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House of Representatives

The House was not in session today. Its next meeting will be held on Friday, February 9, 2024, at 10 a.m.

Senate

THURSDAY, FEBRUARY 8, 2024

(Legislative day of Wednesday, February 7, 2024)

The Senate met at 12 noon, on the expiration of the recess, and was called to order by the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father in Heaven, thank You for Your sacred precepts that provide us with a lamp for our feet and a light for our path. We are grateful for Your universal truth that appears across the spectrum of religious traditions.

It states:

Do to others whatever you would like them to do to you. This is the essence of all that is taught in the law and the prophets.

Lord, we praise You for that liberating truth and for Your promise that it did set us free.

Give our Senators the wisdom and courage to know and obey Your truth and trust You with the consequences.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 8, 2024.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ANGUS S. KING, Jr., a Senator from the State of Maine, to perform the duties of the Chair.

PATTY MURRAY,
President pro tempore.

Mr. KING thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

LEGISLATIVE SESSION

REMOVING EXTRANEOUS LOOPHOLES INSURING EVERY VETERAN EMERGENCY ACT—MOTION TO PROCEED UPON RECONSIDERATION—Continued

Mr. SCHUMER. Mr. President, we are going to have a cloture vote now, and I am hopeful we can move forward on this bill.

I ask for regular order.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 30, H.R. 815, a bill to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes.

Charles E. Schumer, Patty Murray, Benjamin L. Cardin, Robert P. Casey, Jr., Mark R. Warner, Michael F. Bennet, Catherine Cortez Masto, Margaret Wood Hassan, Richard J. Durbin, Martin Heinrich, Tim Kaine, Kyrsten Sinema, Jack Reed, Angus S. King, Jr., Richard Blumenthal, Christopher Murphy, Brian Schatz.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to Calendar No. 30, H.R. 815, a bill to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes, shall be brought to a close upon reconsideration?

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Ms. LUMMIS).

The yeas and nays resulted—yeas 67, nays 32, as follows:

[Rollcall Vote No. 41 Leg.]

YEAS—67

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Rounds
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Butler	Kennedy	Sinema
Cantwell	King	Smith
Capito	Klobuchar	Stabenow
Cardin	Luján	Sullivan
Carper	Manchin	Tester
Casey	Markey	Thune
Cassidy	McConnell	Tillis
Collins	Menendez	Van Hollen
Coons	Merkley	Warner
Cornyn	Moran	Warnock
Cortez Masto	Murkowski	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Whitehouse
Ernst	Ossoff	Wicker
Fetterman	Padilla	Wyden
Gillibrand	Peters	Young
Grassley	Reed	
Hassan	Romney	

NAYS—32

Barrasso	Fischer	Paul
Blackburn	Graham	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Rubio
Britt	Hoeven	Sanders
Budd	Hyde-Smith	Schmitt
Cotton	Johnson	Scott (FL)
Cramer	Lankford	Scott (SC)
Crapo	Lee	Tuberville
Cruz	Marshall	Vance
Daines	Mullin	

NOT VOTING—1

Lummis

(The PRESIDENT pro tempore assumed the Chair.)

(The ACTING PRESIDENT pro tempore assumed the Chair.)

The PRESIDING OFFICER (Mr. PETERS). On this vote, the yeas are 67, the nays are 32.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion upon reconsideration is agreed to.

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Mr. President, it is a very good thing that the Senate has just voted to proceed to the national security supplemental. This is a good first step. This bill is essential for our national security; for the security of our friends in Ukraine, in Israel; for humanitarian aid for innocent civilians in Gaza; and for Taiwan. The bill also strengthens our military at a time when they need it most. Failure to pass this bill would only embolden autocrats like Putin and Xi, who want nothing more than America's decline. Now that we are on the bill, we hope to reach an agreement with our Republican colleagues on amendments.

Democrats have always been clear that we support having a fair and reasonable amendment process. During my time as majority leader, I have presided over more amendment votes than the Senate held in all 4 years of the previous administration.

For the information of Senators, we are going to keep working on this bill until the job is done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

SUPPLEMENTAL FUNDING

Mr. KELLY. Mr. President, the Federal Government has failed Arizona and other border States for decades. And for decades, Congress has done nothing about it. As we have lurched from crisis to crisis, Arizona and other border States have always been hit the hardest.

This humanitarian crisis is bad for asylum seekers, bad for law enforcement, and bad for communities. The problem gets worse the longer it is ignored. And yet for decades, nothing has been done. I see it every time I go to the border. So have my colleagues who have traveled to Arizona to see it for themselves. I hear about it every time I talk to border mayors and sheriffs. And we talk about it every day here in the Senate and over in the House. In fact, there are few topics we talk about more while nothing changes.

This week, we had a real and rare opportunity to actually do something about it. There was a real plan, a real bill ready to be passed and signed into law by the President. We got here because for months, Senators SINEMA, MURPHY, and LANKFORD worked together on a bipartisan agreement almost every single day for months. If we passed it, we would get more Border Patrol agents, more technology to stop fentanyl, more asylum officers to quickly screen asylum claims, and more judges to bring down this massive backlog of cases. That would make a real difference. If we passed it, we would have an updated asylum system, authorities to prevent the border from being overwhelmed, and more visas to keep families together.

We would have a more secure and fair process at the border. That is what all of us want, and it should be no surprise that we got this plan thanks to Republicans and Democrats just working together. It was the product of tough conversations and compromise—in other words, the way legislation is supposed to happen. And it came together in an agreement that was not going to just address the border, but also the biggest challenges in our national security.

This is a perilous time. The decisions we make here, now, will shape the world that our kids and grandkids grow up in. As Hamas and other Iranian-backed militias threaten stability in the Middle East, this agreement included support for our ally Israel and aid for civilians in Gaza.

And as China expands its influence in order to offset U.S. power in the region, this agreement included support for Taiwan and other partners in the Pacific to strengthen their own self-defense.

Finally, as Putin wages his illegal war to annex Ukraine and destabilize Europe, this agreement included desperately needed weapons and ammunition to support Ukraine in their self-defense. I have traveled to Ukraine twice since Russia invaded nearly 2 years ago. As someone who has fought in combat myself, I was struck by the bravery of their citizens and soldiers in this existential fight that they are facing. Over the course of the last 2 years, armed with support from us and our European allies, they have decimated the Russian Army significantly, degrading their combat capabilities. This is a huge benefit to our own national security, and it came about without putting a single American in harm's way.

But our previous aid package for Ukraine ran out last year. So this week, we faced a choice: either provide Ukraine with more support to keep beating back Russia or leave it without the weapons and ammunition it needs and invite Russia to regain momentum. If that happens, Putin could set his sights on another target, threatening a wider conflict that will be much more costly for the United States.

That would be a disaster.

I am relieved that we found a path forward to prevent that by advancing these national security priorities on their own. But I am baffled by how we got here. We took a pair of votes this week—one that included border security and support for allies and one that was just support for our allies. It was a lack of support from my Republican colleagues that meant the first vote with border security failed—this, after months of working on a compromise to finally do something about this issue.

Every Senator faced a choice, an up-or-down vote. That is why we are here: To make tough choices in service of our country and to make easy choices when they are right in front of us.

Supporting our allies is an easy choice. Securing our border is an easy choice. I understand the politics. I know some politicians see more advantage in shouting about problems than solving them.

Well, I will tell you this: If you come back to my State to do TV interviews at the border, you better be ready to explain why you chose politics over addressing this crisis that is staring you in the face. If you can't do that, don't come back because this isn't just a political talking point for me or for Senator SINEMA or for my State. It is the reality that we live with every single day.

That is why, even after this setback, I won't stop working to fix this issue at our border and fix our broken immigration system. But make no mistake, this is a shameful week for the Senate. The American people are watching. They were hoping that Congress could overcome political divides for once and actually deliver. That didn't happen. The Senate failed them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, there are pivotal times in our Nation's history when what we do in this Chamber really matters. How we vote may well determine whether people live or whether they die; whether men and women live under the dictates of an authoritarian regime or as free people in a democratic nation; whether terrorists continue to commit atrocities, kidnap children, kill our troops, or are defeated.

This is such a moment.

This week, General Kurilla, the Commander of U.S. Central Command, told me that this is the most dangerous security situation in 50 years—50 years. The defense supplemental bill before us would strengthen our own military. It would send a strong message to Putin that his goal of capturing free, democratic nations will not be allowed to succeed. It would reassure our closest ally in the Middle East—Israel—that terrorists will not achieve their goal of wiping that nation off the face of the map. It would counter Chinese aggression, and it would rebuild our own defense industrial base.

Mr. President, I urge our colleagues to recognize the perilous times that we are living in and vote for this national security bill. It is critical.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it should never have taken us this long to move forward on this aid that so many of us are saying is necessary. But I am so glad that we are finally here making progress on this crucial package. We have more work ahead to get this passed in the Senate and House and, ultimately, signed into law. And we, frankly, do not have a minute to waste.

I hope this vote is the start of moving this package now in earnest, because this is serious. As the senior Senator from Maine just outlined, our allies are at war. Civilians are in harm's way. Dictators are watching closely to see what we are going to do about it. So, really, the stakes could not be higher. How we answer this moment will define America's future on the global stage and could well redefine the balance of power in the world.

I hope today is truly a breakthrough for bipartisanship, that cooler heads will prevail from here on out, and that we can move this forward in a reasonable, bipartisan way.

We will be doing everything in our power to move that forward. I stand ready to work with my vice chair, the senior Senator from Maine, on any amendments that Senators want to bring forward. And as the leader just said to everyone, we will stay here until this is done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

TRIBUTE TO ALYSON SINCAVAGE

Mr. PADILLA. Mr. President, I rise today with the bittersweet task of saying goodbye to our office's departing chief counsel, Alyson Sincavage. Whether it was her time as a public defender or fighting on behalf of immigrants at the American Immigration Lawyers Association to cutting her teeth in the Senate with former Senator Tom Udall and my colleague Senator TIM KAINE, Alyson has been exactly the type of public servant we were looking for when I joined the Senate in 2021 and was handed the gavel to the Senate Judiciary Subcommittee on Immigration, Citizenship, and Border Safety.

From the earliest days of setting up shop in the subcommittee, through tireless fights during reconciliation and nonstop negotiations and vote-a-ramas, from helping me prepare for the historic confirmation of Supreme Court Justice Ketanji Brown Jackson to navigating contentious markups—yes, we have contentious markups in the Senate Judiciary Committee from time to time—and also overseeing the confirmation of 30 judges to the Federal bench in California, she has done a lot.

She has helped guide my team of counsels on the Judiciary Committee while we have taken on the dark money influence on the Supreme Court of the United States. We worked together to protect reproductive rights and, particularly the last few months, defending against some of the most extreme and cruel Republican immigration proposals. She has fought for Dreamers, for farmworkers and essential workers and for keeping the asylum system serving asylum seekers and immigrant communities who too often lack someone who is watching their back while in the room where decisions are being made and proposals are being negotiated.

In this most partisan of times, she has constantly reminded all of us about the human impact of what we do and who would be most affected by the decisions we make here in Washington.

Through her tireless dedication and her unrivaled expertise, she has also helped guide fellow immigration counsels in other offices, serving as the moral conscience of the Senate on immigration and an invaluable resource for staffers and Senators alike.

I want to acknowledge that Alyson has spent countless hours, many late nights, not just long days, early mornings, long days and late nights and weekends committed to the work and to the fight. That doesn't always show up in the box score. It may not always make headlines the next day. Through it all, she has always kept her cool unless the situation called for a little bit of fire, which, actually, oftentimes it did.

Finally, speaking not just as a Senator but as a parent, I know just how hard these jobs can be to navigate those long days with the emotions running high—in the office, not just at home—and to still make sure we are picking up the kids, putting kids to bed at night, attending to those kid birthday parties on the weekends, and, yes, making sure the dinosaur doesn't go to school.

Alyson has essentially managed 3 years of around-the-clock immigration negotiations, our entire Senate subcommittee, and still made time to be a good mom and to bring her kids to the Hart Office Building on Halloween for trick-or-treating.

To her kids, Siena and Jude, who may be too young now to appreciate this but watch this video in years to come, please know just how important your mom has been, not just helping to build a future for your family but for millions of families across the country.

To her husband Adam and to her entire family, thank you for sharing her with us. The Senate is a better institution, the State of California is a better place, and our future is stronger because of the work Alyson has done.

To Alyson, thank you for all that you have done for Angela and me, for our office, and for the people of California and the Nation. We are going to miss you. We know you are not going too far, and you will be back often to visit, but we are going to miss you in the office. We thank you so very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mr. PADILLA. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

U.S. SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I am back now for the 28th time in my series of speeches on the special interest scheme to capture the U.S. Supreme Court. What I would like to do today is to talk a little bit about the Judicial Conference and what the Judicial Conference has been doing to help clean up the mess at the Supreme Court.

I suppose I should start with ''What is the Judicial Conference?'' The Judicial Conference is a body created by Congress around 100 years ago as the chief governing and policymaking body of the Federal judiciary. It basically supervises the administrative side, not the adjudicative side—the administrative side—of the judicial branch of government. It is chaired by the Chief Justice, and its membership is composed

of the chief judges of each circuit and of the Court of International Trade. So it is a very distinguished group of very senior appellate judges and a district judge from each circuit—typically, a chief judge or a senior judge. Again, it is a pretty distinguished group.

The Conference is responsible for, among other things, enforcing ethics rules, overseeing financial disclosures, and setting other policies across the Federal judiciary, which it mostly does through committees. It has committees on issues ranging from financial disclosure to things like courtroom security.

The Judicial Conference has a very important role enforcing judicial ethics rules. Ethics rules are within its ambit of responsibility. Now, bearing in mind the recent ProPublica story concluding that the Judicial Conference has, to quote the story, ''often protected, not policed, the judiciary,'' I wanted to share my experience as I have conducted this investigation and how we have been able to work with the Judicial Conference.

First, let me say, as a general matter, that the Judicial Conference is very reticent—very reticent. Getting even basic information, like which judge serves on which committee, is an uphill struggle.

Last year, Business Insider, the publication, sought the list of members of the Committee on Financial Disclosure, and the Conference initially denied the request—what can I tell you—saying that the ''names of the members of the committee are not public,'' which is kind of a strange position to take when they are paid by taxpayers to do that work, and all you are asking is who they are.

But, thankfully, later, the Conference reversed course. I requested the Judicial Conference disclose information, like who sits on its committees and what rules they operate by, but, so far, I have not yet received a formal response to that, and I very much hope that the members of the Judicial Conference will make this information public. Transparency is not a bad thing in this area.

Anyway, through all of its established reticence, when I have brought issues to the attention of the Judicial Conference through correspondence or through remarks that I deliver at the Conference's twice-annual meetings in Washington, which I am invited to in my capacity as the chairman of the Senate Judiciary Courts Subcommittee, the Conference has generally produced positive results. My requests have covered four areas, and I will give you a quick overview of where those matters stand.

