intercourse;

“(II) bestiality;

“(III) masturbation;

“(IV) sadistic or masochistic abuse; or

“(V) lascivious exhibition of the anus, genitals, or pubic area of any person; and

“(ii) the depicted minor is—

“(I) an infant or toddler;

“(II) prepubescent;

“(III) pubescent;

“(IV) post-pubescent; or

“(V) of an indeterminate age or developmental stage.

“(I) CHATS, MESSAGES, OR TEXT EXCHANGES.—Chats, messages, or text exchanges that fully provide the context for the report.

“(3) FORMATTING OF REPORTS.—When a provider includes any information described in paragraph (1) or, at its sole discretion, any information described in paragraph (2) in a report to the CyberTipline of NCMEC, or any

successor to the CyberTipline operated by NCMEC, the provider shall use best efforts to ensure that the report conforms with the structure of the CyberTipline or the successor, as applicable.

“(C) FORWARDING OF REPORT AND OTHER INFORMATION TO LAW ENFORCEMENT.—

“(1) IN GENERAL.—Pursuant to its clearinghouse role as a private, nonprofit organization, and at the conclusion of its review in furtherance of its nonprofit mission, NCMEC shall make available each report submitted under subsection (a)(1) to one or more of the following law enforcement agencies:

“(A) Any Federal law enforcement agency that is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

“(B) Any State or local law enforcement agency that is involved in the investigation of child sexual exploitation.

“(C) A foreign law enforcement agency designated by the Attorney General under subsection (d)(3) or a foreign law enforcement agency that has an established relationship with the Federal Bureau of Investigation, Immigration and Customs Enforcement, or INTERPOL, and is involved in the investigation of child sexual exploitation, kidnapping, or enticement crimes.

“(2) TECHNICAL IDENTIFIERS.—If a report submitted under subsection (a)(1) contains an industry-standard hash value or other similar industry-standard technical identifier—

“(A) NCMEC may compare that hash value or identifier with any database or repository of visual depictions owned or operated by NCMEC; and

“(B) if the comparison under subparagraph (A) results in a match, NCMEC may include the matching visual depiction from its database or repository when forwarding the report to an agency described in subparagraph (A) or (B) of paragraph (1).”;

(B) in subsection (d)—

(i) in paragraph (2), by striking “subsection (c)(1)” and inserting “subsection (c)(1)(A)”;

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking “subsection (c)(3)” and inserting “subsection (c)(1)(C)”;

(II) in subparagraph (C), by striking “subsection (c)(3)” and inserting “subsection (c)(1)(C)”;

(iii) in paragraph (5)(B)—

(I) in clause (i), by striking “forwarded” and inserting “made available”;

(II) in clause (ii), by striking “forwarded” and inserting “made available”;

(C) by striking subsection (e) and inserting the following:

“(e) FAILURE TO COMPLY WITH REQUIREMENTS.—

“(1) CRIMINAL PENALTY.—

“(A) OFFENSE.—It shall be unlawful for a provider to knowingly—

“(i) fail to submit a report under subsection (a)(1) within the time period required by that subsection; or

“(ii) fail to preserve material as required under subsection (h).

“(B) PENALTY.—

“(i) IN GENERAL.—A provider that violates subparagraph (A) shall be fined—

“(I) in the case of an initial violation, not more than—

“(aa) \$850,000 if the provider has not fewer than 100,000,000 monthly active users; or

“(bb) \$600,000 if the provider has fewer than 100,000,000 monthly active users; and

“(II) in the case of any second or subsequent violation, not more than—

“(aa) \$1,000,000 if the provider has not fewer than 100,000,000 monthly active users; or

“(bb) \$850,000 if the provider has fewer than 100,000,000 monthly active users.

“(i) HARM TO INDIVIDUALS.—The maximum fine under clause (i) shall be doubled if an individual is harmed as a direct and proximate result of the applicable violation.

“(2) CIVIL PENALTY.—

“(A) VIOLATIONS RELATING TO CYBERTIPLINE REPORTS AND MATERIAL PRESERVATION.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than \$50,000 and not more than \$250,000 if the provider knowingly—

“(i) fails to submit a report under subsection (a)(1) within the time period required by that subsection;

“(ii) fails to preserve material as required under subsection (h); or

“(iii) submits a report under subsection (a)(1) that—

“(I) contains materially false or fraudulent information; or

“(II) omits information described in subsection (b)(1)(A) that is reasonably available.

“(B) ANNUAL REPORT VIOLATIONS.—A provider shall be liable to the United States Government for a civil penalty in an amount of not less than \$100,000 and not more than \$1,000,000 if the provider knowingly—

“(i) fails to submit an annual report as required under subsection (i); or

“(ii) submits an annual report under subsection (i) that—

“(I) contains a materially false, fraudulent, or misleading statement; or

“(II) omits information described in subsection (i)(1) that is reasonably available.

“(C) HARM TO INDIVIDUALS.—The amount of a civil penalty under subparagraph (A) or (B) shall be tripled if an individual is harmed as a direct and proximate result of the applicable violation.

“(D) COSTS OF CIVIL ACTIONS.—A provider that commits a violation described in subparagraph (A) or (B) shall be liable to the United States Government for the costs of a civil action brought to recover a civil penalty under that subparagraph.

“(E) ENFORCEMENT.—This paragraph shall be enforced in accordance with sections 3731, 3732, and 3733 of title 31, except that a civil action to recover a civil penalty under subparagraph (A) or (B) of this paragraph may only be brought by the United States Government.

“(3) DEPOSIT OF FINES AND PENALTIES.—Notwithstanding any other provision of law, any criminal fine or civil penalty collected under this subsection shall be deposited into the Child Pornography Victims Reserve as provided in section 2259B.”;

(D) in subsection (f), by striking paragraph (3) and inserting the following:

“(3) affirmatively search, screen, or scan for—

“(A) facts or circumstances described in subsection (a)(2);

“(B) information described in subsection (b)(2); or

“(C) any apparent child pornography.”;

(E) in subsection (g)—

(i) in paragraph (2)(A)—

(I) in clause (iii), by inserting “or personnel at a children’s advocacy center” after “State”;

(II) in clause (iv), by striking “State or subdivision of a State” and inserting “State, subdivision of a State, or children’s advocacy center”;

(ii) in paragraph (3), in the matter preceding subparagraph (A), by striking “subsection (a)” and inserting “subsection (a)(1)”;

(F) in subsection (h), by striking paragraph (5) and inserting the following:

“(5) RELATION TO REPORTING REQUIREMENT.—Submission of a report as described

in subsection (a)(1) does not satisfy the obligations under this subsection.”; and

(G) by adding at the end the following:

“(i) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than March 31 of the second year beginning after the date of enactment of the STOP CSAM Act of 2026, and of each year thereafter, a provider that had more than 1,000,000 unique monthly visitors or users during each month of the preceding year and accrued revenue of more than \$50,000,000 during the preceding year shall submit to the Attorney General and the Chair of the Federal Trade Commission a report, disaggregated by subsidiary, that provides the following information for the preceding year to the extent such information is applicable and reasonably available:

“(A) CYBERTIPLINE DATA.—

“(i) The total number of reports that the provider submitted under subsection (a)(1).

