

“(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).”

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 787—CELEBRATING THE HISTORIC ANNIVERSARY OF THE JUNE 24, 2022, DECISION OF THE SUPREME COURT OF THE UNITED STATES IN *DOBBS V. JACKSON WOMEN'S HEALTH ORGANIZATION*

Mr. DAINES (for himself, Mr. LANKFORD, Mr. MARSHALL, Mr. TUBERVILLE, Mr. BUDD, Mr. RICKETTS, Mr. HAWLEY, Mrs. HYDE-SMITH, Mr. RISCH, Mrs. BRITT, Mr. CORNYN, Mrs. FISCHER, Mr. GRAHAM, Mr. ROUNDS, Mr. SCOTT of Florida, and Mr. BANKS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 787

Whereas the Declaration of Independence announces the self-evident truth that “all men are created equal” and “are endowed by their Creator with certain unalienable Rights”;

Whereas the first of those unalienable rights is the right to life;

Whereas modern science has illuminated our understanding of the humanity of unborn life;

Whereas the Supreme Court of the United States committed a grave injustice in *Roe v. Wade*, 410 U.S. 113 (1973) (referred to in this preamble as “*Roe*”), by inventing a constitutional right to abortion, thereby denying a class of innocent people their right to life;

Whereas more than 63,000,000 unborn lives were lost to abortion under *Roe*;

Whereas, on June 24, 2022, the Supreme Court of the United States, in *Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022) (referred to in this preamble as “*Dobbs*”), corrected the grave injustice committed in *Roe*, by holding that “the Constitution does not confer a right to abortion” and that “*Roe* and *Casey* must be overruled, and the authority to regulate abortion must be returned to the people and their elected representatives”;

Whereas many States have taken historic steps to protect unborn life since the ruling of the Supreme Court of the United States in *Dobbs*;

Whereas the Supreme Court of the United States in *Dobbs* reaffirmed that authority to regulate abortion belongs to the people and their elected representatives, yet the dangerous mail-order abortion drug policy advanced by the Biden Administration undermined and continues to undermine the ability of States to enforce laws enacted to protect unborn life;

Whereas, after the *Dobbs* decision, more than 2,700 pregnancy centers across the United States have continued to help meet the physical, psychological, emotional, and spiritual needs of millions of women and families navigating pregnancy and to offer life-affirming alternatives to abortion; and

Whereas many millions of people in the United States continue to press to protect unborn life and strengthen support for families charged with protecting that life: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates 4 years since the ruling of the Supreme Court of the United States in *Dobbs v. Jackson Women's Health Organization*, 597 U.S. 215 (2022) (referred to in this resolution as “*Dobbs*”);

(2) celebrates the millions of lives that will be saved as a result of the ruling in *Dobbs*;

(3) commits to protecting the unalienable right to life and guarding unborn lives against lethal violence;

(4) commits to supporting families, including new and expectant mothers and their children;

(5) recognizes that the promise of *Dobbs* requires respect for the authority of the people and their elected representatives to enact and enforce laws protecting unborn life; and

(6) commits to proclaiming the humanity of the unborn, consistent with the findings of modern science and the unswerving demands of justice.

SENATE RESOLUTION 788—COMMEMORATING THE PASSAGE OF 5 YEARS SINCE THE TRAGIC BUILDING COLLAPSE IN SURFSIDE, FLORIDA, ON JUNE 24, 2021

Mr. SCOTT of Florida (for himself and Mrs. MOODY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 788

Whereas June 24, 2026, marks 5 years since portions of the Champlain Towers South condominium building in Surfside, Florida, catastrophically collapsed; and

Whereas, in the aftermath of the devastating collapse—

(1) one of the largest rescue and recovery operations in the history of the United States commenced to locate scores of residents who were unaccounted for and believed to be in the collapsed building;

(2) first responders from across Florida immediately answered the call of duty, including firefighters, uniformed police officers, rescue and recovery crews, emergency medical technicians, physicians, nurses, and others rushing to save the lives of individuals trapped in the building;

(3) international rescue crews and emergency support organizations from Israel and Mexico responded to the site to aid in the search and recovery efforts;

(4) National Urban Search and Rescue Response System task forces from Florida, Virginia, Indiana, Ohio, Pennsylvania, and New Jersey, and emergency specialists from California, deployed to Surfside, Florida, to provide critical support;

(5) teams worked tirelessly around the clock to rescue survivors and recover the remains of individuals killed in the tragic collapse; and

(6) on June 30, 2021, the National Institute of Standards and Technology announced it would launch a formal investigation into the cause of the collapse: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the passage of 5 years since the tragic building collapse in Surfside, Florida, on June 24, 2021;

(2) honors the survivors and the 98 lives lost in the collapse of the Champlain Towers South condominium building and offers heartfelt condolences to the families, loved ones, and friends of the victims;

(3) commends the bravery and selfless service demonstrated by the local, State, national, and international teams of first responders deployed in the aftermath of the collapse; and

(4) expresses support for the survivors and community of Surfside, Florida.

SENATE RESOLUTION 789—RECOGNIZING JUNE 2026, AS “LGBTQ PRIDE MONTH”

Ms. SMITH (for herself, Ms. ALSOBROOKS, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Ms. BLUNT ROCHESTER, Mr. BOOKER, Ms. CANTWELL, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mr. FETTERMAN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. KAINE, Mr. KELLY, Mr. KIM, Mr. KING, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PETERS, Mr. REED, Ms. ROSEN, Mr. SANDERS, Mr. SCHATZ, Mr. SCHIFF, Mrs. SHAHEEN, Ms.