First, I will talk about the disclosure rules for amicus curiae briefs, or ''friend of the court'' briefs. Dark-money front groups send flotillas of amicus briefs to the Supreme Court. The Justices and their clerks read these briefs. They often cite them in their official decisions. But it is basically judicial lobbying.

The problem is that this flotilla of amicus briefs doesn't have to disclose the true source of the funding behind the briefs. So neither the Justices nor the other parties nor the public gets to know who is really paying for these arguments to be presented to the Supreme Court, nor do we know the interconnections among the front groups. To what extent are they single web of front groups masquerading as a great number of individual entities?

We know for sure one thing: There was a brief filed under a ''fictitious name'' of another organization. It wasn't even a real entity that filed the brief. It was the ''fictitious name'' under Virginia law of a completely different group, and that was done without disclosing the name of the actual group to the Court.

That means it is left to offices like mine to track these groups and then explain to the Court, which we do in our amicus briefs, how all of this flotilla of briefs is coordinated.

Very often we see common dark-money donors. Very often we see the fingerprints of the rightwing billionaires' Court fixer, Leonard Leo, time and again. Dark-money groups pay huge sums to support rightwing Justices' confirmations onto the Court and then turn around and file amicus curiae briefs to signal to those Justices, whom they helped get on the Court, how they should rule.

So, since 2019, I have asked the Supreme Court to strengthen its amicus disclosure rule. After much badgering, the Court, to its credit, sent this matter to the Judicial Conference for consideration, where, at the Judicial Conference, it was, in turn, referred to an advisory committee. Although that advisory committee hasn't yet formally proposed a rule change, things look promising. These judges who make up the Judicial Conference well recognize the importance of, as one judge said, knowing what she called the ''real power behind the throne'' in these flotillas of amicus briefs.

It is also encouraging to hear judges on the committee recognize that there is a ''broad agreement,'' which they said, on the need for better disclosure. As always, the devil will be in the details, but, thus far, the Judicial Conference is on the case. It has announced that it is examining the matter.

Another issue that I have raised with the Judicial Conference is what I call the ''Scalia trick,'' misuse of the ''personal hospitality'' exception in the financial disclosure rules. Justice Scalia got this trick named for him by taking dozens of high-end hunting trips for free, and he used this rule to avoid disclosing them. He pretended that a ''personal invitation'' from a resort owner, whom he had perhaps never met, made it ''personal hospitality'' protected by the rule.

Senator GRAHAM and I first sent a bipartisan letter to the Supreme Court about abuse of the personal hospitality exception back in 2021. This letter can be found online at https://www.whitehouse.senate.gov/download/2021-02-04-letter-with-graham-to-scotus-hospitality-and-code.

After that, I sent several more letters asking the Court to address the ''Scalia trick.'' Those three letters can be found online at https://www.whitehouse. senate.gov/ download/2021-08-30-letter-to-circuits-hospitality, https://www.whitehouse.senate.gov/download/2022-04-18-letter-to-circuits-hospitality-follow-up, and https://www.whitehouse.senate.gov/download/2023-02-21-letter-to-judicial-conference-personal-hospitality.

The good news is that, in March of last year, the Administrative Office of the Courts wrote to me to say that the Committee on Financial Disclosure ''would clarify its regulations on 'personal hospitality.' ''

I will quote that word again, ''clarify,'' because it matters later.

Sure enough, when the clarification came out, the Judicial Conference slammed the door hard on the ''Scalia trick''—so no more secret flights to and from hunting trips across the country on someone else's dime; no more secret ''personal'' hospitality paid for by a third party; and no more secret ''personal'' hospitality, so-called, at properties owned by a corporation.

I count these clarifications as a win. So I will put that into the ''win'' column.

There is a related question still pending from that. Justices Thomas and Alito claimed, last year, this same exception—the ''personal'' hospitality exception—let them accept their secret gifts of jet and yacht travel from rightwing billionaires without reporting it.

In his most recent financial disclosure report, Justice Thomas claimed that he could keep those past gifts secret because what he called the committee's ''new rules''—his description—didn't go into effect until March 2023. And there I disagree. The disclosure law was always clear. It was the Judicial Conference's guidance that hadn't headed off the ''Scalia trick,'' likely because nobody imagined that any judge would be so bold as to have intermediaries ask resort owners to send them invitations for free travel and then call that ''personal'' hospitality.

Anyway, the judiciary's letter to me said that the change was a ''clarification.'' And that word choice matters a lot here, because if it was, in fact, a ''clarification,'' then Justice Thomas and all the rest of the Supreme Court must amend their past filings to comport with the law, because it had always been that way, and they would have to disclose all the freebies kept secret in previous years. So pending at the Judicial Conference is my request that the Conference clarify whether the revised guidance constituted a ''clarification'' or a rule change. I do not have a response to that yet, but the end of the ''Scalia trick'' was a considerable win.

I have also contacted the Conference about how omissions in Justice Thomas's financial disclosure report were handled by the Conference back in 2011. That correspondence can be found online at https://www.whitehouse.senate.gov/imo/media/doc/05.02.2023%20-%20Supreme%20Court%20Ethics%20Hearing%20-%20Exhibit%2010.pdf and https://www.whitehouse.senate.gov/imo/media/doc/2023-08-31_letter_to_judge_mauskopf_financial_disclosure_committee.pdf.

Back then, Justice Thomas failed to disclose $700,000 that the far-right Heritage Foundation had paid his wife over several years. Justice Thomas's undisclosed yacht and jet travel, paid for by the rightwing billionaire Harlan Crow, also became public for the first time. So Members of Congress and a watchdog group sent the 2011 omissions to the Judicial Conference's Committee on Financial Disclosure for review. Under the law, the Conference is required to refer the matter to the Attorney General for further investigation if there is reasonable cause—reasonable cause—to believe that the violations may have been willful.

Last year, my Courts Subcommittee heard testimony from a judge who was then on the Judicial Conference, who raised serious concerns about the Conference's ''reasonable cause'' inquiry. There is actually no indication that a ''reasonable cause'' inquiry was made, so in August, I wrote to the Administrative Office to find out more about what really happened. The Administrative Office acknowledged my request, but I have not yet received a response to my questions.

The Judicial Conference is also considering Justice Thomas's more recent financial disclosure omissions. Congressman HANK JOHNSON, who is my coordinate as the top Democrat on the Courts Subcommittee on the House side, and I wrote to the Judicial Conference several times, along with other Members of Congress, asking for a review of these ethics violations and a determination as to whether referral to the Attorney General is required for this second round of yacht and jet travel from Republican billionaire Harlan Crow, for the real estate sale from Thomas to Crow, and for various gifts from other ultrawealthy individuals, including Paul Novelly and David Sokol.

Madam President, those letters can be found online at https://www.whitehouse.senate.gov/download/letter-to-judicial-conference-referral-to-ag_04142023 and https://www.whitehouse.senate.gov/imo/media/doc/2023-08-11_letter_to_judge_mauskopf_thomas_gifts1.pdf.

As in 2011, the current matter has been sent to the Committee on Financial Disclosure. We don't know exactly how the committee's review is going, but the Judicial Conference's report on its September meeting—its most recent meeting—included this interesting note on the committee's activities. The note said the committee was ''updated on the status of the ongoing review of public written allegations of errors or omissions in a filer's financial disclosure reports that were referred to it since the Conference's last session.'' So it seems like that is this matter, and it seems like that investigation is an ongoing review.

The final issue I have raised with the Judicial Conference is my complaint against Justice Alito for what I thought was a pretty blatant ethics violation last summer. I addressed this complaint to Chief Justice Roberts both in his capacity as Chief Justice and as Chair of the Judicial Conference.

Madam President, that letter can be found online at https://www.whitehouse.senate.gov/imo/media/doc/2023-09-04_complaint_from_senwhitehouseenclosure.pdf.

The Supreme Court, unlike every other Federal court, has no procedure for receiving or investigating ethics complaints, so that is why I sent it to him wearing both of those hats.

The first thing I asked the Chief Justice to do was to change that. There should be a place where, with a complaint like that, I could go and file it and somebody would pay attention.

I also asked that either the Conference or the Court conduct its own investigation into Justice Alito's comments in the Wall Street Journal's editorial page, made in an interview with David Rivkin, where Justice Alito offered his legal opinion that ''[n]o provision in the Constitution gives [Congress] the authority to regulate the Supreme Court—period.''

Well, it seems to me that is a slam dunk ethics violation for a couple of reasons. First, Justice Alito was opining on the constitutionality of my Supreme Court ethics bill, which the Senate Judiciary Committee had recently advanced, and the legitimacy of related oversight requests from the Senate Judiciary and Finance Committees.

We have heard time and time again from Supreme Court nominees, including Justice Alito himself, that it is improper and a disservice to the judicial process—those were Justice Alito's words in his nomination hearing—for them to express opinions on a matter that might come before the Court. Well, boom. This was a matter that might come before the Court—indeed, it was actually likely to come before the Court—and there he was opining at will in the pages of the Wall Street Journal's editorial page.

But it gets worse. He made his comments in the context of a specific ongoing legal dispute—a dispute involving Court fixer Leonard Leo, who had arranged for an undisclosed free jet trip and fishing excursion for Justice Alito and himself.

When the Senate Judiciary Committee requested information about the gifts Leo arranged, we got a letter back from his lawyer, David Rivkin—the same person who conducted the interview that recruited the comment from Justice Alito. Justice Alito's comments in the Wall Street Journal echoed the exact argument that Rivkin had made when he refused to give us any information—i.e., that Congress has no authority to legislate on or oversee Supreme Court ethics, which is a weird position to take when you consider that the Judicial Conference, which oversees Supreme Court ethics, was created by an act of Congress.

Anyway, the cherry on top of this whole mess, which I flagged also for Chief Justice Roberts in a followup letter—which can be found online at https://www.whitehouse.senate.gov/imo/media/doc/alito_complaint_addendum.pdf—came a month later when another billionaire, who is also alleged to have provided Justice Thomas with undisclosed gifts, cited Justice Alito's comments as support for his argument that this billionaire didn't have to answer our questions about those gifts. I sent that letter to Chief Justice Roberts as an addendum to my complaint, and I have not yet heard back.

But it really does seem wrong that a Justice of the Supreme Court would offer an opinion on a matter that might come before the Court that actually relates to a specific, ongoing legal dispute in which the lawyer for a party in that ongoing legal dispute is doing the interviewing; that the person that lawyer represents is a friend and associate of the Justice himself; and that the result of that activity is that gifts to that very Justice are kept from public view, orchestrated by the client. It is a mess.

The last thing we have is a letter that Senator WYDEN and I just sent to the Acting Director of the Judicial Conference that relates to the recreational vehicle loan that Justice Thomas received. It appears from the Finance Committee's investigation that the principal on the loan was never repaid—not a dollar of it; that for a period, interest on the loan was repaid but then interest stopped being repaid.

When you stop paying both principal and interest, that amounts to an act of forgiveness of the loan. Yet the forgiveness of that loan was never declared on his judicial ethics filings, suggesting that it might not have been disclosed even in his tax filings, which could lead to a whole second set of legal concerns.

Madam President, that letter can be found online at https://www.whitehouse.senate.gov/imo/media/doc/2024-02-07_wyden_whitehouse_letter_to_ao.pdf.

It is not fair to expect the Judicial Conference to have done anything about that because it was just sent to them, but with respect to the other things, I would sum it up this way: The score at the Judicial Conference so far is one clear win on getting rid of the Scalia trick; major progress on disclosing who is really behind front

group amici; an ongoing review of the billionaire gifts program at the Court as it relates to Justice Thomas in particular; and so far no response on the Alito-Wall Street Journal mischief.

Like I said, it is a very reticent place. They move very slowly and have a lot of process. So I am just going to continue to press along in bringing information before the Judicial Conference so that they and the public can get clear answers on these issues. Certainly, the American people deserve transparency when it comes to fairness and gifts from interested billionaires to Justices of the Supreme Court.

With that, to be continued.

I yield the floor.

The PRESIDING OFFICER (Ms. BUTLER). The Senator from Texas.

BORDER SECURITY

Mr. CORNYN. Madam President, for the entirety of President Biden's term of office—for the last 3 years—my Republican colleagues and I have spoken out about the crisis on our southern border. Of course you can imagine, coming from a border State like Texas—we have 1,200 miles of common border with Mexico, and we are at the epicenter of this crisis.

I can't tell you how many times I have come here and tried to convince my colleagues that we needed to do something in order to stop the flow of humanity coming across the border, along with the drugs, the criminals, the people on the Terrorist Watchlist—the whole enchilada. I explained that the recordbreaking number of illegal crossings was something that is not normal. This is an extraordinary and unprecedented wave of humanity coming across the border. It is making these criminal organizations that pay by the head—or get paid by the head for smuggling people to the border from around the world and the ones who smuggle the drugs that follow on closely behind fabulously wealthy.

I have criticized the Biden administration's policies day in and day out because they send a clear signal to the migrants to keep on coming. In other words, the Border Patrol likes to talk about the push factors for immigration. Those are poverty, violence, things like that, a desire for a better life. They also talk about the pull factors and the Biden policies of releasing everybody who comes to the border illegally, either in claiming asylum or in granting them something called parole, which is 2 years in the country, plus a work permit. This is an enormous pull factor. It is like a giant magnet, telling people: Come to America. Forget illegal immigration. Forget the fact that people who come here legally have to wait in line and have to meet certain legal requirements.

I want to make clear: America was built on legal immigration. Legal immigration has been one of the greatest blessings our country has ever encountered. No other country in the world is as generous as the United States of America when it comes to welcoming people from other countries. But we expect them to follow the rules, which allows us to control the numbers, which allows for the reasonable assimilation of those individuals because we want everybody not to be a hyphenated American but to be an American, and that means assimilation into our society. It also means keeping criminals out. It means keeping terrorists out. It means keeping the drugs out that come with illegal immigration.

So the Biden policies have been a flashing green light and a welcome mat for people from around the world. There are as many as 300,000 a month now—unbelievable—and as many as 13,000 a day. Jeh Johnson, the former Secretary of Homeland Security under Barack Obama, said that 1,000 illegal border crossings a day was a real problem, and we are seeing 13,000 under President Biden.

I have tried to share the stories of my visits to the border and what I have learned. In fact, Senator CRUZ, my colleague from Texas, and I have hosted numerous Senators and asked them to come to the border so they can talk to the same people we have talked to—the Border Patrol, the nongovernmental organizations, the Federal Government employees, the community leaders—who are overwhelmed by the sheer volume of people showing up.