“(ii) Which items of information described in subsection (b)(2) are routinely included in the reports submitted by the provider under subsection (a)(1).

“(B) OTHER REPORTING TO THE PROVIDER.—

“(i) The measures the provider has in place to receive other reports concerning child sexual exploitation and abuse using the provider’s product or on the provider’s service.

“(ii) The average time for responding to reports described in clause (i).

“(iii) The number of reports described in clause (i) that the provider received.

“(iv) A summary description of the actions taken upon receipt of the reports described in clause (i).

“(C) POLICIES.—

“(i) A description of the policies of the provider with respect to the commission of child sexual exploitation and abuse using the provider’s product or on the provider’s service, including how child sexual exploitation and abuse is defined.

“(ii) A description of possible user consequences for violations of the policies described in clause (i).

“(iii) The methods of informing users of the policies described in clause (i).

“(iv) The process for adjudicating potential violations of the policies described in clause (i).

“(D) CULTURE OF SAFETY.—

“(i) The measures, tools, and technologies that the provider deploys to—

“(I) protect children from sexual exploitation and abuse using the provider’s product or service;

“(II) prevent or interdict activity by children related to sexual exploitation and abuse, including the posting or sharing of intimate visual depictions; and

“(III) accurately identify adult and minor users.

“(ii) The measures, tools, and technologies that the provider deploys to empower parents and guardians to protect their children from sexual exploitation and abuse using the provider’s product or service.

“(iii) The measures, tools, and technologies that the provider deploys to prevent the use of the provider’s product or service by individuals seeking to commit child sexual exploitation and abuse.

“(iv) With respect to the measures, tools, and technologies described in clauses (i), (ii), and (iii)—

“(I) an assessment of their efficacy, including any relevant quantitative information indicating when and how often they are used; and

“(II) information on any factors that limit their efficacy or create gaps in their protection and efforts by the provider to address those loopholes or gaps.

“(v) A description of factors that interfere with the provider’s ability to detect or

evaluate instances of child sexual exploitation and abuse and an analysis of the impact of those factors.

“(vi) Information shared by the provider with users about the risks to children on the provider’s product or service concerning sexual exploitation and abuse and an assessment of the impact of the information on users, including any relevant quantitative information indicating how often the information is reviewed.

“(vii) A description of efforts undertaken by the provider, to the extent appropriate, to allow for independent verification of the information provided pursuant to this subparagraph and of the efficacy of the measures, tools, and technologies described in clauses (i), (ii), and (iii), including through the facilitation of independent research.

“(E) SAFETY BY DESIGN.—The measures that the provider takes before launching a new product or service—

“(i) to assess—

“(I) the safety risks for children with respect to sexual exploitation and abuse; and

“(II) whether and how individuals could use the new product or service to commit child sexual exploitation and abuse; and

“(ii) to determine—

“(I) the appropriate age for users of the new product or service; and

“(II) whether the new product or service will be adopted to commit child sexual exploitation and abuse.

“(F) PREVALENCE, TRENDS, AND PATTERNS.—Any information concerning—

“(i) the prevalence of child sexual exploitation and abuse on the provider’s product or service, including the volume of child pornography that is available and that is being accessed, distributed, or received; and

“(ii) emerging trends, risks, and changing patterns with respect to the commission of online child sexual exploitation and abuse.

“(G) OTHER INFORMATION.—Any other information relevant to child sexual exploitation and abuse on the provider’s product or service.

“(2) AVOIDING DUPLICATION.—Notwithstanding the requirement under the matter preceding paragraph (1) that information be submitted annually, in the case of any report submitted under that paragraph after the initial report, a provider shall submit information described in subparagraphs (C) through (F) of that paragraph not less frequently than once every 3 years or when new information is available, whichever is more frequent.

“(3) LIMITATION.—Nothing in paragraph (1) shall require the disclosure of trade secrets or other proprietary information.

“(4) PUBLICATION.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Attorney General and the Chair of the Federal Trade Commission shall publish the reports received under this subsection.

“(B) REDACTION.—

“(i) IN GENERAL.—Whether or not such redaction is requested by the provider, the Attorney General and Chair of the Federal Trade Commission shall redact from a report published under subparagraph (A) any information as necessary to avoid—

“(I) undermining the efficacy of a safety measure described in the report; or

“(II) revealing how a product or service of a provider may be used to commit online child sexual exploitation and abuse.

“(ii) ADDITIONAL REDACTION.—

“(I) REQUEST.—In addition to information redacted under clause (i), a provider may request the redaction, from a report published under subparagraph (A), of any information that is law enforcement sensitive or otherwise not suitable for public distribution.

“(II) AGENCY DISCRETION.—The Attorney General and Chair of the Federal Trade Commission—

“(aa) shall consider a request made under subclause (I); and

“(bb) may, in their discretion, redact from a report published under subparagraph (A) any information pursuant to the request.”;

(2) in section 2258B—

(A) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—

“(1) LIMITED LIABILITY.—Except as provided in subsection (b), a civil claim or criminal charge described in paragraph (2) may not be brought in any Federal or State court.

“(2) COVERED CLAIMS AND CHARGES.—A civil claim or criminal charge referred to in paragraph (1) is a civil claim or criminal charge against a provider or domain name registrar, including any director, officer, employee, or agent of such provider or domain name registrar, that is directly attributable to—

“(A) the performance of the reporting or preservation responsibilities of such provider or domain name registrar under this section, section 2258A, or section 2258C;

“(B) transmitting, distributing, or mailing child pornography to any Federal, State, or local law enforcement agency, or giving such agency access to child pornography, in response to a search warrant, court order, or other legal process issued or obtained by such agency; or

“(C) the use by the provider or domain name registrar of any material being preserved under section 2258A(h) by such provider or registrar for research and the development and training of tools, undertaken voluntarily and in good faith for the sole and exclusive purpose of—

“(i) improving or facilitating reporting under this section, section 2258A, or section 2258C; or

“(ii) stopping the online sexual exploitation of children.”; and

(B) in subsection (b)—

(i) in paragraph (1), by striking “; or” and inserting “or knowingly failed to comply with a requirement under section 2258A.”;

(ii) in paragraph (2)(C)—

(I) by striking “sections” and inserting “this section or section”; and

(II) by striking the period and inserting “; or”; and

(iii) by adding at the end the following:

“(3) for purposes of subsection (a)(2)(C), knowingly distributed or transmitted the material, or made the material available, except as required by law, to—

“(A) any other entity;

“(B) any person not employed by the provider or domain name registrar; or

“(C) any person employed by the provider or domain name registrar who is not conducting any research described in that subsection.”;

(3) in section 2258C—

(A) in the section heading, by striking “the CyberTipline” and inserting “NCMEC”;

(B) in subsection (a)—

(i) in the subsection heading, by striking “ELEMENTS” and inserting “INFORMATION SHARING WITH PROVIDERS AND ENTITIES FOR THE PURPOSES OF PREVENTING AND CURTAILING THE ONLINE SEXUAL EXPLOITATION OF CHILDREN”;