SLOTKIN, Mr. VAN HOLLEN, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 789

Whereas the story of the lesbian, gay, bisexual, transgender, and queer (referred to in this preamble as “LGBTQ”) community in the United States is one of courage rising from marginalization, of joy forged in the crucible of injustice, and of progress built by generations who refused to be silent, invisible, or erased;

Whereas LGBTQ individuals live and thrive in every corner of the United States—from Alabama to Alaska, from barrios to boardrooms—bringing with them a diversity of race, religion, ability, origin, political belief, and lived experience that enriches the soul of the United States;

Whereas LGBTQ individuals have made indelible contributions to the ongoing struggle for civil rights and across every sector of society, including education, science, law, public service, the arts, technology, business, helping to shape a more equitable and vibrant United States;

Whereas the persistent failure of Federal and State officials to collect full and accurate data on sexual orientation and gender identity causes tremendous harm to LGBTQ individuals in the United States, who remain largely invisible to the government entities entrusted with ensuring their health, safety, and well-being;

Whereas LGBTQ individuals in the United States serve, and have served, in the United States Army, Coast Guard, Navy, Air Force, Marines, and Space Force honorably and with distinction and bravery;

Whereas a decades-long Federal policy, known as the “Lavender Scare”, that was rooted in the allegation that LGBTQ individuals posed a threat to national security, prevented LGBTQ individuals from entering public service and resulted in the dismissal and intimidation of Federal public servants, including Foreign Service members;

Whereas an estimated number of more than 100,000 brave members of the Armed Forces were discharged from service between the beginning of World War II and 2011 because of their sexual orientation, including the discharge of more than 13,000 members under the “Don’t Ask, Don’t Tell” policy that was in place between 1994 and 2011;

Whereas transgender people had been able to serve openly in the military since 2016, but were arbitrarily banned from service in 2025;

Whereas LGBTQ individuals in the United States serve, and have served, in positions in the Federal Government and State and local governments, including as members of Congress, Cabinet Secretaries, Governors, mayors, and city council members;

Whereas the demonstrators who protested on June 28, 1969, following a law enforcement raid of the Stonewall Inn, an LGBTQ club in New York City, are pioneers of the LGBTQ movement for equality;

Whereas, throughout much of the history of the United States, same-sex relationships were criminalized in many States, and many LGBTQ individuals in the United States were forced to hide their LGBTQ identities while living in secrecy and fear;

Whereas, on June 26, 2015, the Supreme Court of the United States ruled in Obergefell v. Hodges, 576 U.S. 644 (2015), that same-sex couples have a constitutional right to marry and acknowledged that “[n]o union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family”;

Whereas the HIV epidemic, worsened by government inaction and social stigma, decimated LGBTQ communities—especially among Black and Brown gay men and transgender women—and yet, the community responded not with despair but with determination, launching a global movement for health justice;

Whereas people living with HIV continue to face discrimination in the United States and, in certain States, may be subject to greater criminal punishment than individuals without HIV;

Whereas the LGBTQ community maintains its unwavering commitment to ending the HIV and AIDS epidemic;

Whereas LGBTQ individuals in the United States face disparities in employment, healthcare, education, housing, and many other areas central to the pursuit of happiness in the United States;

Whereas 17 States have no explicit ban on discrimination based on sexual orientation and gender identity in the workplace;

Whereas 19 States have no explicit ban on discrimination based on sexual orientation or gender identity in housing;

Whereas 22 States have no explicit ban on discrimination based on sexual orientation or gender identity in public accommodations;

Whereas 30 States have no explicit ban on discrimination against LGBTQ individuals in credit and lending services;

Whereas, as a result of discrimination, LGBTQ youth are at increased risk of—

- (1) suicidality;
- (2) homelessness;
- (3) becoming victims of bullying, violence, or human trafficking; and
- (4) developing mental health conditions, including anxiety and depression;

Whereas LGBTQ youth of color are overrepresented in child welfare and juvenile justice systems;

Whereas the LGBTQ community has faced discrimination, inequality, and violence throughout the history of the United States;

Whereas, at both the State and Federal levels, the LGBTQ community, particularly the transgender community, has been repeatedly targeted by politically motivated legislation and executive actions aimed at restricting their rights, limiting access to essential services, and erasing the visibility and recognition of LGBTQ individuals;

Whereas LGBTQ individuals in the United States, in particular transgender individuals, face a disproportionately high risk of becoming victims of violent hate crimes;

Whereas members of the LGBTQ community have been targeted in acts of mass violence, including—

(1) the Club Q nightclub shooting in Colorado Springs, Colorado, on November 19, 2022, where 5 people were killed and 25 people were wounded;

(2) the Pulse nightclub shooting in Orlando, Florida, on June 12, 2016, where 49 people were killed and 53 people were wounded; and

(3) the arson attack at the UpStairs Lounge in New Orleans, Louisiana, on June 24, 1973, where 32 people died;

Whereas LGBTQ individuals face persecution, violence, and death in many parts of the world due to their real or perceived sexual orientation or gender identity;

Whereas, despite recent wins to strike down longstanding criminalization statutes, more than 60 countries criminalize consensual same-sex conduct and more than 10 jurisdictions authorize the use of the death penalty as punishment for this conduct;

Whereas many other countries criminalize gender identity using so-called “cross-dressing,” “impersonation,” “disguise,” or other vague “public morality” laws;