It wasn't that long ago, in a little town of Del Rio, TX—population 35,000—that 15,000 migrants from Haiti showed up. Can you imagine the impact on that town of 35,000 people to have 15,000 people show up at the same time—people who needed food, shelter? They couldn't provide that sort of just simple necessity of life to these migrants. They were overwhelmed.

These migrants had actually been living in South America. They actually didn't come directly from Haiti, so they didn't have any credible fear of persecution coming from South America. But the Biden administration said: Come on in. And they do and they have and they will.

I have highlighted the link between the migration crisis and the fentanyl epidemic, which killed 71,000 Americans last year. This incredibly powerful synthetic opioid has taken too many young lives. In fact, it is the leading cause of death for Americans between the ages of 18 and 49. If we were having car accidents that was the leading cause of death of Americans between the ages of 18 and 49, we would say something has got to change. But we have become anesthetized to these numbers. They are so huge, it is hard for us to process those. But anything that is the leading cause of death for 18- to 49-year-olds in our country, you would think would be something that we would all be concerned about and want to do something about.

I have raised concerns over the increasing number of potential terrorists. My memory is that at last count, we saw last year, roughly, 170 people on the Terrorist Watchlist detained at the border. You might think: Well, that is great. We got all of them. We stopped them. Well, there were 1.7 million ''got-aways.'' Do you think there were people on the Terrorist Watchlist among those 1.7 million ''got-aways''?

What do you think those ''got-aways'' were doing evading law enforcement? They certainly must have had concerns because anybody without a criminal record who is not engaged otherwise in a crime, they are turning themselves in, either claiming asylum or being released by the Biden administration. So the people who are actually running away from law enforcement, I think common sense would tell you they are running for a reason—either carrying drugs, they have criminal records, or worse.

I have also talked about the negative impact of this crisis on lawful trade and travel. You know, I saw an article this morning that now Mexico is America's largest trading partner. It used to be China; but now it is Mexico and, actually, NAFTA, the North American Free Trade Agreement—now the successor is the U.S.-Mexico-Canada, the USMCA, trade agreement. Legitimate trade and commerce across our border supports millions of jobs in America and represent essential supply chains for our manufacturers—something we became acutely aware of during COVID because we found out that if you are depending on Taiwan, for example, to make advanced semiconductors, well, in the event of another pandemic or a war or a natural disaster, we might not be able to get those. It made us start to think: What do we need to do to make our supply chains more reliable? Part of that is the businesses have moved to Mexico.

But many times, because the border has been overwhelmed by migrants, they have had to shut down the bridges and the ports of entry. Recently, one of the railroads that transits the U.S.-Mexico border that is essential for trade and to maintain some of these supply chains was shut down completely, costing billions of dollars in lost revenue because the Biden administration does not control the flow of migration across the border.

For me, this is not a political cudgel; it is something my constituents care deeply about. It is an issue that my State has battled every day that President Biden has been in office. We are at ground zero.

It is also sucking up taxpayer dollars, endangering children because 300,000 of them have been placed with sponsors who came—children who came unaccompanied to the border are placed with sponsors in the interior. There have been 300,000 of them placed with those sponsors since President Biden took office, and the Biden administration can't tell you what has happened to them.

The New York Times documented children in forced labor—dangerous jobs illegally forcing children to work in these jobs. But we don't know

whether these children are going to school, whether they are getting the healthcare they need, whether they are being fed properly, whether they are being trafficked for sex, or recruited into gangs. And the Biden administration can't tell you. That is what the status quo of the last 3 years has given us.

It would be an understatement of the century to say that our Democratic friends have been less concerned about what is happening at the border.

Two years ago, President Biden visited a semiconductor plant in Arizona while the border crisis was raging. The President was asked why he wasn't visiting the border since he was so close, and he said: Because I have more important things to do—more important than visiting the border and seeing for himself what damage the Biden border crisis was creating.

That month—the same month that the President refused to go to the border because he had more important things to do—250,000 migrants crossed the southern border. But the President couldn't be bothered to go to the border.

The Vice President, the Secretary of Homeland Security, the White House Press Secretary, and other administration officials have repeatedly downplayed the severity of what is happening at the border. They have lied. They have lied to the American people—some of them under oath—like Secretary Mayorkas. Time and time again he said the border is secure.

Does he think we are so gullible as to not see what is happening on TV or online with our own eyes the caravans of migrants making their way to the border and then being released into the interior, and the Secretary says the border is secure? That is outrageous. But the majority of our Senate colleagues on the other side of the aisle weren't bothered by that.

During President Biden's first year in office, the senior Senator from Montana threw cold water on the idea that Congress should act on the border. He said:

I don't know you need legislation—

This is our senior Senator from Montana. He said:

I don't know you need legislation. I think what we need is to make sure we get the people and the technology down there to stop it.

He said we don't need legislation. I guess in one sense he is right, because if President Biden would just enforce the law, everything could change and would change.

But now we are seeing a different tune. Our colleagues are saying: Well, because there has been disagreement on the border, border changes in the context of the current discussion on the emergency national security supplemental, they said: We care about the border, and the people who disagreed with the product that was negotiated on a bipartisan basis don't care about the border.

The American people are not stupid. The American people are smart, and they could see through that sort of fig leaf or that attempt to try to mislead them from what they have seen with their very eyes over the last 3 years.

The following year, after the senior Senator from Montana made those comments, the senior Senator from Ohio tried to minimize the impact of the security crisis on the border. He said: I don't hear a lot about immigration from voters except from people on the far right that always want to gain political advantage by talking about it.

Well, I wonder what he is hearing from his constituents these days.

This is not just conservatives or Republicans. How about he listens to the mayor of New York City—a self-styled sanctuary city—or the mayor of Chicago or any major city that has seen migrants make their way into their jurisdiction?

There is no better example of our colleagues' intransigence than the lack of action by the Senate Judiciary Committee. I have served on the Judiciary Committee my entire time here in the Senate. It is a great committee. It has jurisdiction over immigration matters. But the Senate Judiciary Committee hasn't had a single markup on an immigration bill in the last 3 years, not one.

We have asked the chairman, the senior Senator from Illinois: Please schedule a markup. We are not even saying it is my way or the highway. We are saying: Bring an immigration bill to the Judiciary Committee. Let the Senators on the Democratic side and the Republican side offer amendments, and let's let the chips fall where they may. But the very committee in the U.S. Senate that has jurisdiction over immigration and border matters has done nothing in the last 3 years, even longer than that.

We have talked about the issue. We have advanced a couple of narrow bills that touch on the edges of what is happening at the border, including bills to combat human trafficking and support law enforcement. But under the chairman's leadership, the Senate Judiciary Committee hasn't made a serious, honest attempt to tackle this issue head-on.

To be clear, it wasn't for lack of bills to vote on. Just a few months into the Biden Presidency, Senator SINEMA—the Senator from Arizona—and I introduced, along with our colleagues in the House—HENRY CUELLAR and TONY GONZALES—we introduced a bill we call the Bipartisan Border Solutions Act to try to address the surge in immigration.

The theory was that, here is a bipartisan, bicameral bill that maybe—just maybe—the Biden administration would be willing to work with us on. Maybe if things got so bad, they would look at this as a lifeline to begin a conversation on immigration.

That bill would have increased staffing levels for law enforcement and immigration courts. It would have expedited legal proceedings and enhanced protections for unaccompanied children.

These were commonsense measures. They were modest measures that had bipartisan and bicameral support. And it would have allowed us to at least get started to meaningfully address the problems we faced at that time before they spun completely out of control, as they have today. Still, the chairman of the Judiciary Committee won't schedule a hearing or a markup on that bill.

Now, we are not saying this has to be the final product. We are saying let's start the conversation. We have been asking over and over again for the chairman to have a hearing, have a markup, but he has refused. He has refused to engage at all. Had that bill been signed into law at the beginning of the Biden administration, it could have prevented some of the chaos we have endured over the last 3 years, but instead, the leadership on the Democratic side has buried their heads into the sand until the situation has become so dangerous and untenable that it has turned into a political liability for President Biden.

It is not lost on me that here we are—February—looking at a November election, and President Biden says: We have got to do something about my terrible poll numbers when it comes to border insecurity. You would think, if it had been serious, that he would have engaged earlier, but this is what we call an election-year conversion. Once the shift happened, the rhetoric from our Democratic colleagues has changed significantly.

Last month, the senior Senator from Montana, who once said we didn't need any new laws, wrote an entire op-ed about the need to act on the border. In it he wrote:

The lack of urgency from my colleagues on both sides of the aisle . . . is frankly disturbing.

This is from a Senator who said you don't need new laws.

Earlier this week, the senior Senator from Ohio, who once said he didn't hear much about immigration from his constituents, advocated for a border deal, saying:

Ohioans cannot . . . wait any longer.

And, yesterday, the chairman of the Judiciary Committee, who for 3 years has refused to use that committee, the committee of jurisdiction, to advance any bills to deal with the crisis, stood here on the Senate floor and he blamed—you guessed it—former President Donald Trump for lack of progress on the border.

We should wish for the numbers of illegal crossings that occurred during President Trump's time in office because it was a fraction of what we have seen under President Biden. As a matter of fact, we have seen more illegal border crossings in 3 years under President Biden than we have in 12 years during the Obama administration and during the Trump Presidency.

But that is what people do here in Washington, DC. This is a city in which

the blame game is like an Olympic sport. People are vying for medals by telling the biggest whoppers. It is completely disingenuous for Senate Democrats to blame anyone but themselves and President Biden for the lack of broad progress on the border crisis.

Despite this shift in rhetoric that we have seen, President Biden's comments have once again taken the cake. Earlier this week, President Biden made the most bogus, delusional claim about the state of the border, somewhere he hasn't been in a long, long time. Now, I remember he did come to El Paso for a driveby. But he said:

The only reason the border is not secure is Donald Trump and his MAGA Republican friends.

You know, at some point, when you hold elected office, the most powerful office in the land—maybe on the planet—you ought to accept some responsibility, not just blame other people. But that is not what President Biden did. These are the words of the current President of the United States, the man who has the power, under existing law, to detain and deport illegal border crossers but has chosen not to do so.

On President Biden's watch, U.S. Customs and Border Protection has logged more than 7 million migrant encounters, and the Biden administration has released 2.3 million migrants into the country. And President Biden thinks that the American people are gullible enough to believe that we are in this situation because of former President Trump? Give me a break. For 3 years, we have been beating on the door, begging and pleading with our Democratic colleagues and the White House: Work with us. We are not asking for perfection; we are asking to do our jobs and do your job. But President Biden has refused to engage. Our colleagues across the aisle have pretended like there is no problem, and the chairman of the Judiciary Committee won't even schedule a markup.

Now, because Republicans voted against a single bill that was negotiated by three Members, including many policies that Republicans have been on record opposing for years, the American people are supposed to buy this argument that our party is to blame for the border? Well, I, for one, am still ready to engage with my Democratic colleagues if they are sincere, but it is hard to believe when this rhetoric occurs in the context of upcoming elections. It really does feel like an election-year conversion.

In the past few days, our colleagues have proven that this was never about solving the border crisis; it was about giving President Biden a new talking point on the campaign trail in order to cover up the disaster of his own making. This is a manmade disaster, and the man who made that disaster was President Biden.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

SUPPLEMENTAL FUNDING

Mr. KAINE. Madam President, I rise to discuss the supplemental emergency security package that is currently being debated in this body.

Yesterday, the comprehensive package that included the bipartisan border provision was voted down after Republican colleagues did a 180 and chose to oppose it.

But there is an urgent need to move forward with a supplemental package, and so what we are now working on in this body is a slimmed-down version that would still do a tremendous amount of good: humanitarian aid for Gazans and others around the world who need it; State disaster relief funds for States that suffered flood, hurricane, drought, wildfire; support for our allies in the Indo-Pacific to promote regional stability there; support for defense aid to Israel; and support for defense aid for Ukraine.

And we are in the process of trying to find how we can move forward together on that package, and, in my view, it is very important that we do so and that we finish this before we recess. And it is my hope that when we do, we will be able to do it in a way that carries a significant bipartisan vote because that will increase the likelihood that it will be acceptable to the House of Representatives.

I want to talk about one particular aspect of this discussion, an amendment that I am filing together with 28 colleagues that, frankly, should be a no-brainer, accepted on a voice vote by all 100 Senators, and it has to deal with the provision of military support for the defense of Israel.

The proposal that President Biden made, which is now more than 2 months old, to the body included a recommendation of defense support for Ukraine, for Israel, for Taiwan, and then also potentially other nations in the Indo-Pacific. Some of the funding is to implement the AUKUS framework between the United States, Australia, and the UK.

Defense aid given by the United States to other nations traditionally carries with it a congressional notification requirement, and that requirement—to kind of short-form it—works in a very simple way. Even when we voted to allow the defense aid to go forward and we have appropriated money for it, when an administration of either party is ready to transfer the aid, they give a notification to Congress about the transfer so that Congress can review the aid and make sure that it is the kind of military aid that was intended when the bill was passed.

So, to give you an example, if we are doing transfers of foreign military aid to Egypt—and we have done that in the past—and the purpose of is it to enable Egypt to fight terrorism, we often want to see what the weaponry is so we can determine, wait, are those weapons that would be useful in counterterrorism or are those weapons that could be misused against civilian protesters, for example. So the congressional notification requirement is an important way that Congress can check to make sure that support that we have voted for is actually being provided in the way that we intended.

The notification requirement isn't onerous. It requires that Congress be given a certain—not lengthy but short—period of notice where we can analyze to determine whether the aid is the kind that we intended, and if it isn't, we don't necessarily have the ability to veto it, but we can ask additional questions of the administration.

This is what oversight is about. This is what Congress needs to do. And this is tradition with respect to arms transfers to any nation.

In the request that was delivered to Congress 2 months ago, there was a small provision in the request that puzzled me, and it said that the traditional congressional notification provisions under the supplemental bill would not apply to any of the defense aid to Israel.

I support defense aid to Israel, and I have supported it during my entire career in the U.S. Senate, but I don't support this administration or any administration bypassing Congress and not providing us the notification about this aid.

In the supplemental bill, the notification would still apply to aid to Ukraine; it would still apply to aid to Taiwan; it would still apply to aid to other nations but not to aid delivered to Israel. I reached out to the White House nearly immediately to ask why this was done, and the answer was: We will have to get back to you.

And I have not gotten any answer, much less an acceptable answer, about why we would want to bypass congressional notification of this aid.

Why should Congress vote to bypass ourselves? Why should Congress say: Yes, you can bypass us and not give us notice of this aid, as is traditional?

The congressional notification provision does have an exception for emergencies. In the event of emergencies, the administration can say: This is an emergency, and we need to do it right away. And that emergency power has been used twice in the last couple of months to do expedited aid to Israel. I would not propose to take that power away, whether it be for Israel or Ukraine or any other nation, but why would we want to allow Congress to be bypassed in nonemergency situations?