(ii) in paragraph (1)—

(I) by striking “to a provider” and inserting the following: “or submission to the Child Victim Identification Program to—

“(A) a provider”;

(II) in subparagraph (A), as so designated—

(aa) by inserting “use of the provider’s products or services to commit” after “stop the”; and

(bb) by striking the period at the end and inserting “; or”; and

(III) by adding at the end the following:

“(B) an entity for the sole and exclusive purpose of preventing and curtailing the online sexual exploitation of children.”; and

(iii) in paragraph (2)—

(I) in the heading, by striking “INCLUSIONS” and inserting “ELEMENTS”;

(II) by striking “unique identifiers” and inserting “similar technical identifiers”;

(III) by inserting “or content, elements, or reported materials,” after “visual depiction.”;

(IV) by inserting a comma after “location”;

(V) by striking “and any other elements”; and

(VI) by inserting “or submission to the Child Victim Identification Program” after “CyberTipline report”;

(C) in subsection (b)—

(i) in the heading, by inserting “OR ENTITIES” after “PROVIDERS”;

(ii) by striking “Any provider” and inserting the following:

“(1) IN GENERAL.—Any provider or entity”;

(iii) in paragraph (1), as so designated—

(I) by striking “receives” and inserting “obtains”; and

(II) by inserting “or submission to the Child Victim Identification Program” after “CyberTipline report”; and

(iv) by adding at the end the following:

“(2) LIMITATION ON SHARING WITH OTHER ENTITIES.—A provider or entity that obtains elements under subsection (a)(1) may not distribute those elements, or make those elements available, to any other entity, except for the sole and exclusive purpose of curtailing, preventing, or stopping the online sexual exploitation of children.”;

(D) in subsection (c)—

(i) by striking “subsections” and inserting “subsection”;

(ii) by striking “providers receiving” and inserting “a provider or entity to obtain”;

(iii) by inserting “or submission to the Child Victim Identification Program” after “CyberTipline report”; and

(iv) by striking “to use the elements to stop the online sexual exploitation of children”; and

(E) in subsection (d), by inserting “or to the Child Victim Identification Program” after “CyberTipline”;

(4) in section 2258E—

(A) in paragraph (6), by striking “electronic communication service provider” and inserting “electronic communication service”;

(B) in paragraph (7), by striking “and” at the end;

(C) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(9) the term ‘publicly available’, with respect to a visual depiction on a provider’s service, means the visual depiction can be viewed by or is accessible to all users of the service, regardless of the steps, if any, a user must take to create an account or to gain access to the service in order to access or view the visual depiction; and

“(10) the term ‘Child Victim Identification Program’ means the program described in section 404(b)(1)(K)(ii) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11293(b)(1)(K)(ii)).”;

(5) in section 2259B(a), by inserting “, any fine or penalty collected under section 2258A(e),” after “2259A”; and

(6) by adding at the end the following:

“§ 2260B. Liability for certain child sexual exploitation offenses

“(a) OFFENSE.—It shall be unlawful for a provider of an interactive computer service,

as that term is defined in section 230 of the Communications Act of 1934 (47 U.S.C. 230), that operates through the use of any facility or means of interstate or foreign commerce or in or affecting interstate or foreign commerce, through such service to—

“(1) intentionally host or store child pornography or make child pornography available to any person; or

“(2) knowingly promote or facilitate a violation of section 2251, 2251A, 2252, 2252A, or 2422(b).

“(b) PENALTY.—A provider of an interactive computer service that violates subsection (a)—

“(1) subject to paragraph (2), shall be fined not more than \$1,000,000; and

“(2) if the offense involves a conscious or reckless risk of serious personal injury or an individual is harmed as a direct and proximate result of the violation, shall be fined not more than \$5,000,000.

“(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to apply to any good faith action by a provider of an interactive computer service that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by adding at the end the following:

“2260B. Liability for certain child sexual exploitation offenses.”.

(c) EFFECTIVE DATE FOR AMENDMENTS TO REPORTING REQUIREMENTS OF PROVIDERS.—The amendments made by subsection (a)(1) of this section shall take effect on the date that is 120 days after the date of enactment of this Act.

**SEC. 1705. EXPANDING CIVIL REMEDIES FOR VICTIMS OF ONLINE CHILD SEXUAL EXPLOITATION.**

(a) STATEMENT OF INTENT.—Nothing in this section shall be construed to abrogate or narrow any case law concerning section 2255 of title 18, United States Code.

(b) CIVIL REMEDY FOR PERSONAL INJURIES.—Section 2255(a) of title 18, United States Code, is amended—

(1) by striking “IN GENERAL.—Any person who, while a minor, was a victim of a violation of section 1589, 1590, 1591, 2241(c), 2242, 2243, 2251, 2251A, 2252, 2252A, 2260, 2421, 2422, or 2423 of this title and who suffers personal injury as a result of such violation, regardless of whether the injury occurred while such person was a minor, may sue” and inserting the following: “PRIVATE RIGHT OF ACTION.—

“(1) IN GENERAL.—Any person described in subparagraph (A), (B), or (C) of paragraph (2) who suffers personal injury as a result of a violation described in that subparagraph, regardless of whether the injury occurred while such person was a minor, may bring a civil action”; and

(2) by adding at the end the following:

“(2) ELIGIBLE PERSONS.—Paragraph (1) shall apply to any person—

“(A) who, while a minor, was a victim of—

“(i) a violation of section 1589, 1590, 1591, 2241, 2242, 2243, 2251, 2251A, 2260(a), 2421, 2422, or 2423;

“(ii) an attempt to violate section 1589, 1590, or 1591 under section 1594(a);

“(iii) a conspiracy to violate section 1589 or 1590 under section 1594(b); or

“(iv) a conspiracy to violate section 1591 under section 1594(c);

“(B) who—

“(i) is depicted as a minor in child pornography; and

“(ii) is a victim of a violation of 2252, 2252A, or 2260(b) (regardless of when the violation occurs); or

“(C) who—

“(i) is depicted as an identifiable minor in a visual depiction described in section 1466A; and

“(ii) is a victim of a violation of that section (regardless of when the violation occurs).”.

(c) CIVIL REMEDY AGAINST ONLINE PLATFORMS AND APP STORES.—

(1) IN GENERAL.—Chapter 110 of title 18, United States Code, is amended by inserting after section 2255 the following:

**“§ 2255A. Additional remedy for certain victims of child pornography or child sexual exploitation**

“(a) IN GENERAL.—

“(1) PROMOTION OR AIDING AND ABETTING OF CERTAIN VIOLATIONS.—Any person who is a victim of the intentional, knowing, or reckless promotion, or aiding and abetting, of a violation of section 1591 or 1594(c) (involving a minor), or section 2251, 2251A, 2252, 2252A, or 2422(b), where such promotion, or aiding and abetting, is by a provider of an interactive computer service or an app store, and who suffers personal injury as a result of such promotion or aiding and abetting, regardless of when the injury occurred, may bring a civil action in any appropriate United States District Court for relief set forth in subsection (b).