And so the amendment that I have filed with 28 colleagues, many of whom are standing on the floor with me today, would simply say that the same standard should apply to aid to Israel as applies to Ukraine and the other nations; that, yes, we are supporting this aid, but when an administration transfers it, Congress should get notice so we can ask questions if we determine that we need to.

I endeavored to get this provision in the base language of the bill that we will hopefully be voting on soon, and I

failed in that. I was told the reason is that my Republican colleagues did not support it.

Why wouldn't Republican colleagues want a Democratic administration to give them notice about arms transfers so they could ask questions about it? I don't get it, but that is the reason that it is not in the base bill. Yet it is my hope, as we get into this debate—and I know there is significant discussion about the extent of amendments, if any, that will be offered—that I would hope to be able to bring this up, and I would think it should get an overwhelming vote in this body.

I have colleagues who are here to speak, and I want to just say one last thing as I conclude. This is not a box-checking thing. Congress having oversight over war, peace, and diplomacy is critically important.

We see what is happening more broadly in the Middle East with the United States engaged now against the Houthis in the Red Sea and in Yemen, with the United States engaged against the Iranian-backed militias in Iraq and Syria, with the escalation of Hezbollah firing rockets into Israel. And I think many of us are worried about the United States sliding, slipping, stumbling into another war in the Middle East, which, in my view, would be a disaster.

The United States should be providing support for allies. But, in my view, it would be a disaster for the United States to be engaged in another war in the Middle East right now. It would be Vladimir Putin's dream. It would be Xi Jinping's dream. It would be others' dream to have us entangled in the Middle East right now. But I think it would be a horrible thing for the United States to do that. But if that is to be a possibility on the table, let it be debated here. Let it be debated by Congress in full view of the American public. Let's see what the stakes and the consequences and the risks and the benefits would be. But let's not stumble or slide our way into an escalating set of military hostilities in the Middle East with U.S. troops involved.

The provision about congressional notification on arms transfers is part of this very thing: to make sure that important matters of war, peace, and diplomacy are not just done by any Executive but that there is full buy-in by Congress, lest we find ourselves in a war we shouldn't be in.

And so I am going to work to see if I might be able to get this as part of the package that we are negotiating. And, again, I would think any Member of the article I branch should not casually accept an evisceration of its oversight powers over arms transfers.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I come to the floor this afternoon with my colleagues Senator BENNET and Senator CARDIN. I think we are going to be joined shortly by others, Senators BLUMENTHAL and PETERS, and I am not sure who else. But we are here to register our strong support for the legislation that we just advanced with the vote earlier—the 67 positive votes—for the security supplemental.

This bill would give critical support for partners like Ukraine, Israel, and Taiwan; it would provide humanitarian aid for Gaza and other populations; and, equally important for us in New Hampshire, it would curb the flow of fentanyl into the United States.

So make no mistake, our adversaries and our allies are watching how we respond to the war in Ukraine. If we allow Vladimir Putin to continue his unprovoked attack on Ukraine, who knows where he is going to stop.

What we do today is going to determine the strength of tomorrow's autocrats, because when dictators like Putin are not held accountable for their aggression, their threat to the world grows. And if we don't act quickly to support the Ukrainians, all the battles that they have won, all the land that they have reclaimed, all the progress that they have made to win back their country could be undone. We must not deny Ukraine the resources and weapons they need to defeat Putin once and for all.

Right now, Ukraine has just 20 percent of the ammunition and artillery it needs as Russia continues its advance; 85 percent of Russia's missiles are now foreign made; and Iran supplies 70 percent of its drone capabilities.

For anybody who is worried about Iran—and I am on that list of people who are concerned about Iran's threat, not just to the Middle East but to Ukraine and to the United States—defeating Russia in Ukraine is one of the most important things we could do to stop the threat from Iran.

The threats we face are so interconnected; and so our response to our adversaries must also be interconnected. This bipartisan supplemental funding agreement follows through on our promise to stand by our friends in Ukraine and Israel and in the Indo-Pacific.

We must not abandon them now. How will we convince our allies in the future that we are going to be there to support them if we abandon Ukraine and say: Sorry, we can't help you now?

I recognize that for a lot of Americans, including some in my home State of New Hampshire, many of the problems that this bill addresses seem like it is about far-off issues. But I want to be clear that what happens in Ukraine doesn't stay in Ukraine. Putin's illegal invasion is directly targeting American consumers. His obstruction of Ukraine's grain imports in the Black Sea threatened a global food security crisis and caused prices to rise around the world. It has caused the threat of famine in parts of Africa and other countries.

American support, in coordination with our allies, has helped to ensure that Ukraine can restart those exports that are needed to feed the world.

With the support of the United States and our NATO allies, Ukraine put Russia on defense in the Black Sea. They have reduced Russia's formidable Black Sea fleet by 20 percent over just 4 months.

And much of the supplemental funding for the Defense Department to support Ukraine is going to be spent in the United States. It invests over $25 billion in the American defense industrial base. That expands production lines; it strengthens the American economy; and it creates new jobs.

These funds also ensure that our own military can backfill our own stocks and maintain U.S. readiness. Perhaps, the most important piece in all of this, Putin's expansionist agenda could lead to an attack on a NATO ally, and that could draw the United States into direct conflict with Russian forces.

We don't have to talk to too many of the countries that border Russia or that were under former Soviet control to hear their concern about what happens if Putin is not stopped in Ukraine, the potential for him to go into the Baltic countries, to go into Poland and Moldova.

I have four grandsons. I don't want them sent off to fight in Europe or Asia years from now because article V is invoked from a NATO country because we didn't take the action that we should have taken today to support Ukraine.

In the months after Russia's unprovoked invasion, I met with a Ukrainian soldier named Andriana. She said to me something that I will not forget and that I have said to people in New Hampshire who asked me about this war. She said:

> Give us the weapons to fight the Russians so that you don't have to.

Well, last year, I saw her again as she recovered from a traumatic injury that she sustained on the frontlines and temporarily paralyzed her. And you can see the challenge. This is Andriana as a soldier. And there she is in the hospital bed. But her spirit was not broken.

I got a chance to see her again as she was recovering. And she reminded me that Ukraine has a motto that is much like New Hampshire's motto. It is: ''Freedom or Death.'' That is not so different from New Hampshire's motto: ''Live Free or Die.''

My constituents understand what it means to stand up for our freedoms. We have a long history of doing that. And it is people like Andriana who we are supporting, brave defenders of democracy in Ukraine and every corner of the world, who are standing up for democracy, for us in America, and democracies around the world. And it is critical that we support those brave Ukrainians so that they can win this war, so we can say to Vladimir Putin and autocrats across the globe: We are not going to let you get away with taking over other countries; we are not going to let you get away with the human rights atrocities that you have committed.

For our whole history, the United States has been on the side of freedom. We cannot waver now. We must pass this bill.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Colorado.

Mr. BENNET. Mr. President, I am very pleased to be here this afternoon with the Senator from New Hampshire and the Senator from Maryland to talk about our commitments in Europe, our commitments to Ukraine. I want to thank them for their leadership on the Armed Services Committee and the Foreign Relations Committee here in the Senate. They are a team that I wouldn't want to tangle with. And I am glad they are out here on the floor today as allies in support of this incredibly important mission.

I am also very glad that after 4 months of an endless—almost seemed endless—and painful set of negotiations, we find ourselves in a place where we have actually had a sign of bipartisan cooperation to fulfill our obligations at this really, really critical moment just in the nick of time. And I want to thank my colleagues on both sides of the aisle for that strong vote. And I hope as we go forward in the coming hours that that is a bill that we will actually build on because there are some people who are saying this will never pass the House of Representatives. It never will unless we can figure out how to pass it here. And we can do it in a bipartisan way. And we are off to that start.

When Russia invaded Ukraine just 2 years ago, the world expected Kyiv would fall in 72 hours; that Putin would depose Ukraine's government and that he would install a puppet government in that capital city. But the Ukrainian people astonished the world.

Practically barehanded, the Ukrainians fought off Putin's army, saving Kyiv and its democratic government. And since then, with our help, they have liberated over half of the territory that Putin stole from them. They have won battle after battle after battle that nobody ever thought they could win.

As the Senator from New Hampshire said, they basically pushed Putin out of the Black Sea, opening up the seaways to get wheat out to the rest of the world—to Africa and to other places in the world. They don't even have a navy, the Ukrainians. They are a nation that is—I am talking about this in Colorado. It is like this is an entire nation of MacGyvers. And every day they are figuring out some new way to defeat Vladimir Putin or to push him out of the Black Sea.

Just last week, Ukraine sank another one of Putin's warships. And since the war began, Putin has killed 70,000 Ukrainian troops and nearly 100,000 Ukrainian civilians.

Our military support and our intelligence support has been critical. But it is really important to remember that it has only represented less than 0.4 percent of our economy—of our GDP—and that we are spending less as a percentage of our economy than many of our European allies.

I know it is fashionable around here for some people to say that the folks in Europe aren't doing their part. But many of them are actually doing more as a group. They are doing more than we have done.

In fairness to us, we provided more military aid than they have. And that has been really important. But they put in more humanitarian aid. And combined, we have stood up for Ukraine and stood up for each other.

But because of the delay that we have had here on Capitol Hill, Europe has already committed an additional $55 billion to Ukraine just a week ago—or 10 days ago, I think—waiting for us to lead. They said: We are out of time. Ukraine is out of bullets. And so we are going to do what we need to do, is what our colleagues in Europe said.

But, listen, it is not just countries that are in Putin's backyard that are doing this. It is not just countries who think: Well, if they can do it to Ukraine, they might do it to us. Our coalition includes Australia, includes Japan, includes South Korea. In fact, Japan just pledged another $4.5 billion for Ukraine. That is a lot of money for a country that is as far from Kyiv as Japan is, from Ukraine.

But our partners know what the stakes are for democracy in this battle. They know that supporting Ukraine means standing with people who are willing to fight to do whatever it takes to live in a free country like ours.

As I said, Ukraine is running out of bullets. And Putin may be having a tough time on the Ukrainian battlefield, to put it mildly, compared to what anybody would have reasonably expected. But the battlefield he is counting on winning on is the battlefield here on Capitol Hill. He knows how divided we are. He knows that this Capitol is filled with self-defeating division. And the question he is asking and the question we need to ask ourselves is whether we are going to allow that division to stand in the way of our support for Ukraine. He can read our newspapers. He knows how to troll us on social media.

Just in the 4 months that we have been having this debate—by the way, I think we should have passed this in October. Just in the 4 months we have been debating this and that we have consumed debating this aid, Putin has taken back territory that the Ukrainians spilled blood to gain, and his soldiers have killed or injured over 1,500 Ukrainian civilians. Russia is killing or badly wounding 30,000 Ukrainian troops every month.

As we gather here today, Putin is right now, today, amassing 40,000 soldiers, 500 tanks, and 650 armored vehicles to conquer yet another Ukrainian city. And Ukrainian's troops are digging in as they have all winter long to fight back. But they are outgunned; they are outmanned. They have to ration their ammunition because they don't know whether the bullets are coming again. They don't know whether they are going to get the support they need.

And Putin thinks he can beat Ukraine, not because he thinks the Ukrainians are weak but because he thinks we are weak. He thinks we are weak.

It is not just Putin who thinks that American democracy can't meet the challenge; his autocratic allies across the world believe the same thing.

It is important, as the Senator from New Hampshire was saying, Senator SHAHEEN, to see how ''interconnected,'' to use her word, these things are. Russia's illegal invasion of Ukraine connects directly to Iran's aggression across the Middle East, to China's saber-rattling against Taiwan and the Philippines, and North Korea's missile launches. Putin is killing Ukrainians today with Iranian and North Korean missiles in this very war. China supplies critical components to Moscow to regenerate Russia's defense production, and it helps keep the Kremlin able to avoid or escape our sanctions. For its part, Hamas used weapons from China, Iran, North Korea, and Russia to murder 1,200 people in Israel on October 7.

As everybody in this Chamber knows from what is going on just this week, Iran is backing militants in Iraq and Syria who just killed U.S. soldiers in Jordan. Tehran is bankrolling the Houthis. Its attacks in the Red Sea have caused shipping prices to jump, inflicting higher costs on Americans. And, of course, China is funding billions of dollars to the dictator in North Korea who supplies weapons to fight this very war against the Ukrainian people.

The threats these powers pose are connected and overlapping. From Putin to Xi, these dictators have made it clear—and they have said it at the negotiating table over and over again in the last decade—that they believe that democracy is exhausting and that totalitarianism is the best that humanity can expect.

This Congress's failure to fund Ukraine, if it comes to that, will send a powerful signal to them that they are right and that democracy is in decline, at least in the U.S.A.

And despite all of this, despite all of these stakes, I heard people in both this Chamber and in the House of Representatives question whether this fight really matters to the American people. Failing to support Ukraine means showing the world that the United States, long the leader of the free world, is no longer capable of standing up for the post-World War II order, our values, and for our partners. We can't accept the implications of that for our future or for our children's future.

Fortunately, we have an amazing example in front of us right now in the Ukrainian people because their courage, their ingenuity, their stamina

have reminded us that humans will actually die for democracy. They will fight authoritarianism until it is destroyed, until it is dismantled. And they have fought and inspired people all over the world to support them in their fight, not to send soldiers or to sacrifice our lives but to send arms and to send intelligence.

Are we willing to say, after all of that over the past 2 years—are we willing to say that we have no stake in this outcome; that we are indifferent to Putin's aggression or the meaning to the free world if he is successful in his illegal and criminal invasion of a free country in Europe?

If we fail to fund Ukraine, it is not going to end this war. That is an invitation for Putin to continue this war. And he will impose his will on the Ukrainian people, and dictators everywhere will see that they have a green light; that they can inhabit a world where might makes right; where people don't have the benefits of freedom or the rule of law but get up every day just to fight off the kind of mayhem that the Ukrainian people are fighting today. That world would be a lot more dangerous than the one we are in today.

We do not want to embolden Putin or his allies to believe that they can do to other places what they did to Ukraine, as the Senator from New Hampshire said. Putin could march into NATO like his allies have said—Estonia, Latvia, Lithuania—and then article V would be invoked and then we are involved and our people are involved.

If he actually won this war, Putin could use his leverage over Ukrainian wheat and Ukrainian energy to dictate terms to people all over this world who rely on those important commodities.

And let me tell you something else—and this is not some totally hypothetical parade of horribles. We look at this every day on the Intelligence Committee. Xi Jinping is watching this, and he is considering what this means for what he intends to do with Taiwan, whether he wants to plunge the Indo-Pacific into war, shocking the global economy and drawing American soldiers into that theater.

Letting Putin win—giving Putin the green light—is going to take us down this road. It is as predictable as the Sun rising tomorrow.

And that is why—let me close because I know the Senator from Maryland is here. Let me close by saying this. I want to just say this especially to the people in this Chamber who have sort of taken a more isolationist tack than the one we are taking today, who may not believe that the United States has the same essential role to play that I believe the United States has played, partly because of my family's own experience and my mother having been born in Warsaw, a Polish Jew in 1938 and what that means to me about American leadership. But let me say, if you are somebody who believes that the United States should be less entangled abroad and more focused at home, you ought to ask them if you can vote for Ukraine twice—twice—because the world is going to be less safe for the American people if we fail to do this.

I know that many of my Senate Republican colleagues understand the historic nature of this moment—and Democrats as well—and believe that we should extend our support for Ukraine along with our partners, including Israel and Taiwan. They are right.

Let me say, no friend of Israel or Taiwan should turn away from Ukraine. Ukraine's battle is their battle. Ukraine's fight is their fight. And I hope our colleagues in the House will come to appreciate that as well and that we will have a big bipartisan vote here and a big bipartisan vote in the House, and we will recommit to each other maybe to overcoming the dysfunction that we have had, surprise ourselves on the upside for once around here, and send an important signal to the rest of the world.

I will finish with this. In his first meeting with us—and I know my colleagues remember this. There was still COVID when this was happening. President Zelenskyy was on the computer, just like any other Zoom call that any of us had during COVID. He said to us: We are fighting to live our lives the way you live your life.

The last time he spoke to us—it was in person this time. He came here. We met in the Old Senate Chamber. The last time he spoke to us, he said: We need your help. We need your bullets. We need your support. But if you fail to support us, we will never stop fighting because, as Senator SHAHEEN said, our entire enterprise is based on the idea that we are going to fight for freedom. We are never going to stop fighting.

He did say: We would lose. We can't beat Putin without your help, but we will never stop fighting for freedom.

I thought that was a very honest thing for him to say. I thought he could have said easily: We will give up. Instead what he said was: You may decide not to stand for freedom, but even if you fail us, we won't give up.

We can't fail Ukraine. This is no time for Congress to play politics with people's lives, no matter where they live, whether they live in Denver or in Kyiv or in the Middle East or New Hampshire or Maryland or Connecticut or Taipei. We won't get a second chance. This is a test of America's resolve and this is a call for American leadership and we cannot fail.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Maryland.

Mr. CARDIN. Mr. President, I want to thank Senator BENNET for those comments.

Senator SHAHEEN, thank you for organizing this opportunity for us to talk about the importance of this bill.

I must tell you, it has been a long road, and there were times where I think we thought we would not be able to get this aid package to the floor of the U.S. Senate.

The Senator from Colorado was one of the strongest voices that we had to make sure we never gave up. We were disappointed many, many times over many months. Senator SHAHEEN has been in the forefront, serving both on Armed Services and Senate Foreign Relations, to make sure, again, that we kept the momentum moving forward to get this done. Even last night, when we thought that there was an impediment that we could not overcome, we looked at the votes on the board and said that it doesn't look like we are going to get there. Senator SHAHEEN said, Senator BENNET said, Senator BLUMENTHAL said that we can't give up.

I have the honor of chairing the Senate Foreign Relations Committee. The Presiding Officer is one of our distinguished members.

There is no more important foreign policy priority than getting this bill passed and signed by the President. It is our No. 1 priority for our national security.

You have heard my colleagues talk about the fact that this is not about Russia versus Ukraine. That is what this war immediately is about, but it is about the free-world democracy versus autocracy.

Yes, 2 years ago, how many of us thought that President Zelenskyy would still be alive, let alone President of a viable country, Ukraine? The will and fighting spirit of the Ukrainian people is to be admired. Their leadership has been incredible. They are the ones who have been able to hold back the big Russian army, but they couldn't do it without our support. Yes, they will still fight, but they can't hold back that type of force unless they have the ammunition and the weapons and the support they need in order to carry on this battle.

When I said it is not a fight between Russia and Ukraine, we have a coalition of the democratic powers of the world all working to help Ukraine—Europe and throughout the global community—and I think sometimes it is lost because our constituents think this is just the United States coming to Ukraine's aid. Europe collectively provides more help than we do as a nation. We are the largest single contributor. They can't do it without our expertise, our help, our resources, and our equipment. We know that.

But look who is on the other side. Who is supporting Russia? It is Iran, it is North Korea, and, yes, it is the People's Republic of China. They are the ones supporting Russia's efforts.

Yes, this supplemental is interconnected. What is happening in the Middle East, what is happening in the China seas, what is happening with Taiwan—all related to whether democracies can prevail.

We have so much at stake. Yesterday, I was so disappointed because of the vote that took place. Today, I see

some light here. But let's take advantage of this. We have momentum. Let's make sure we get this bill passed.

Why is it so important? There is no question in any of our minds that Russia will not stop its military operations at Ukraine's border. Russian troops are already in Moldova and Georgia because of earlier incursions similar to what happened with Crimea, Ukraine. Do any of us think they are not going to try to take over those countries, as they did Ukraine?

Then take a look at the Baltic countries: Latvia, Lithuania, Estonia. They used to be part of Russia—at least they claimed; we never recognized that. They are now NATO allies and great NATO allies. Mr. Putin wants to take over those countries.

Poland—he wants to take over Poland, the countries that border, and he doesn't stop there.

This really is an alignment of the world, and it is so critically important that the United States is the leader in this effort on behalf of democracy. It is not only the money that is important. It is not only the ammunition and the munitions that are important. It is U.S. leadership because it is a clear signal that we are going to triumph, that Ukraine will triumph and democracy will triumph. We really need to understand the importance of this action.

I have been honored to be a Member of this body now for 18 years. This is my 18th year in the U.S. Senate. This is perhaps the most important vote I will cast as a United States Senator. That is just how important this issue is for us to get done. And I am proud of many of the issues that we have taken up during my years in the U.S. Senate. That is how important it is for us to get this done.

Yes, we need to make sure that we stop the Iranian proxies in the Middle East because they are all part of this. Yes, we could be drawn into a conflict because of what is happening on the Red Sea or what Hezbollah is doing on Israel's northern border or Iran's activities and proxies in Iraq. We know that. We have to act with dispatch—urgency.

In Ukraine, the case is that they don't have enough ammunition. They are rationing ammunition today. There are Ukrainian villages as we speak on the floor of the U.S. Senate that are at risk of being taken over by Russian forces because they don't have the munitions they need and the support they need, including from the United States of America.

This has been a great investment. How many of us thought that the monies we invested over the last 2 years would lead to blocking the Russian military? But it has done that. Yes, it is real that the alternative to money could be U.S. military, our sons and daughters over fighting in Europe once again. Look at history. Look at what happened in the 1930s. Look what led up to World War II. You see some dangerous comparisons that are taking place.

We need to be on the right side of history, and the right side of history is to make sure the supplementals pass with dispatch. There are so many other issues in here that are critically important. We need to make sure that humanitarian assistance is there, and we need to make sure that at the end of the day, Russia is held accountable for what they have done. War crimes. They have committed genocide. They tried to wipe the Ukrainian culture off the face of the Earth. Sound familiar? World War II. They have to be held accountable.

They have to be held accountable financially for the damage they have caused to Ukraine. I am proud of the bill we were able to pass in the Senate Foreign Relations Committee known as the REPO bill. I congratulate Senator WHITEHOUSE and Senator RISCH for their leadership on that. It also includes the global center. It also includes atrocities prevention.

We need to make sure that we have a comprehensive way to make sure Russia is held accountable for what they have done, but it starts with supporting Ukraine to defend itself and to win this war of aggression that Russia has started and make it clear that we are there in the Middle East. There is no future for the security of Israel or the Palestinians with Hamas in control. They have to be eliminated. The proxies in Iran have to be neutralized. Yes, in the Indo-Pacific, we must stand with our ally Taiwan so there is no military action taken by the People's Republic of China against Taiwan. All of that is in this bill, and that is why this bill is so critically important that we get to the finish line.

So I urge my colleagues—we had a good vote a little while ago. We are not at the finish line in the U.S. Senate. The next step is, let's be reasonable and find a reasonable path forward to get this bill done—I hope within the next day or two—send it over to the House of Representatives, and hope that our colleagues in the House will follow the lead of the U.S. Senate, Democrats and Republicans working together to get a bill done for our national security. Then I hope we can get back to border security because we know our immigration system needs that, and we need border security.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am grateful to my colleague Senator SHAHEEN of New Hampshire, as well as Senator BENNET of Colorado, Senator CARDIN of Maryland, and I will be followed by Senator PETERS of Michigan. We are among the group, but we are hardly the only ones who feel so passionately about this issue.

For anyone who has visited Ukraine—and I have been there four times over the last couple of years—seeing and hearing are so powerfully inspiring, so deeply moving. I will never forget my first visit after the invasion when I went to President Zelenskyy's office—really a bunker—and spoke to him about what it was like to have the Russians literally 10 minutes away by car from his door.

Then I went to Bucha, where I saw the remains of Russian tanks where they were stopped by Ukrainians using handheld missiles in the snow against these huge weapons of war, but simply by dint of their courage and indomitable spirit, they stopped the Russians—but only at Kyiv's doorstep.

President Zelenskyy told me then and he has told me since: We will fight with pitchforks if we need to. We don't need your soldiers. We need your help. We need the military equipment that you can provide.

He told us they needed more Javelins, and we provided them later than we should have. He said: We need HIMARS artillery. He said: We need ATACMS. We provided them later than we should have. Bradley and Stryker vehicles. Again, we provided them later than we should have. Of course, Abrams tanks and F–16s. They are there or on the way—later, but we did the right thing.

Winston Churchill once said America always does the right thing after it tries everything else—an exaggeration, but there is a kernel of truth in Winston Churchill's comment, which is, we are often late in doing the right thing.

Now we have no more margin of error in Ukraine. Deliveries of weapons are one-third of what they were only 7 months ago, and the failure to appropriate funds here means that supply of arms will be at 10 percent of what it was.

I have met those veterans, Ukrainian soldiers who have fought on the front, who described to me what it means to be fighting against the entrenched Russian forces—landmines, their artillery pouring onto the Ukrainian troops, shells and drones that keep them at constant risk and force them back when they have sought to make advances. And they have made advances, and they have been successful on the front, both in the east and in the south. It has been yard by yard, mile by mile, moving forward, sometimes pushed back, and the Russians laying waste to whole cities.

I have also visited Bucha and Irpin. We know what happened in Mariupol. The killing in Bucha was an atrocity that the world should never forget—men and women and children, hands tied behind their backs, shot in the head, and then buried in mass graves that I saw. Talking to people who live in Bucha whose memories will be seared forever and their children traumatized by these Russian atrocities.

Vladimir Putin is a war criminal. There is a warrant for his arrest, rightly, from the international court of criminal justice. There should be warrants for arrests for all of the Russian officials who have participated in taking children from Ukraine, by the thousands—tens of thousands—and

then indoctrinating them, reeducating them in Russia or Belarus.

Russia has launched an unprovoked, criminal, murderous attack on a nation. That constitutes genocide. Those people in Bucha and in many other places around Ukraine were killed for one reason alone: They are Ukrainian. The world's outrage is well-founded.

Many of my colleagues have expressed that same outrage. Senators are good at summoning outrage in words that are far more eloquent than mine, but we will be judged not by our words but by our actions. We will be rightly judged by history as to what we do or what we fail to do here.

And we have missed opportunities in Ukraine before. The Senator from New Hampshire will recall well our efforts after the first invasion, when Russia seized a huge part of Ukraine and a bipartisan effort was made in the Armed Services Committee to provide more lethal aid to Ukraine so that it could use it, before this second invasion, to push back the Russians and show that we could deter them.

And after my first visit to Ukraine, which was a little bit before the second invasion, I came back, and I said to anyone who would listen, including the President of the United States: The only way to deter Putin is with force, delivery of what Ukraine needs to defend itself. Vladimir Putin is a thug. He understands only force.

And, unfortunately, we missed that opportunity. The second invasion occurred 2 year ago, and the effects in Ukraine are visible, again, to anyone who would visit: bombed-out buildings; transformers for power, destroyed; Ukraine's delivery of grain to a world that needs more food, blocked.

These effects are not abstract, and they are not limited to Ukraine. There are a lot of people in the United States who watch what they see on TV, and the images are horrifying. And their reaction is, of course: Thank goodness it isn't here, and thank goodness it doesn't affect us.

Well, the fact of the matter is, it affects Americans. It affects all of our allies. It affects the supply of energy and the cost of it—and the effect on the world economy. It affects the availability of grain—Ukraine is the bread basket of many parts of the world—and the cost of food. It affects the diplomatic relations of nations, and, ultimately, it will affect our men and women in uniform.

Right now, President Zelenskyy can fight and win without men and women from America on the ground. But if he keeps going—and he will keep going, if he wins; he has told it to us. We have only to listen to him. It will be Poland or Romania or Moldova or Finland and Sweden.

Does anyone have any doubt about why Finland and Sweden want to be part of NATO? After years of neutrality, it is simply fear of Russia and Vladimir Putin's savage indomitable appetite for more territory and his long-range vision for restoring the Russian Empire and the old Soviet Union.

So anybody who thinks that what happens in Ukraine has no effect on America, you are in denial. Anyone who argues that we should be repairing our roads or building more schools or providing more food and heat for people who need it in America, you are right, but not at the expense of our national security. We can do both. We have done both.

And throughout American history, there have been people who have said: Let's pull back; let's care only what happens within our shores. And they have been proved wrong by history because of their denial, and, ultimately, America has done the right thing, as it did in World War II, and as it has done again and again and again by defending freedom and democracy.

This imperative is a moral obligation. It is a political necessity, but it is also a national security imperative.

The arms that we deliver to Ukraine already have helped degrade the Russian military by one half. Talk to our military leaders about the effects on Russia's military of Ukraine's defense. It has degraded the Russian Armed Forces by one half, and we have invested less than 5 percent of our military budget, without a single American casualty—not a single American in uniform killed or wounded. That is an investment that we need to continue, because the alternative is for us to be putting our troops on the ground there to defend, under our NATO obligation, those countries that will be invaded next—whether it is Poland, Romania, Moldova, or Finland and Sweden.

Let me say, finally, I was very proud yesterday to vote for a supplemental that serves our national security—our national security in Ukraine, our national security interest in Israel. It is defending itself against a terrorist organization that wants to eradicate Israel and annihilate the Jewish people, and it is doing so at our urging, with pressure from the United States, with reduced civilian casualties, more humanitarian aid, and maybe, most importantly, working toward a pause to bring home the hostages. Some are American.

And our security interest in Taiwan, in the Southeast, where, again, an aggressor threatens the rule of law and the order that we have established.