“(2) ACTIVITIES INVOLVING CHILD PORNOGRAPHY.—Any person who is a victim of the intentional, knowing, or reckless hosting or storing of child pornography or making child pornography available to any person by a provider of an interactive computer service, and who suffers personal injury as a result of such hosting, storing, or making available, regardless of when the injury occurred, may bring a civil action in any appropriate United States District Court for relief set forth in subsection (b).

“(b) RELIEF.—In a civil action brought by a person under subsection (a)—

“(1) the person shall recover the actual damages the person sustains or liquidated damages in the amount of \$300,000, and the cost of the action, including reasonable attorney fees and other litigation costs reasonably incurred; and

“(2) the court may, in addition to any other relief available at law, award punitive damages and such other preliminary and equitable relief as the court determines to be appropriate, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to cease the offending conduct.

“(c) STATUTE OF LIMITATIONS.—There shall be no time limit for the filing of a complaint commencing an action under subsection (a).

“(d) VENUE; SERVICE OF PROCESS.—

“(1) VENUE.—Any action brought under subsection (a) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28.

“(2) SERVICE OF PROCESS.—In an action brought under subsection (a), process may be served in any district in which the defendant—

“(A) is an inhabitant; or

“(B) may be found.

“(e) RELATION TO SECTION 230 OF THE COMMUNICATIONS ACT OF 1934.—Nothing in section 230 of the Communications Act of 1934 (47 U.S.C. 230) shall be construed to impair or limit any claim brought under subsection (a).

“(f) RULES OF CONSTRUCTION.—

“(1) APPLICABILITY TO LEGAL PROCESS OR OBLIGATION.—Nothing in this section shall be construed to apply to any good faith action that is necessary to comply with a valid court order, subpoena, search warrant, statutory obligation, or preservation request from law enforcement.

“(2) APPLICATION OF SECTION 2258B.—A civil action brought under subsection (a) shall be subject to section 2258B.

“(g) ENCRYPTION TECHNOLOGIES.—

“(1) IN GENERAL.—None of the following actions or circumstances shall serve as an independent basis for liability under subsection (a):

“(A) Utilizing full end-to-end encrypted messaging services, device encryption, or other encryption services.

“(B) Not possessing the information necessary to decrypt a communication.

“(C) Failing to take an action that would otherwise undermine the ability to offer full end-to-end encrypted messaging services, device encryption, or other encryption services.

“(2) CONSIDERATION OF EVIDENCE.—Evidence of actions or circumstances described in paragraph (1) shall be admissible in a civil action brought under subsection (a) if—

“(A) the actions or circumstances are relevant under rules 401 and 402 of the Federal Rules of Evidence to—

“(i) prove motive, intent, preparation, plan, absence of mistake, or lack of accident; or

“(ii) rebut any evidence or factual or legal claim; and

“(B) the actions or circumstances—

“(i) are otherwise admissible under the Federal Rules of Evidence; and

“(ii) are not subject to exclusion under rule 403 or any other rule of the Federal Rules of Evidence.

“(3) NO EFFECT ON DISCOVERY.—Nothing in paragraph (1) or (2) shall be construed to create a defense to a discovery request or otherwise limit or affect discovery in any civil action brought under subsection (a).

“(h) DEFENSE.—In a civil action under subsection (a)(2) involving knowing or reckless conduct, it shall be a defense at trial, which the provider of an interactive computer service must establish by a preponderance of the evidence as determined by the finder of fact, that—

“(1) the provider disabled access to or removed the child pornography within a reasonable timeframe, and in any event not later than 48 hours after obtaining knowledge that the child pornography was being hosted, stored, or made available by the provider (or, in the case of a provider that, for the most recent calendar year, averaged fewer than 10,000,000 active users on a monthly basis in the United States, within a reasonable timeframe, and in any event not later than 2 business days after obtaining such knowledge);

“(2) the provider exercised a reasonable, good faith effort to disable access to or remove the child pornography but was unable to do so for reasons outside the provider's control; or

“(3) it is technologically impossible for the provider to disable access to or remove the child pornography without compromising encryption technologies.

“(i) SANCTIONS FOR REPEATED BAD FAITH CIVIL ACTIONS OR DEFENSES.—

“(1) DEFINITIONS.—In this subsection:

“(A) BAD FAITH CIVIL ACTION.—The term ‘bad faith civil action’ means a civil action brought under subsection (a) in bad faith where the finder of fact determines that at the time the civil action was filed, the party, attorney, or law firm described in paragraph (2) had actual knowledge that—

“(i) the alleged conduct did not involve any minor; or

“(ii) the alleged child pornography did not depict—

“(I) any minor; or

“(II) sexually explicit conduct, sexual suggestiveness, full or partial nudity, or implied sexual activity.

“(B) BAD FAITH DEFENSE.—The term ‘bad faith defense’ means a defense in a civil action brought under subsection (a) raised in bad faith where the finder of fact determines that at the time the defense was raised, the party, attorney, or law firm described in paragraph (3) had actual knowledge that the defense—

“(i) was made solely for the purpose of delaying the civil action or increasing the costs of the civil action; or

“(ii) was objectively baseless in light of the applicable law or facts at issue.

“(2) BAD FAITH CIVIL ACTION.—In the case of a civil action brought under subsection (a), the court may impose sanctions on—

“(A) the party bringing the civil action if the court finds that the party has brought 2 or more bad faith civil actions (which may include the instant civil action); or

“(B) an attorney or law firm representing the party bringing the civil action if the court finds that the attorney or law firm has represented—

“(i) a party who has brought 2 or more bad faith civil actions (which may include the instant civil action); or

“(ii) 2 or more parties who have each brought a bad faith civil action (which may include the instant civil action).

“(3) BAD FAITH DEFENSE.—In the case of a civil action brought under subsection (a), the court may impose sanctions on—

“(A) the party defending the civil action if the court finds that the party has raised 2 or more bad faith defenses (which may include 1 or more defenses raised in the instant civil action); or

“(B) an attorney or law firm representing the party defending the civil action if the court finds that the attorney or law firm has represented—

“(i) a party who has raised 2 or more bad faith defenses (which may include 1 or more defenses raised in the instant civil action); or

“(ii) 2 or more parties who have each raised a bad faith defense (which may include a defense raised in the instant civil action).

“(4) IMPLEMENTATION.—Rule 11(c) of the Federal Rules of Civil Procedure shall apply to sanctions imposed under this subsection in the same manner as that rule applies to sanctions imposed for a violation of rule 11(b) of those Rules.

“(5) RULES OF CONSTRUCTION.—

“(A) RULE 11.—This subsection shall not be construed to limit or expand the application of rule 11 of the Federal Rules of Civil Procedure.

“(B) DEFINITION CHANGE.—Paragraph (1)(A)(ii) shall not be construed to apply to a civil action affected by a contemporaneous change in the law with respect to the definition of ‘child pornography’.

“(j) DEFINITIONS.—In this section:

“(1) APP.—The term ‘app’ means a software application or electronic service that may be run or directed by a user on a computer, a mobile device, or any other general purpose computing device.