And, of course, national security at the border—we need to control the border. Our immigration system is broken. We need comprehensive immigration reform, but we need steps now to reform a completely shredded system at the border.

But this cause of Ukraine should bring us together and has brought us together. When we first started 10 years ago in the Armed Services Committee, one of our leaders was John McCain. I have traveled to Ukraine with Senator GRAHAM. We have been part of a bipartisan movement. It should bring us together as Republicans and Democrats. There should be no red or blue part of it.

And I know—let me just say finally—that the people of America, at heart, are with us. I know that the Ukrainian community in Connecticut has stood steadfast and has been such an example. When I have told President Zelenskyy about the strong support in our Ukrainian community, his eyes have lighted up. And that is true throughout America. Ukrainians have remained steadfast in their loyalty to the freedom of their country, and they have been inspired, as have we.

Vladimir Putin is counting on us to fail. He believes democracies are decrepit and corrupt. He thinks that an autocratic dictatorship is superior, that everyday people don't know how to govern themselves, that he can continue to divide us by misinformation and disinformation.

He is wrong. Let's prove him wrong. Let's do it without delay. Let's do the right thing, without doing everything else first.

I thank my colleagues, and I am proud to stand with them today to urge that both Chambers pass this supplemental as quickly as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, yesterday the Senate considered legislation that would have provided critical aid to our allies and provide resources and authorities to secure our northern and southern borders. The legislation was forged by good-faith, bipartisan negotiations.

But instead of coming together to advance a vital border security bill, my Republican colleagues blocked it—blocked it—from receiving any further debate and potential modification. My Republican colleagues voted against advancing legislation that would make meaningful changes at our border for the first time in decades. It would have provided the personnel, the resources, and the authorities needed to secure our borders, address regional migration trends, and support lawful trade and travel that drives our economy.

I serve as chairman of the Homeland Security and Governmental Affairs Committee, and I have worked to advance several bipartisan bills to secure our borders. But the legislation we had yesterday was rejected by my Republican colleagues, which would have addressed some of the most pressing challenges at the southern border and actually take them on immediately.

The bill would have allowed us to hire more CBP officers and agents, the men and women who are on the ground protecting our national security and managing our border crossings. It would have provided resources to install more advanced screening technology, tools that help identify illegal cargo and stop dangerous drugs like

fentanyl from reaching our communities. It would have helped the Federal Government go after criminal organizations that traffic harmful drugs across the border.

The bill also aimed to streamline the process for asylum seekers arriving at our southern border, while ensuring individuals who do not qualify are quickly removed. It would have helped to ensure that unaccompanied children who arrive at the border—some of the most vulnerable people in our immigration system—have access to counsel, and it would have established a pathway to permanent residence for Afghan allies who risked their lives in the defense of our national security.

Now, the bill wasn't perfect. It was not meant to be a comprehensive immigration reform, but it was a bipartisan effort to address the challenges that we are now seeing at the southern border. And that is why the National Border Patrol Council, which represents frontline border security professionals, fully supported it, and they urged us to take action. They needed these tools. They were crying out: Please, give us these tools at border.

The conservative editorial board of the Wall Street Journal put it simply in their headline, and it was: ''A Border Security Bill Worth Passing.''

Republicans in Congress initially demanded border security measures to be part of this bill. But in the minute that we actually had a strong, bipartisan security bill on the floor, they decided to walk away. Maybe it is because they have been listening to former President Trump, who publicly fought to sink this bipartisan effort. He doesn't care about making our border more secure or supporting our CBP agents on the frontline or keeping fentanyl out of our communities. He only cares about his chances in November, and he thinks that, if we solve this problem, it is going to hurt his election.

Clearly, Republicans in Congress agreed, and they have made it abundantly clear that they would rather campaign on this issue than actually pass legislation to fix it. They would rather play politics and see themselves on TV and on their favorite network talking about it rather than rolling up their sleeves and actually solving the problem.

My colleagues who worked on this comprehensive bill set a much needed example of bipartisanship. I am proud to work alongside Senator MURPHY in our caucus, and I am grateful to serve as chairman of the Homeland Security and Government Affairs Committee and work closely with both Senators SINEMA and LANKFORD. These are three committed lawmakers, people who did actually roll up their sleeves and actually worked to get things done in a meaningful way. And I certainly appreciate their hard work in negotiating this comprehensive bill.

We are all aware of the challenges we face at the southern border, and it is a shame that a vast majority of my Republican colleagues have decided not to act.

We could still take a critical step to help our allies, however, who are now facing existential challenges. Our international partners are fighting for democracy. Ukraine is standing up to a reckless dictator and protecting its people from his violent campaign. In October, Israel weathered the deadliest terrorist attacks in its history. Taiwan continues to face aggression from the Chinese government. In order to help preserve democracy and stability on the global stage, the United States must stand at their side. We can send help to our international partners when they need it the most.

It has been almost 2 years since Putin initiated his unprovoked war of aggression against Ukraine. In response, the Ukrainian people have shown incredible bravery and resolve. They have stood up in the face of this dictator to defend their sovereignty and their democracy. They are fighting a courageous battle, not only to protect their own country but to show the world the importance of protecting liberty against an authoritarian regime. For months, Ukraine has needed the United States to help in this fight and provide more military assistance as they push back on Russian forces. And now we have an opportunity to move a bill forward that would send this critical aid to our ally. It will help the Ukrainian Army get the weapons, the intelligence, and the training resources that they need to win this war. It will also include significant humanitarian aid, money that will go directly to those most immediately affected by this conflict.

My home State of Michigan is home to a vibrant Ukrainian-American community. Every day I hear from constituents who are urging the United States to act and act soon, not just to help Ukraine but to defend democratic values all across the globe.

If we fail to pass this legislation, it will play right into Putin's hands. The Ukrainian victories will be nullified, their resolve will have been wasted, and their independent democracy will be in grave danger. We cannot and must not let that happen. I commend President Zelenskyy and the Ukrainian people for their response to Putin's invasion, and I implore my colleagues to pass the bill before us and send them the aid that they so desperately need.

We also now have the ability to send urgently needed resources to Israel in their fight against Hamas and provide humanitarian aid to civilians in Gaza who have been caught in the crossfire of this conflict. Israelis are reeling from horrific attacks on October 7, 4 months ago. Many families are still praying for the safe return of family members being held hostage by Hamas. Others are mourning their loved ones who were killed in the initial attack, and there is no question that the country will never, ever be the same.

I stand with Israel and all those in the region seeking peace and security by passing this legislation. We can support both our key ally in the region and provide relief for innocent civilians in Gaza who have shouldered the burdens of this war.

As we send this urgently needed support, I want to reiterate my calls for both parties to minimize civilian casualties and work toward a lasting peace.

We had a chance to address all of these challenges at once yesterday; but, unfortunately, a significant bipartisan agreement failed, congressional Republicans decided they do not want to secure our border. But today, we can send help to our allies and we can still help protect democracy across the world. The stakes are too high not to act.

I urge my colleagues to vote for the bill before us now and join me in supporting this vital assistance.

The PRESIDING OFFICER. The senior Senator from South Carolina.

Mr. GRAHAM. Mr. President, we heard you loud and clear.

Is it my turn? I am not jumping ahead of anybody.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRAHAM. Thank you. So let's have an overview of where we are at here. Everything my colleagues on the Democratic side said about helping Ukraine makes perfect sense to me. I think we need to help Ukraine.

I thought it was a really bad idea to get out of Iraq in 2011, and I issued a statement about our withdrawal in 2011. I said:

> I respectfully disagree with President Obama. I feel all we have worked for, fought for, sacrificed for is very much in jeopardy by today's announcement. I hope I am wrong and the President is right, but I fear this decision has set in motion events that will come back to haunt our country.

The ISIS was not the JV team. A lot of people were slaughtered throughout the planet because of that ill-advised decision.

So we got out of Afghanistan. President Biden chose to do that. I have a statement here I will put in the record. I was very clear that if we get out of Afghanistan, pull all the troops, that there will be a reemergence of al-Qaida and ISIS and there will be a great major upheaval, as this decision by President Biden is a disaster in the making.

So a lot of Republicans agree with those two things. To my Republican colleagues, if we pull the plug on Ukraine, it is going to be worse than Afghanistan. The idea of pulling the plug on Ukraine and it will not affect our national security is a fantasy.

It was clear to me that getting out of Iraq in 2011 was too soon and would lead to the rise of radical Islamic terrorists. They literally took over half the country, killed people in Paris and here and everywhere else.

Now we are back in Iraq. We should never have got out in the first place. The bottom line about Afghanistan—I know it was a long slog and people

wanted out, but the Taliban took over within weeks. And the Taliban being in charge of Afghanistan led to other people in the world thinking, hey, America is weak, now is the time to pounce.

So in 2021, we withdraw from Afghanistan. The Taliban take over. In 2022, Russia invades Ukraine. That has been a complete disaster. In 2023, Hamas attacks Israel, killing more Jewish people than at any time since the holocaust. In 2024, Iranian proxies are killing American soldiers and they are running wild throughout the world. Other than that, everything is pretty good.

Now having said all that, my point is, I want to help Ukraine, Israel, and Taiwan. I really do. I think it is in our national security interests to do all of the above. But I have also said from, like, day one: I want to help other countries, but we got to help our country first.

Now what do I mean by that? I mean that the border is not just broken, it is a complete nightmare. It is a national security disaster in the making; 7 million people have come across the border illegally—a lot of people on the Terrorist Watchlist. So it has been a nightmare. And we tried to sit down in a bipartisan way—Senators Murphy, Sinema, Lankford, and others sat down to come up with a bipartisan proposal that I thought did a pretty good job in many ways. However, having said that, I didn't think it was enough.

I was hoping that they would build on what they did. But here's where we are at: The House declared it insufficient.

Ms. SINEMA. Would the Senator yield to a question?

Mr. GRAHAM. The Republican—

Ms. SINEMA. Would the Senator yield to a question?

Mr. GRAHAM. Yes.

Ms. SINEMA. OK. Thank you. Thank you. Senator, I was just listening to your speech, and you mentioned that you thought the bill that we had drafted was a good start but not enough.

I am wondering if you would remind us how you voted yesterday on the motion to proceed to the bill that had the border package that we worked on together?

Mr. GRAHAM. I will be glad to. I voted no because I didn't see a process in place or willingness by my Democratic colleagues to allow me to express how I think it could be better.

See, at the end of the day—you weren't here, but Senator McCain was—we worked really hard—Senator BENNET has been involved in all this stuff in 2013—and we let the bill come to the floor, people amend it, and we spent days and weeks. So that is why I voted no.

Ms. SINEMA. Senator GRAHAM—

The PRESIDING OFFICER. My colleagues will address your comments to me.

Mr. GRAHAM. So here is what I am saying. This has been a half-ass effort to deal with border security. To the people in the House—

Ms. SINEMA. Senator, would you yield to a question?

Mr. GRAHAM. No, I am speaking. You will speak later.

To the people in the House, we have not really tried hard to secure the border.

We took a well-meaning product. People worked really hard. I applaud you and others for coming out with a product that I thought had a lot of good things in it, but not enough for me.

So now I can't even vote. We have closed out the border debate, and you may give me a few amendments on Ukraine about the border. That is not the way it works around here.

Ms. SINEMA. Would the Senator yield to my question?

Mr. GRAHAM. No.

To my House colleagues: You can do better than this. Don't send us back H.R. 2. It is not going anywhere. You couldn't get all Republicans for H.R. 2. We lost one Republican and no Democrats.

So this idea we have done enough on the border is BS.

I am not done. I am not going to help Ukraine until we first do a better job helping ourselves. I have given people involved credit for working hard to get a product. But the system in place now—take it or leave it.

The reason I voted no is because I didn't see any willingness by anybody to allow an amendment process where we could deal with the border issue.

I'm giving an amendment on the Ukraine bill about the border.

Ms. SINEMA. Would the Senator yield to a question?

Mr. GRAHAM. No. That is ass-backwards. We don't do it that way.

During the Gang of 8 and other attempts, we had a robust amendment process. And let me tell you, I think there are things we can do to make it better.

Ms. SINEMA. Would the Senator yield for a question?

Mr. GRAHAM. They want the 5,000-a-day encounter that kicks in an emergency authority to shut down the border. Here is what the border council said: 5,000 encounters a day is a catastrophe; 1,000 encounters a day would be a substantial improvement. It is truly an emergency. I was hoping we could talk about that.

Now, we may get a vote on that on the Ukraine bill. We have closed out a debate on the border.

Ms. SINEMA. Would the Senator yield for a question?

Mr. GRAHAM. Yes.

Ms. SINEMA. Thank you. Now, Senator, I know that you have been here quite a bit longer than me, but it is my understanding that in order to get to the portion of the bill where we offer amendments on the floor, we first have to pass the motion to proceed.

Mr. GRAHAM. Yes.

Ms. SINEMA. And it is also my understanding that it was authored by leadership and the three sponsors of the border bill, which your team gratefully helped us create, that we would have an open-amendment process.

So would you help me understand why you voted against the motion to proceed before we were able to offer any amendments?

Mr. GRAHAM. I will be glad to. Yes, because I think the fix is in.

I think people on our side and your side wanted to do the border thing as quick as they could so we could get to Ukraine. And I don't trust the system here to be able to allow us to have the debate that we had for the Gang of 8 bill. That is why I voted no, because I didn't see any willingness in—and it proved to be correct—because now the Republican leadership has joined with the Democratic leadership to shut down debate on the border bill, throwing a few amendments on the Ukraine bill and saying: Aren't you happy now?

No, I am not happy. I am not happy. I admit it that I wanted to secure the border before I help Ukraine. Everything you say about Ukraine is right.

I was not kidding, to our colleagues in the House. We have done a half-ass job here trying to secure the border.

We shut this thing down unlike any other time I have been involved in immigration. I have taken a lot of hard votes. You have taken a lot of hard—you know, you have been kicked around. I understand it. Senator LANKFORD, I admire the hell out of him.

I thought you all produced a pretty good product—a really good product in some areas. But it wasn't enough.

I want a cap on parole. Let me tell you why I want a cap on parole. During the Trump-Obama years, the average people paroled in the country was 5,600. In the last 2 years, President Biden has paroled over 800,000 people. So the parole was better, but we need a cap to stop the abuse. I would like to have an amendment on whether or not we should cap parole at 10,000 per year, but I am getting that on the Ukraine bill.

So, to my colleague from Arizona, no, no, no. This has not been a real effort to find border security in a bipartisan way. We took your product. Take it or leave it. The reason I voted no to proceed has exactly been reaffirmed here. We stopped the process. We are jumping to Ukraine. We are going to do it this weekend, and it is going nowhere in the House.

To those of you who want to help Ukraine, you have made it harder. We are going to lose a handful of Republican votes over here because they felt they were shut out in the debate about how to secure the border.