“(2) APP STORE.—The term ‘app store’ means a publicly available website, software application, or other electronic service that—

“(A) distributes apps from third-party developers to users of a computer, a mobile device, or any other general purpose computing device; and

“(B) operates—

“(i) through the use of any means or facility of interstate or foreign commerce; or

“(ii) in or affecting interstate or foreign commerce.

“(3) INTERACTIVE COMPUTER SERVICE.—The term ‘interactive computer service’ means an interactive computer service, as defined

in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)), that operates—

“(A) through the use of any means or facility of interstate or foreign commerce; or

“(B) in or affecting interstate or foreign commerce.

“(k) SAVINGS CLAUSE.—Nothing in this section, including the defenses under this section, shall be construed to apply to any civil action brought under any other Federal law, rule, or regulation, including any civil action brought against a provider of an interactive computer service or an app store under section 1595 or 2255.”

(2) CLERICAL AMENDMENT.—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 2255 the following:

“2255A. Additional remedy for certain victims of child pornography or child sexual exploitation.”

#### SEC. 1706. SEVERABILITY.

If any provision of this subtitle, an amendment made by this subtitle, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this subtitle and the amendments made by this subtitle, and the application of the provision or amendment to any other person or circumstance, shall not be affected.

#### SEC. 1707. CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.

(a) FEDERAL LAW.—Nothing in this subtitle or the amendments made by this subtitle, nor any rule or regulation issued pursuant to this subtitle or the amendments made by this subtitle, shall affect or diminish any right or remedy for a victim of child pornography or child sexual exploitation under any other Federal law, rule, or regulation, including any claim under section 2255 of title 18, United States Code, with respect to any individual or entity.

(b) STATE OR TRIBAL LAW.—Nothing in this subtitle or the amendments made by this subtitle, nor any rule or regulation issued pursuant to this subtitle or the amendments made by this subtitle, shall—

(1) preempt, diminish, or supplant any right or remedy for a victim of child pornography or child sexual exploitation under any State or Tribal common or statutory law; or

(2) prohibit the enforcement of a law governing child pornography or child sexual exploitation that is at least as protective of the rights of a victim as this subtitle and the amendments made by this subtitle.

#### Subtitle B—DEFIANCE Act of 2026

##### SEC. 1711. SHORT TITLE.

This subtitle may be cited as the “Disrupt Explicit Forged Images And Non-Consensual Edits Act of 2026” or the “DEFIANCE Act of 2026”.

##### SEC. 1712. FINDINGS.

Congress finds the following:

(1) Digital forgeries, often called deepfakes, are synthetic images and videos that look realistic. The technology to create digital forgeries is now ubiquitous and easy to use. Hundreds of apps are available that can quickly generate digital forgeries without the need for any technical expertise.

(2) Digital forgeries can be wholly fictitious but can also manipulate images of real people to depict sexually intimate conduct that did not occur. For example, some digital forgeries will paste the face of an individual onto the body of a real or fictitious individual who is nude or who is engaging in sexual activity. Another example is a photograph of an individual that is manipulated to digitally remove the clothing of the individual so that the person appears to be nude.

(3) The individuals depicted in such digital forgeries are profoundly harmed when the

content is produced with intent to disclose, disclosed, or obtained without the consent of those individuals. These harms are not mitigated through labels or other information that indicates that the depiction is fake.

(4) It can be destabilizing to victims whenever those victims are depicted in intimate digital forgeries against their will, as the privacy of those victims is violated and the victims lose control over their likeness and identity.

(5) Victims can feel helpless because the victims—

(A) may not be able to determine who has created the content; and

(B) do not know how to prevent further disclosure of the intimate digital forgery or how to prevent more forgeries from being made.

(6) Victims may be fearful of being in public out of concern that individuals the victims encounter have seen the digital forgeries. This leads to social rupture through the loss of the ability to trust, stigmatization, and isolation.

(7) Victims of non-consensual, sexually intimate digital forgeries may experience depression, anxiety, and suicidal ideation. These victims may also experience the “silencing effect” in which the victims withdraw from online spaces and public discourse to avoid further abuse.

(8) Digital forgeries are often used to—

(A) harass victims, interfering with their employment, education, reputation, or sense of safety; or

(B) commit extortion, sexual assault, domestic violence, and other crimes.

(9) Because of the harms caused by non-consensual, sexually intimate digital forgeries, such digital forgeries are considered to be a form of image-based sexual abuse.

#### SEC. 1713. CIVIL ACTION RELATING TO DISCLOSURE OF INTIMATE IMAGES.

(a) DEFINITIONS.—Section 1309 of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851) is amended—

(1) in the section heading, by inserting “OR NONCONSENSUAL ACTIVITY INVOLVING DIGITAL FORGERIES” after “INTIMATE IMAGES”; and

(2) in subsection (a)—

(A) in paragraph (2), by inserting “compotent,” after “conscious;”;

(B) by striking paragraph (3);

(C) by redesignating paragraph (4) as paragraph (3);

(D) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

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

“(4) IDENTIFIABLE INDIVIDUAL.—The term ‘identifiable individual’ means an individual whose body appears in whole or in part in an intimate visual depiction or intimate digital forgery and who is identifiable by virtue of the individual’s face, likeness, or other distinguishing characteristic, such as a unique birthmark or other recognizable feature, or from information displayed in connection with the intimate visual depiction or intimate digital forgery.

“(5) INTIMATE DIGITAL FORGERY.—

“(A) IN GENERAL.—The term ‘intimate digital forgery’ means any intimate visual depiction of an identifiable individual that—

“(i) falsely represents, in whole or in part—

“(I) the identifiable individual; or

“(II) the conduct or content that makes the visual depiction intimate;

“(ii) is created through the use of software, machine learning, artificial intelligence, or any other computer-generated or technological means, including by adapting, modifying, manipulating, or altering an authentic visual depiction; and

“(iii) is indistinguishable from an authentic visual depiction of the identifiable individual when viewed as a whole by a reasonable person.

“(B) LABELS, DISCLOSURE, AND CONTEXT.—Any visual depiction described in subparagraph (A) constitutes an intimate digital forgery for purposes of this paragraph regardless of whether a label, information disclosed with the visual depiction, or the context or setting in which the visual depiction is disclosed states or implies that the visual depiction is not authentic.”; and

(F) in paragraph (6)(A), as so redesignated—

(i) in clause (i), by striking “or” at the end;

(ii) in clause (ii)—

(I) in subclause (I), by striking “individual;” and inserting “individual; or”; and

(II) by striking subclause (II); and

(iii) by adding at the end the following:

“(iii) an identifiable individual engaging in sexually explicit conduct; and”.

(b) CIVIL ACTION.—Section 1309(b) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(b)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

“(A) IN GENERAL.—Except as provided in paragraph (5)—

“(i) an identifiable individual whose intimate visual depiction is disclosed, in or affecting interstate or foreign commerce or using any means or facility of interstate or foreign commerce, without the consent of the identifiable individual, where such disclosure was made by a person who knows or recklessly disregards that the identifiable individual has not consented to such disclosure, may bring a civil action against that person in an appropriate district court of the United States for relief as set forth in paragraph (3);

“(ii) an identifiable individual who is the subject of an intimate digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced or possessed the intimate digital forgery with intent to disclose it, knowingly disclosed the intimate digital forgery, or knowingly solicited and received the intimate digital forgery, if—

“(I) the identifiable individual did not consent to such production or possession with intent to disclose, disclosure, or solicitation and receipt;

“(II) the person knew or recklessly disregarded that the identifiable individual did not consent to such production or possession with intent to disclose, disclosure, or solicitation and receipt; and

“(III) such production or possession with intent to disclose, disclosure, or solicitation and receipt, is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce; and

“(iii) an identifiable individual who is the subject of an intimate digital forgery may bring a civil action in an appropriate district court of the United States for relief as set forth in paragraph (3) against any person that knowingly produced the intimate digital forgery if—

“(I) the identifiable individual did not consent to such production;

“(II) the person knew or recklessly disregarded that the identifiable individual—

“(aa) did not consent to such production; and

“(bb) was harmed, or was reasonably likely to be harmed, by the production; and

“(III) such production is in or affects interstate or foreign commerce or uses any means or facility of interstate or foreign commerce.”; and

(B) in subparagraph (B)—

(i) in the subparagraph heading, by inserting “IDENTIFIABLE” before “INDIVIDUALS”; and

(ii) by striking “an individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the individual” and inserting “an identifiable individual who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the identifiable individual”;

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) by inserting “identifiable” before “individual”;

(ii) by striking “depiction” and inserting “intimate visual depiction or intimate digital forgery”; and

(iii) by striking “distribution” and inserting “disclosure, solicitation, or possession”; and

(B) in subparagraph (B)—

(i) by inserting “identifiable” before “individual”;

(ii) by inserting “or intimate digital forgery” after “depiction” each place it appears; and

(iii) by inserting “, solicitation, or possession” after “disclosure”;

(3) by redesignating paragraph (4) as paragraph (5);

(4) by striking paragraph (3) and inserting the following:

“(3) RELIEF.—

“(A) IN GENERAL.—In a civil action filed under this section, an identifiable individual may recover—

“(i) damages as provided under subparagraph (C); and

“(ii) the cost of the action, including reasonable attorney fees and other litigation costs reasonably incurred.

“(B) PUNITIVE DAMAGES AND OTHER RELIEF.—The court may, in addition to any other relief available at law, award punitive damages or order equitable relief, including a temporary restraining order, a preliminary injunction, or a permanent injunction ordering the defendant to delete, destroy, or cease to display or disclose the intimate visual depiction or intimate digital forgery.

“(C) DAMAGES.—For purposes of subparagraph (A)(i), the identifiable individual may recover—

“(i) liquidated damages in the amount of—

“(I) \$150,000; or

“(II) \$250,000 if the conduct at issue in the claim was—

“(aa) committed in relation to actual or attempted sexual assault, stalking, or harassment of the identifiable individual by the defendant; or

“(bb) the direct and proximate cause of actual or attempted sexual assault, stalking, or harassment of the identifiable individual by any person; or

“(ii) actual damages sustained by the individual, which shall include any profits of the defendant that are attributable to the conduct at issue in the claim that are not otherwise taken into account in computing the actual damages.

“(D) CALCULATION OF DEFENDANT’S PROFIT.—For purposes of subparagraph (C)(ii), to establish the defendant’s profits, the identifiable individual shall be required to present proof only of the gross revenue of the defendant, and the defendant shall be required to prove the deductible expenses of the defendant and the elements of profit attributable to factors other than the conduct at issue in the claim.

“(4) PRESERVATION OF PRIVACY.—In a civil action filed under this section, the court may issue an order to protect the privacy of a plaintiff, including by—

“(A) permitting the plaintiff to use a pseudonym;

“(B) requiring the parties to redact the personal identifying information of the plaintiff from any public filing, or to file such documents under seal; and

“(C) issuing a protective order for purposes of discovery, which may include an order indicating that any intimate visual depiction or intimate digital forgery shall remain in the care, custody, and control of the court.”;

(5) in paragraph (5)(A), as so redesignated—

(A) by striking “image” and inserting “visual depiction or intimate digital forgery”; and

(B) by striking “depicted” and inserting “identifiable”; and

(6) by adding at the end the following:

“(6) STATUTE OF LIMITATIONS.—Any action commenced under this section shall be barred unless the complaint is filed not later than 10 years from the later of—

“(A) the date on which the identifiable individual reasonably discovers the violation that forms the basis for the claim; or

“(B) the date on which the identifiable individual reaches 18 years of age.

“(7) DUPLICATIVE RECOVERY BARRED.—No relief may be ordered under paragraph (3) against a person who is subject to a judgment under section 2255 of title 18, United States Code, for the same conduct involving the same identifiable individual and the same intimate visual depiction or intimate digital forgery.”.

(c) CONTINUED APPLICABILITY OF FEDERAL, STATE, AND TRIBAL LAW.—

(1) IN GENERAL.—This subtitle shall not be construed to impair, supersede, or limit a provision of Federal, State, or Tribal law.

(2) NO PREEMPTION.—Nothing in this subtitle shall prohibit a State or Tribal government from adopting and enforcing a provision of law governing disclosure of intimate images or nonconsensual activity involving an intimate digital forgery, as defined in section 1309(a) of the Consolidated Appropriations Act, 2022 (15 U.S.C. 6851(a)), as amended by this subtitle, that is at least as protective of the rights of a victim as this subtitle.

#### SEC. 1714. SEVERABILITY; RULE OF CONSTRUCTION.

(a) SEVERABILITY.—If any provision of this subtitle, an amendment made by this subtitle, or the application of such a provision or amendment to any person or circumstance, is held to be unconstitutional, the remaining provisions of and amendments made by this subtitle, and the application of the provision or amendment held to be unconstitutional to any other person or circumstance, shall not be affected thereby.

(b) RULE OF CONSTRUCTION.—Nothing in this subtitle, or an amendment made by this subtitle, shall be construed to limit or expand any law pertaining to intellectual property.

**SA 6018.** Mrs. MOODY submitted an amendment intended to be proposed by her to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

#### Subtitle H—Space Ready Act

##### SEC. 1094. SHORT TITLE.

This subtitle may be cited as the “Space Ready Act”.

##### SEC. 1095. DEFINITIONS.

In this subtitle:

(1) ADMINISTRATION.—The term “Administration” means the National Aeronautics and Space Administration.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the National Aeronautics and Space Administration.

(3) COMMON USE INFRASTRUCTURE.—The term “common use infrastructure”—

(A) means any infrastructure that benefits 1 or more NASA Center users;

(B) includes roadways and commodities pipelines and portions of roadways and commodities pipelines; and

(C) does not include any infrastructure that solely benefits the National Aeronautics and Space Administration.

(4) NASA.—The term “NASA” means the National Aeronautics and Space Administration.

(5) PROJECT.—The term “project” means any work performed in support of a common activity or infrastructure effort under 1 or more common use infrastructure agreements entered into pursuant to this subtitle, regardless of whether such work is conducted pursuant to a single agreement or multiple separate agreements with different commercial entities.