We are going to lose votes—

Ms. SINEMA. Would the Senator yield for a question?

Mr. GRAHAM. No, please.

We are going to lose votes over here. You don't have a snowball's chance in hell of getting it through the House, because we took the border issue, and we didn't address it the way it should have been. We closed it out. I could see

the game being fixed. I am here as a proud supporter of Ukraine, telling you that you have hurt the cause of Ukraine by trying to shortchange a debate on the border. Your product was good, but I want to make it better.

I have got a National Border Patrol Council letter about three things that would make it better.

I ask unanimous consent that it be printed in the RECORD.

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

NATIONAL BORDER PATROL COUNCIL,
Tucson, AZ, February 7, 2023.

Hon. LINDSEY O. GRAHAM,
U.S. Senate, Washington, DC.
Hon. JOHN CORNYN,
U.S. Senate, Washington, DC.

DEAR SENATORS GRAHAM AND CORNYN: I am responding to your questions regarding how to improve the border security provisions in the emergency national security supplemental. Simply put, defining an emergency at the border as 1,000 encounters a day would be a substantial improvement. It is apparent that 5,000 encounters in a day is a catastrophe, and 1,000 encounters a day is a true emergency. This is line with what former Secretary of Homeland Security for President Obama, Jeh Johnson said, that one day of 1,000 encounters was a very bad day and ''overwhelms the system.'' If you could lower the number to 1,000 encounters on average over a 7 day period, and require that the President shut down the border at that level of encounters, that would be a substantial improvement to the legislation.

As to the question of how to end catch and release, detaining single adults and families rather than referring them to non-custodial removal proceedings and enrolling them in Alternatives to Detention, would be a giant step forward towards that goal. The system of non-custodial proceedings created by the provisions in the supplemental would not effectively curb the catch and release policies of the Biden administration for single adults or aliens in a family unit. Therefore, changing the bill to provide for detention of families as well as single adults would be a tremendous improvement in stopping catch and release.

Finally, the idea of putting a cap on parole would be a gamechanger on ending parole abuse. As you indicated, under the Trump administration and the Obama administration, grants of parole by Customs and Border Protection at the southern border averaged around less than 6,000 a year. Under President Biden, grants of parole across the Department of Homeland Security has skyrocketed to over 800,000 a year. A cap on parole of 10,000 parole grants a year would be a check on their ability to abuse this authority.

In summary, redefining emergency from 5,000 to 1,000, requiring actual detention instead of Alternatives to Detention, and a 10,000 a year cap on parole would make this bill exponentially better. Thank you for your questions and your interest.

Sincerely,

BRANDON JUDD.

Mr. GRAHAM. Mr. President, I am going to close this thing out. Here is what is going to happen. You may get this bill passed without any border, but it is going nowhere in the House. The House has made it crystal clear: To get money for Ukraine and other foreign countries, we have got to help our own. Our border is on fire.

I will give you credit, the Senator from Arizona. You have been trying to fix it. I appreciate what you have tried to do, but the system we have employed—to my colleague from Arizona—is unlike any I have ever seen, in that we are going to take a consequential moment in American history of trying to secure a broken border and not even bring it to the floor for a real debate.

The reason I voted no to proceed is because I saw what was happening. Our people on this side have been obsessed with Ukraine to the point of ignoring our border. There are people who are going to vote no to Ukraine who have always believed that the border was an excuse to try to get Ukraine. I never believed that.

So the bottom line is this idea that, because 41 of us vote no, you close out the border. How about sitting down, reopening the border debate, and having a robust debate like we did with the Gang of 8? The reason I voted no is I could see where this thing was going. The bill you produced, while I liked parts of it, was dead in the House. I am trying to find a way to make it better, if that is possible.

As to President Trump, who said he just doesn't want to deal with this until next year, I want to deal with it now. We could be attacked tomorrow. I want to let the people in South Carolina know I consider this a direct threat to the United States. I want to do something. I want to do it now. I don't want to wait until November.

Ms. SINEMA. Will the Senator yield for a question?

Mr. GRAHAM. Sure.

Ms. SINEMA. Thank you.

Senator, are you aware that the only way to offer an amendment on a bill being considered in the U.S. Senate is to first pass the motion to invoke cloture on the motion to proceed—that being the vote we took yesterday at 1:59 p.m.?

Mr. GRAHAM. Are you aware of the fact that people routinely vote not to proceed until they get some kind of understanding of what is coming next? And here is what came next: Not one effort to sit down and talk to the 41 of us: What would you like to change your vote?

The fix is in. We jump right into Ukraine. We are going to do it this weekend. We did the minimum on the border when it comes to changing a bill that has many good qualities. So you are not convincing me that I am the problem. I have seen this. You have not. I have seen a debate on this floor with Senator BENNET where we got the crap kicked out of us for weeks. We gave everybody who didn't like what we did a chance to come down here and say their side of the story and kick us in the ass. That is the way the process works. We did not do that here. So you are losing votes on Ukraine. You are losing me in terms of trying to fix this problem. I can't tell our House colleagues that you should accept this product, because we have not done what I think needs to be done to try to secure our border. That is why I am voting no.

With that, I yield the floor.

Oh, wait a minute. Can I take that back? I have got to say something to my friend, if I may, just for a minute.

This is the Polish Prime Minister. I like Poland. It has been a great ally and a good NATO ally.

Dear Republican Senators of America, Ronald Reagan, who helped millions of us to win back our freedom and independence, must be turning in his grave today. Shame on you.

To the Prime Minister of Poland, I could care less what you think. To the Prime Minister of Poland, if Ronald Reagan were alive today, we wouldn't have this broken border. To the Prime Minister of Poland, I want to help Ukraine. I want to help make a stronger NATO, but my country is on fire. We have had 7 million people come across a broken border.

How would you feel if 7 million people came in illegally into Poland? Would you have this attitude that we have got to put Ukraine ahead of Poland?

I am not going to put Ukraine, Israel, or anybody else ahead of America. I am going to try to create an outcome where the bill gets through the House. It has got to get through the House.

And, to our House colleagues, we have not done everything that we could. We have let you down.

Now I yield the floor.

The PRESIDING OFFICER (Mr. FETTERMAN). The Senator from Arizona.

Ms. SINEMA. Mr. President, I think it is probably useful to take a couple of moments and do a quick refresher on how Senate process and procedure work.

So, in the U.S. Senate, when a bill is introduced and when it comes to the floor, we have to do what is called a motion to proceed. The motion to invoke cloture on the motion to proceed is a 60-vote threshold in the U.S. Senate. The 60-vote threshold, of course, is the filibuster.

Now, folks in this body might remember how deeply I care about the filibuster, because it requires comity; it requires compromise; and it requires individuals of different parties to work together to solve problems. Often, it has been an object of contention in this body, but I support the filibuster because I believe it requires us to work together to solve problems, hear everyone's ideas, and incorporate them as we move forward on legislation.

Of course, before you can actually amend a piece of legislation on the Senate floor, you first must pass the motion to invoke cloture. We held that vote yesterday at 1:59 p.m. I have got the copy of the rollcall vote right here in front of me. Unfortunately, there were only 49 Senators who voted yes to move forward on yesterday's package. There were 50 Senators who voted no to move forward on the package.

Of course, what the motion to invoke cloture was, was on the shell of the

bill. The substitute that would be filed is this bill right here. This bill is 370 pages long. Most of this legislation is the border bill, which we spent over 4 months negotiating in a bipartisan way.

I was very grateful that Senator GRAHAM's team and Senator GRAHAM himself were integral parts of that conversation.

So this bill is subject to debate and subject to amendment but only—only—after a motion to invoke cloture is passed, which requires 60 votes. Now, my good friend from South Carolina indicated that he would like to offer some amendments. Some of the ideas that he was discussing are ideas that I very much support. I would look forward to debating and possibly even supporting one or more of his amendments. But, alas, we are unable to consider those amendments because, yesterday, the Senate chose to vote no on the motion to invoke cloture to move forward on this legislation. Therefore, we are not able to amend or debate this bill.

The Senate later moved forward with a piece of legislation very similar to this, but it was missing the entire border section. So we are now in a period of waiting until our next vote to invoke another cloture in which, potentially, if unanimous consent occurs in this body, we could consider additional amendments. However, it could be more difficult to consider some of those border-related amendments since the package now does not include any of the border language that we carefully negotiated over the last 4½ months.

So, to Members of the Senate and the folks who are listening, just to be clear, it seems clear to me—and I think to everyone in the U.S. Senate—that had we passed this motion to invoke cloture yesterday with 60-plus votes, we would be currently debating, offering, and voting on amendments to the border provisions of the bill that was drafted, and each of those amendments would have been germane, which means they would have been voted at a 51-vote threshold—a simple majority—to move forward.

Alas, because this body chose not to invoke cloture, we have moved on to a different piece of legislation, one that does not include the border components. So, while there may be amendments offered at some point over the next several days, it will be a very different debate than the amendments that would be offered before.

I know that my friend from South Carolina is currently drafting an amendment, which I appreciate. The amendment that he is drafting for current discussion would have to incorporate the entirety of the border bill package, with some minor changes to the language that we drafted and voted on yesterday, in order to consider his amendment. So I would suggest that, perhaps, if we had wanted to have a robust debate and an openness to an open amendment process, the time to have done that would have been yesterday at 1:59 p.m.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me commend my colleague from Arizona, Senator SINEMA, for her great and tireless efforts to develop a bipartisan immigration reform package that, as she indicated, we could have placed on the floor with our vote yesterday so that we could now be talking about modifications, changes, and improvements to not just the immigration section but also to the other sections. But my Republican colleagues in large numbers said no, and I think that was a grave mistake. If, in fact, we are facing a crisis on the border, voting against legislation to correct this crisis seems to me to be very difficult to justify.

But it is good news that finally, on a bipartisan basis, the national security legislation is on the Senate floor for debate. It is a start, but it shouldn't have taken this long simply to get to the starting line. The delays and continued efforts to slow-walk the process by some can have serious and negative repercussions on our national security.

It has been nearly 6 months since President Biden initiated this request—so long ago that the request was addressed to the former Speaker of the House, not the present Speaker of the House.

I can recall last October, as we were talking about aid to Ukraine, as we were talking about aid to Israel, that my Republican colleagues—many of them—stood up and said: Fine, but we have got to do something about the border. So, for months, we have been engaged in the process.

Again, I have great regard for Senator LANKFORD, for his efforts, and for Senator MURPHY of Connecticut and Senator SINEMA for what they have done. They brought together a truly bipartisan piece of legislation. Senator LANKFORD is one of those most principled, conservative voices here in the Senate. My colleague from Connecticut has a very strong liberal stance, I would say, as myself. But they came together. Rather than being welcomed as a contribution to debate and progress in national security and border security, Senator LANKFORD has been demeaned by his own party, condemned by his State committee, and accused of or threatened by commentators that he would be destroyed because he had the temerity to try to develop a compromise on an issue of national security and national importance.

So we have come in the last 6 months through a very circuitous and strange path to reach the point at which we are now, but at least we have a chance to aid and assist people who are fighting desperately not only for their freedom but for democracy all over the globe.

For the last 6 months, the Ukrainian people have been keeping up their fight against Putin's brutal invasion with tremendous bravery and skill and with dwindling resources. Today, they are battling through another difficult winter, trying to withstand indiscriminate Russian attacks against their civilian population and infrastructure.

We, of course, I believe, have a moral obligation to assist Ukraine in this fight. But it isn't just charity; it is in our national security interest to do so. We know that if Putin succeeds in Ukraine, he won't stop. He will seek to destabilize other countries in the region, including our NATO allies. He will continue to sabotage the international economy and threaten our interests.

This supplemental funding bill would provide $60 billion to help Ukraine with the training, equipment, and weapons it needs to repel Russia. In bringing up Ukraine's military strength, we will also be building up our own capacity. Indeed, the vast majority of the funding in the bill would go directly back into the U.S. industrial base.

Over the last 2 years, we have had an extensive debate about Ukraine in this body. It is ironic to recall that until recently, my colleagues on the other side of the aisle have been highly critical of the United States for taking too long to provide assistance and for not sending the ''right stuff'' to help fight off Putin.

Now they have a chance to deliver the equipment—American-made equipment—and support Ukraine's needs, while also strengthening America's industrial base and American workers.

We need this bill to move now, and we need the House to act on it.

Make no mistake, denying aid to Ukraine has been and continues to be a gift to Vladimir Putin. But Putin is not the only one who benefits. China is studying how America and the democratic nations of the world respond to Ukraine.

As President Xi considers Taiwan, he is scrutinizing Putin's playbook and the international response. He is measuring and judging if, when push comes to shove, the United States can just be waited out, can just be seen as faltering because they don't have the commitment to democracy and the modern international order forged after World War II.

China, Russia, Iran, North Korea—they would relish seeing American support for Ukraine buckle, and they would relish seeing this supplemental fall.

In contrast, passing this supplemental would send a powerful message to our allies. The bill includes nearly $5 billion in security assistance for Taiwan and our partners in the Indo-Pacific. Similarly, the bill includes $14 billion in security assistance for Israel—our strongest ally in the Middle East—in the wake of the horrific terrorist attack by Hamas.

In addition, the bill includes $10 billion for the State Department and

USAID to provide humanitarian assistance in Gaza, Ukraine, and other crises around the world.

Again, the bill would dedicate nearly $35 billion for replenishing U.S. weapons and strengthening our defense industrial base.

It also includes Senator TIM SCOTT's and Senator SHERROD BROWN's bipartisan FEND Off Fentanyl Act. My colleague from South Carolina was talking about the crisis at the border. One aspect of that is the movement of precursors of fentanyl across that border. This legislation would help interdict the movement of drugs and supplies, and it would be a significant attempt to adjust issues emanating from the border. That would be—or it would appear to be ignored by my colleagues.

I believe that Democrats and some very courageous Republicans have gone the extra mile to put together legislation—the previous legislation, particularly, that incorporates improvements to our border security and this legislation, which addresses one aspect of the border, fentanyl, but quite critically addresses the issue of how we maintain the fight in Ukraine.

I hope our Republican colleagues can stand with us and get this bill through. This is a historic moment. What is at stake is the survival of the international order based on law, based on mutual security with organizations like NATO, maintained over the years by the courage of millions of American men and women but forged in the fires of World War II and in the post-war years.

What is emerging to undercut that great international order is a new autocratic system of oligarchs and demagogues who measure progress in their own personal power and personal wealth, not in peace and prosperity for all of their citizens and the citizens of the world.

This is not a routine measure, check the box. This is about the future of our whole world. I hope we can stand up and recognize that we must support this legislation. We must assist Ukraine and Israel. We must provide humanitarian assistance for those who are suffering in Gaza. We must maintain the international order of democratic nations, united by a common interest and committed to peace and prosperity for the world.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

ISRAEL

Mrs. GILLIBRAND. Mr. President, I want to thank my colleague for his kindness in letting me go ahead.