**SEC. 1096. PILOT PROGRAM FOR INFRASTRUCTURE INVESTMENTS AT NASA CENTERS.**

(a) PILOT PROGRAM.—The Administrator may conduct a pilot program for private and public investment in specific infrastructure projects at 1 or more NASA Centers.

(b) AGREEMENTS IN SUPPORT OF COMMON USE INFRASTRUCTURE PROJECTS.—

(1) FUNDING.—

(A) VOLUNTARY INFRASTRUCTURE CONTRIBUTIONS.—The Administrator may enter into agreements under section 20113(e) of title 51, United States Code, involving transactions that support public and commercial activities at 1 or more NASA Centers, and such agreements may include the authority to collect voluntary infrastructure contributions to fund specific capital repair, maintenance, and improvement projects described in paragraph (2).

(B) TRANSPARENCY.—

(i) COST AND SCHEDULE ESTIMATES.—In any agreement that includes the means for voluntary contributions described in this section, the Administrator shall establish a reasonable cost and schedule baseline for each project.

(ii) PROJECT COMPLETION.—At the conclusion of each designated project, the Administrator shall provide each contributing commercial entity with a final project cost, including a breakdown of cost sharing between government and commercial entities.

(C) PROJECT COSTS AND TIMELINES.—The Administrator shall—

(i) to the maximum extent practicable, ensure that the projects described in this section are completed within the cost estimates and timelines established under subparagraph (B)(i); and

(ii) exercise streamlined acquisition procedures to the maximum extent allowed by law.

(D) COST-SHARING.—The Administrator shall ensure that any agreement entered into with a commercial entity under subparagraph (A) provides that, at the conclusion of the project, any funds contributed by the commercial entity that remain unexpended shall be returned to such entity in proportion to the amount originally contributed by the partner.

(E) NONCONDITIONING OF AGREEMENTS.—The Administrator shall not withhold execution of any agreement under section 20113(e) of title 51, United States Code, or deny a lease or other authorization for commercial activities on the basis of a failure to reach agreement on the amount or terms of contributions described in this section.

(F) REQUIREMENTS WITH RESPECT TO AGREEMENTS.—Each agreement entered into with a commercial entity under subparagraph (A) shall, on a case-by-case basis—

(i) address the terms of use, ownership, and disposition of the funds, services, or equipment contributed pursuant to the agreement;

(ii) include a provision that the commercial entity will not recover the costs of its contribution through any other agreement with the United States; and

(iii) include a provision that mutually determines which entity covers costs in the event of cost overruns or project delays.

(G) CECR FUNDS.—

(i) IN GENERAL.—Subject to the availability of appropriations, the Administrator is authorized to use amounts otherwise made available within the Construction and Environmental Compliance and Restoration account to fulfill the obligations entered into by the Administrator under agreements pursuant to this section.

(ii) RECEIPT OF FUNDS.—Amounts received by the Administrator pursuant to agreements entered into under subparagraph (A) shall be credited to and merged with the Construction and Environmental Compliance and Restoration account and shall be available subject to the same terms and conditions as amounts appropriated to that account.

(H) CONTRIBUTIONS FROM OTHER ENTITIES.—The Administrator may enter into agreements for voluntary contributions from other entities, including Federal, State, or local authorities, for the purpose of funding projects.

(I) DIRECT AGREEMENTS.—

(i) RULE OF CONSTRUCTION.—Nothing in this subtitle may be construed to restrict the Administrator from entering into direct agreements under section 20113(e) of title 51, United States Code, with entities to perform work within a NASA Center separate from the activities funded through projects.

(ii) PRIORITIZATION.—The Administrator shall prioritize such direct agreements in instances in which required work would be completed more expeditiously or at a lower cost than through the pilot program described in this section.

(iii) DIRECT CONTRIBUTIONS.—The Administrator may make direct financial or in-kind contributions to projects undertaken by commercial entities under agreements entered into under clause (i), as the Administrator considers appropriate to support common use infrastructure at a NASA Center.

(2) USE OF FUNDS.—

(A) IN GENERAL.—Contributions proffered by entities under agreements in support of projects shall be used by the Administrator to conduct capital repairs, maintenance, and improvements to NASA-owned infrastructure at a NASA Center, as the Administrator considers necessary to support activities conducted under agreements entered into under section 20113(e) of title 51, United States Code, which may include renovation, rehabilitation, sustainment, demolition, construction, operation, maintenance, repair, enhancement, expansion, and modernization of NASA-owned infrastructure at a NASA Center.

(B) CONSULTATION.—The Administrator shall consult and partner with other Federal, State, and local public entities—

(i) to ensure that such projects are not duplicative; and

(ii) to identify opportunities for projects to provide increased capability or capacity to users.

(C) TREATMENT OF IMPROVEMENTS.—Improvements made to NASA-owned infrastructure at a NASA Center with amounts made available under a voluntary agreements

under this section shall be property of the United States, unless the Administrator determines that transferring ownership of such improvements would be in the best interests of the United States.

(D) UNEXPENDED CONTRIBUTIONS.—For any voluntary contributions from a commercial entity designated to a specific project that are not fully expended on that project within 90 days of the project becoming operational, the Administrator shall, at the election of the contributing commercial entity—

(i) refund the unexpended portion to the entity; or

(ii) allow the commercial entity to redesignate the funds to another eligible project under this subsection.

(3) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report on projects conducted under this section that includes the following:

(A) For the preceding calendar year, the total amount of expenditures on projects by NASA and industry.

(B) The proposed uses of amounts contributed by NASA and industry for the operating plans of the Administration.

(C) Additional recommendations for efforts to streamline or reduce costs for each agreed upon project described in this section.

(4) UPDATES.—Not less frequently than every 2 years, the Administrator, in collaboration with commercial entities, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives interim milestone updates relating to the pilot program under this section.

(5) TERMINATION.—

(A) IN GENERAL.—The authority to collect voluntary contributions under paragraph (1)(A) shall terminate on December 31, 2031.

(B) RULE OF CONSTRUCTION.—The termination under subparagraph (A) of the authority to collect voluntary contributions may not be construed to otherwise affect the validity or terms of agreements under section 20113(e) of title 51, United States Code, or the retention or use by the Administration of proceeds from such agreements.

(6) PROHIBITION ON NEW BUDGET AUTHORITY.—Nothing in this subtitle may be construed to provide new budget authority to incur obligations in advance of appropriations.

**SA 6019.** Mr. BENNET (for himself and Mr. HICKENLOOPER) submitted an amendment intended to be proposed by him to the bill S. 4784, to authorize appropriations for fiscal year 2027 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle G of title X, insert the following:

**SEC. \_\_\_\_ PROHIBITION ON EXPANSION OF THE MID-CONTINENT LIMESTONE QUARRY.**

The Secretary of the Interior shall not approve any application for the expansion of existing mineral operations located on any mining or mill site claim located under the general mining laws, or for any mineral material sales contract or application under the

Act of July 31, 1947 (commonly known as the "Materials Act of 1947") (61 Stat. 681, chapter 406; 30 U.S.C. 601 et seq.) or the Act of July 23, 1955 (commonly known as the "Surface Resources Act of 1955") (69 Stat. 367, chapter 375; 30 U.S.C. 611 et seq.), for limestone on land managed by the Bureau of Land Management that is located in whole or in part within the Southeast Quarter of Section 36, Township 5 South, Range 89 West, 6th Principal Meridian, Garfield County, Colorado.

#### AUTHORITY FOR COMMITTEES TO MEET

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

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

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, June 23, 2026, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, June 23, 2026, at 10 a.m., to conduct a subcommittee hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, June 23, 2026, at 9:30 a.m., to conduct a hearing on nominations.

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS

The Committee on Homeland Security and Government Affairs is authorized to meet during the session of the Senate on Tuesday, June 23, 2026, at 10:15 a.m., to conduct a hearing on nominations.

#### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, June 23, 2026, at 3 p.m., to conduct a close business meeting, immediately followed by a closed briefing.

#### SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet in open and closed session during the session of the Senate on Tuesday, June 23, 2026, at 4:15 p.m.

#### PRIVILEGES OF THE FLOOR

Mr. CASSIDY. Mr. President, I ask unanimous consent for the following interns in my office to be granted floor privileges until June 24, 2026: Stella Israelite and William Homes.

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

Mr. BOOZMAN. Mr. President, I ask unanimous consent that Kevin Webb, a detailee in my office, and the following interns in my office be granted floor privileges until June 24, 2026: Noah Meharg, Anna Frey, Sarah Herrera, Karli Wilson, and Max Bloodworth.

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

#### ORDERS FOR WEDNESDAY, JUNE 24, 2026

Ms. LUMMIS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Wednesday, June 24; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session to resume consideration of the Marck nomination; further, notwithstanding rule XXII, the cloture motions filed during Monday's session of the Senate ripen at 11:30 a.m. and that the Senate recess following the cloture vote on the Marck nomination until 2:15 p.m.; further, that if cloture is invoked on the Marck nomination, the Senate vote on confirmation of the nomination at 2:15 p.m., and if cloture is invoked on the Hendershot nomination, the Senate vote on confirmation of the nomination at 5:30 p.m.; finally, if any nominations are confirmed during Wednesday's session of the Senate, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. LUMMIS. 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 7:05 p.m., adjourned until Wednesday, June 24, 2026, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### OFFICE OF GOVERNMENT ETHICS

MICHAEL CHAMBERLAIN, OF VIRGINIA, TO BE DIRECTOR OF THE OFFICE OF GOVERNMENT ETHICS FOR A TERM OF FIVE YEARS, VICE DAVID HUITEMA.

##### FARM CREDIT ADMINISTRATION

CARL BEDNARSKI, OF MICHIGAN, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING MAY 21, 2028, VICE GLEN R. SMITH, TERM EXPIRED.

##### FEDERAL MEDIATION AND CONCILIATION SERVICES

WALTER DARR, OF TEXAS, TO BE FEDERAL MEDIATION AND CONCILIATION DIRECTOR, VICE RICHARD GIACOLONE.

##### DEPARTMENT OF THE TREASURY

JAMES GADWOOD, OF MARYLAND, TO BE CHIEF COUNSEL FOR THE INTERNAL REVENUE SERVICE AND AN AS-

SISTANT GENERAL COUNSEL IN THE DEPARTMENT OF THE TREASURY, VICE MARJORIE A. ROLLINSON.

##### FARM CREDIT ADMINISTRATION

JOHN GRUNEWALD II, OF OKLAHOMA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION, FOR A TERM EXPIRING OCTOBER 13, 2030, VICE JEFFERY S. HALL, TERM EXPIRED.

##### INTERNATIONAL MONETARY FUND

REBEKAH JURATA, OF CALIFORNIA, TO BE UNITED STATES EXECUTIVE DIRECTOR OF THE INTERNATIONAL MONETARY FUND FOR A TERM OF TWO YEARS, VICE MARGRETHE LUNDSAGER, RESIGNED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

JEFFREY D. BALDRIDGE  
JOSHUA J. BATES  
TINY L. BOWMAN  
LEO T. BRADFORD  
CHRISTY M. BRAY  
KATELYN M. BRIES  
INDYA S. BYRD FULBRIGHT  
JEFFREY C. CAMPBELL  
MEGAN D. CAMPBELL  
JOHN M. CANE  
KRISTIN A. CARL  
MAURICE A. CHEEKS  
CARLOS Y. CUETO DIAZ  
ENISA B. DERVISEVIC  
JONATHAN P. DIAL  
JASMINE A. DIXON SIMS  
CARRIE A. EDSTROM  
RYAN M. FISHER  
JEREMY J. GRUNERT  
BRITTANY N. HANNAH  
DANIEL E. HOLLEY  
WHITNEY C. HOWEMENDOZA  
KENNETH M. HYNES  
SZONJA G. JOHNSON  
ALEXANDRA M. KENNEY  
ALEXANDRA L. MCCRARY DENNIS  
SPENCER R. NELSON  
ANAHD E. NIKOGOSIAN  
LINDSEY C. NORTH  
JOHN P. PATERA  
JENNIE C. PATSCHULL  
RYAN D. RICHTER  
DAVID K. ROLEK  
JUSTIN T. ROSSI  
JOSHUA A. RUMMEL  
DANIEL G. SAUNDERS  
DAVID A. SCHIAVONE  
CHRISTOPHER S. SIMMONS  
KELLY R. SNYDER  
VERNISHA F. TAYLOR  
JESSICA M. TIRADO  
JOSHUA J. WENDELL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

MICAH B. BAKER  
TARA L. BAUER  
ROBERT L. COMPERE III  
TARA L. DIXON  
ALAN P. FINDLEY  
KEVIN L. HOSTETTTLER  
DAVID S. KEEL  
MATTHEW T. KNIGHT  
SAMUEL J. MCCLELLAN  
BRENT J. MULDER  
BRIAN E. MUSSELMAN  
JUSTIN J. SZEKER  
ROBERT D. TILLEY  
MARK R. TRAEGER  
JOSEPH G. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

##### To be lieutenant colonel

MICHEAL P. ALLEN  
CIARA B. ARMSTRONG RICHBERG  
CHANTEL M. ARMSTRONG  
AMY F. BADILLO  
MARBY M. BERNAOLA  
MEKI L. BOGAGE  
LEAH H. BOGINSKY  
ANDREA N. BORST  
MICHAEL S. BROOME  
ARK B. CARLSON  
CHRISTEN M. CHANDLER  
ELIZABETH A. CHERRY  
KELSEY L. CHRISTENSEN  
MARGARET A. CONWAY  
MONICA R. CORDOVA  
TRACIE A. COY  
SEQUARIA L. CRAWFORD  
TERRICELL CROMARTIE  
MARIE G. CUAYCONG  
MATTHEW C. DECKER  
MICHAEL DIAZ  
STEPHANIE A. DOANE  
CHRISTOPHER L. DORION  
EKEMINI E. EMAH  
CHAD J. ENEX  
JEREMY P. ETZKIN