Mr. President, as Israel's war with Hamas drags into another month, I know it can feel hopeless to know that with every passing day, the chances that we will get these hostages home safely are dwindling.

But above all, we must not abandon them. We must not abandon hope. We must tell their stories and do everything we can to bring them home.

I recently met a woman, Yarden. Her little sister, Romi, is a hostage. She said that early on the morning of October 7, she woke up to the sound of her sister's phone call. At first, Yardan was confused. She knew her sister was supposed to be having the time of her life at the Nova music festival. Instead, Romi was calling her, scared to death. She said a lot of missiles were being fired, but there was no shelter at the open-air festival.

Romi and her best friend Gaya tried to drive away, but they got stuck in a traffic jam. Suddenly, they saw people shouting and running: Get out of the car. There are terrorists. Run for your lives.

They hid in a bush as gunshots sounded. Over the phone, Yarden asked Romi if there were police anywhere around her. ''Yes,'' Romi whispered. ''There is one policeman''—just one policeman facing a multitude of terrorists.

Another friend, Ben, came to rescue the girls with his car, and the group began to drive away, picking up another man, Ofir. For 10 minutes, the group thought they would be safe, but then Romi called her mother. She said: Mom? We were ambushed. They are shooting at us. Ben is most likely dead. Gaya was shot, and she is not responding. Ofir is wounded badly. I was shot in my arm. If no one comes quickly, I will be dead.

Romi was on the phone with her mother and sister for 4½ hours that day, including at the moment she was captured.

Her family says that she has asthma and chronic sinusitis, and they worry that she could be struggling to breathe without her inhaler. They worry that her gunshot wound is not being properly treated. And they are worried that she doesn't have food, fresh water or fresh air.

Romi's sister Yarden says she gets nauseated when she thinks about her sister. She gets nauseated when she uses the bathroom or takes a shower because she doesn't know whether her sister can do that safely. She misses Romi desperately and describes her as a magnificent young woman.

A natural leader and advocate for justice, Romi loves dancing and traveling and hanging out with her friends. Her family says that everyone who meets her falls in love with her immediately; that she is her family's private sunshine and the glue that holds them together.

Romi, like all the people still in Hamas captivity, deserves to live her life to the fullest. She deserves to have her story told. And so we have to keep telling it—and never abandon hope—for her, her family, or for the thousands of other lives who have been affected by this horrific, horrific crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Mr. President, I thank the Senator from New York for making those statements, and I am glad that I was able to yield time to hear them here on the floor myself.

SUPPLEMENTAL FUNDING

Mr. President, today is one of those days where I wonder if people know—who are watching C–SPAN or watch reports or are in the Gallery—what the heck is happening. So I thought I would come down here and maybe tell you what is happening.

For about 4 months, Senator LANKFORD, Senator SINEMA, and Senator MURPHY got together with the charge of trying to come up with a bipartisan approach to the situation at the border.

I think, by most objective measures, everyone I know—because now it even shows up in polls—recognizes that we have got an out-of-control situation at the border.

We clearly have people who should come to this country and should be able to ask for asylum, but it has been abused. The cartels are making about $1 billion a year charging tolls to come across the border. And if you don't pay the toll, you are probably going to get killed. You get about one chance to cross the border without paying a toll—$5,000 if you are from Central America, $50,000 if you are from China. But if you try crossing that border—I have been there. They have got a line of sight, and if you try to cross that border without paying that toll, paying a transnational criminal organization, they are going to kill you.

Now, they do let some people come across the border without having paid a toll, but they have got to work it off once they get here. They are effectively indentured servants who are doing the work of cartels.

This is not hyperbole. This is a briefing that I have gotten from law enforcement officials—Democrats, Republicans, Independents—in the Biden administration. This is real. This is not politics, not from me anyway.

So JAMES LANKFORD, representing the Republican Party, went down, tried to negotiate a deal. And he worked hard at it. JAMES LANKFORD is from Oklahoma, a ruby-red State. JAMES LANKFORD is considered to be one of the most conservative Members of the U.S. Senate. To see Members of my conference and people out in the country criticizing JAMES LANKFORD as some sort of a ''squish'' or some sort of a sellout really tells me that the people here have to know, so they must be misinforming people, and the people out there are believing it because they are hearing people here say that JAMES LANKFORD sold out. It couldn't be further from the truth.

The fact of the matter is, the bill that they negotiated, it still needed a little bit of work, but it is a dramatic improvement over the status quo.

Why did we think we even had to go down this path? Because President Biden has apparently forgotten, over the last 3 years, all of the Executive orders that he has rescinded that have

caused the border situation to get worse.

President Biden needs to be told by his advisers that he, in fact, has tools, without a single bill being passed here, that could bring the situation at the border under some semblance of control, but he has chosen not to. So now we have some of our Members—my Members—who think that we have lost the argument; that for some reason, because we weren't able to get this border bill passed, that somehow Republicans own the responsibility for an out-of-control border situation that started after President Biden got sworn in.

Ladies and gentlemen, we did not have this problem. You could have whatever arguments you want to have about President Trump, but the one thing I will tell you about the border, it was under control under President Trump, and it is out of control under President Biden. No law has changed. No authorities have expired. President Biden has chosen not to use authorities he has today.

So I wanted to come down here and set the record straight, first, on Senator LANKFORD. I don't know if any other Member has come down and talked about him.

I voted yesterday not to move forward on the border package because I have always said, unless we can convince more than half of our Republican majority that they would support this bill, it didn't make sense to send a bill to a Republican-led House that didn't have a majority of the Republicans here in the Senate. That is just knowing how a bill becomes law and knowing that we needed the strength of that message in order to have any prayer of getting the bill passed when it goes over to the House.

So the border bill is where it is, and it is a shame. It is an opportunity lost that I will guarantee you, if we are in power in the White House, if Republicans are in power, we are going to regret that some aspects of this bill weren't passed.

The bill was also endorsed by the Border Patrol Council. The Border Patrol Council is the law enforcement Agency on the border. When I hear the Border Patrol Council say they have endorsed something, they have their necks on the line. Their lives—Border Patrol agents have lost their lives over the past several years because of dangerous encounters at the border. So when I see the Border Patrol Council endorse something—ladies and gentlemen, even if you oppose the bill, understand that law enforcement, those people on the line at the border, endorsed this bill. Clearly, they want more. They have communicated to us that they want more, but they have said that this was positive progress. But that is an opportunity lost, and I am OK with that, and I am at peace with having voted against moving forward on it because I knew we wouldn't have a majority of our conference.

But now what do we have before us? We have a bill that is primarily focused on providing aid to Ukraine, to Israel, and to Taiwan. So it is called a supplemental bill. It is an appropriation. It is us having to authorize the use of these funds.

Now, we were supposed to leave today for 2 weeks. We were supposed to go on recess. And Senator SCHUMER made a decision that I happen to agree with. He has decided that we are not going to leave here until we settle this issue.

We have some people say: Well, we need time to think about it. You know, this is a planned recess. We need to move on and step back and reflect, maybe negotiate another border bill.

That is not going to happen.

Now let's talk about what is before us. Do we care about this page or this chapter in history? I do. I mean, some people want to go away or think about it, but I think about right now and 24 hours a day since February of 2022, Ukrainian soldiers in trenches trying to defend their homeland.

I know on TV and I know to everybody else this is just something that is happening over in Europe. Think about these people who are fighting for their existence, and we are sitting here saying maybe we can take a couple of weeks before we decide on it? Putin would love nothing more than that.

Ladies and gentlemen, if we withdraw from Ukraine, if the United States, the leader of the free world, says that we are no longer interested in defending freedom and countering Russia, Russia will win, and at some point forward, we will regret the day that we avoided helping the Ukrainians fight their war because we are most likely—those who would make that decision are making a decision to someday put American lives at risk in a war somewhere, maybe in Russia—or maybe in Europe but maybe in China.

The people who are watching the decisions that this body is going to make over the next few days—Xi Jinping is probably more interested and more hopeful that we fail to make a decision to support Ukraine than Vladimir Putin.

This world is small today. We don't have, as the leader of the free world, the luxury of only being focused on one place at a time. We have to focus on Ukraine and defend freedom there. We have to focus on the South China Sea, Taiwan, and the risk there. We have to focus on our friend and ally Israel in the Middle East. We have to make the tough decision and sometimes cut through the noise and go back home and explain to the American people how critical this decision is.

Don't make the mistake of thinking it is just a channel change away from watching something else that is going on in the world, ladies and gentlemen. People's lives are on the line. Tens of thousands of people have died. Women have been raped. Children have been kidnapped. And Putin is OK with that. Does this United States stand down when you are talking about that kind of a dictator, that murderer and thug? God, I hope not.

And I don't care how painful it is politically for somebody to go back home and explain this. It bears no resemblance to what people in Israel felt on October 7 and to what people in Ukraine have felt for the last 2 years. And it will be the same in Taiwan if we don't act.

So over the next couple of days, if you are wondering why nothing is happening here, why there are no votes—well, Leader SCHUMER laid down—they call it a motion to proceed, and at least 60 people needed to vote on it in order for us to proceed to considering the bill. So now we have a bill here on the floor, and that bill has funding for Ukraine, it has funding for Israel, and it has funding for Taiwan.

Now, you are wondering why are we not here voting and doing other things. Because right now, we are doing what they call hotlining votes. We are communicating to all the offices certain amendments that we want to pass. But then, because the Senate—any individual Member—I am THOM TILLIS from North Carolina. I am not supposed to be talking to you all, by the way, because I think it is a violation of the rules. So I am not really talking to you all; I am just looking in that direction.

But anyway, you have to get consent in this body to get anything done, and any one Member can gum up the works. So right now, we have people saying: We must have amendments on the bill. We must have amendments on the bill.

Then they are privately saying: But I am not going to give up a second of time between now and Monday to let those amendments occur.

So we can't have it both ways, guys. It is fine. If on Monday you get angry because no amendments were actually passed, it is because you haven't been able to cooperate. This is a give-and-take organization. If you don't show some flexibility—yielding back time—then we are just going to sit here until the mandatory time occurs, and then we are going to have a vote, and then people are going to be mad because they are going to say either the minority leader or the majority leader had this baked in all along and they were never going to allow a vote. That couldn't be further from the truth.

If you as a Member of the Senate want to cooperate, we can get a slate of amendments done here. We can get an agreement that they can be heard. We can vote on them. And that is not going to happen, likely.

So I just feel like we have to be honest with ourselves and recognize that if we don't come up with agreements, it is not because it was baked in; it is not because any leader already had it planned and is the puppet master to everything going on here; it is because Members are making a conscious decision to grind cooperation to a halt.

Now, let me just go back to where I started. The stakes are high here. Temperatures are high. But come on, guys. We are U.S. Senators. Get over it and do your job. Temperatures are high here, but the reality is, you should kind of cast aside the inconvenience that working this weekend may represent to you and think about the inconvenience that Hamas has put on the Israelis, that Putin has put on the Ukrainians. That is a real inconvenience.

What we are doing here is living out the privilege and the honor of being U.S. Senators, and I expect my colleagues to grow a spine, do the work of the Senate, and go back home and explain what it is we are doing and why it is we are doing it.

The PRESIDING OFFICER. The Senator from Delaware.

SUPPLEMENTAL FUNDING

Mr. COONS. Mr. President, I rise today to speak in support of the national security supplemental appropriations bill that is the business before this body.

After a disappointing failure to move ahead with a bill that included critical border security provisions, we now have before us a chance to pass and send to the House a bill that would invest tens of billions of dollars in the men and women of Ukraine who continue to fight tirelessly in the depths of winter on the frontlines of freedom; to spend billions more on coming to the aid of Israel as it continues to battle Hamas; and $10 billion invested in humanitarian aid that will provide critical support to those facing starvation and deprivation in Gaza, in Ukraine, in Sudan, in Somalia, and in a dozen other countries around the world; and to invest in our partners in the Indo-Pacific.

It is absolutely critical that we continue to fund Ukraine's response to the brutal Russian invasion. In 2014, Russia invaded and seized Crimea. But it was in 2022 that Putin sent in hundreds of thousands of soldiers to attack Ukraine from the north, from the east, and to occupy 20 percent of Ukraine's land.

Many predicted Ukraine would fall within a matter of days. Yet they still fight on bravely today, showing what is possible with faith and persistence, determination, and perseverance—and the support of 50 countries from around the world.

Our President has assembled a remarkable coalition, and together they have contributed more than we have to Ukraine's security and defense.

I was in Europe at a conference just a few weeks ago. I traveled with my friend and colleague Republican Senator ROUNDS of South Dakota. We went to Poland, to Slovakia, and to this conference in Switzerland, where we met with leaders from all over Europe. I had the chance to meet with President Zelenskyy and his Foreign Defense Minister to hear about how their economy is reviving; how they are exporting more grain now than they did before the war; how, with American investments through USAID, they have brought critical parts of their economy back. But I also heard that without these funds, without the munitions, without the budget support, without the humanitarian aid, President Zelenskyy predicted that Putin will ultimately win.

I cannot imagine—I do not want to imagine—the tragedy that will befall Europe and our place in the world should we allow this to happen. Putin will only stop when we together stop it.

When we were in Poland, Senator ROUNDS and I had heard loud and clear from their leadership the confidence that if Putin were to succeed in ultimately subjugating the Ukrainian people, he will be knocking on the door of Poland, our NATO ally, next.

Just last week, here in the Capitol, I met with the Speakers of the Parliaments of Latvia, Lithuania, Estonia, three Baltic States long occupied by the Russians—by the Soviets—today free and members of NATO. Their leaders are convinced that should Putin be allowed to succeed in Ukraine, they will be next. His forces will be knocking on their door.

And, folks, to be clear, either we come to their defense at scale and in force and with American troops or NATO is dead, and our role as leader of the free world is over.

I have listened here on the floor and in person, on television, at caucus lunches, and at meetings as my Republican colleagues have said over and over that they support Ukraine strongly. Now we have a chance to prove it and to show it.

I had the honor of taking the Liberty Medal from the National Constitution Center to Kyiv with our former colleague, Senator Rob Portman, of Ohio, now retired. It was a harrowing but uplifting journey, a chance to meet with President Zelenskyy and his whole core national security leadership team. To get into his office is quite a journey, through a maze of tunnels and sandbags of larger and larger men with more and more severe weapons, in darker and darker corridors. But to see the spirit, the determination, the persistence with which Zelenskyy, his team, their troops, and the people of Ukraine continue this fight is to be challenged to your very soul, to know what it looks like when people who have tasted freedom are willing to risk their very lives, to defend their country from the aggressions and the predations of the Russians. I don't need to tell you, but it is probably worth repeating that the horrific human rights violations committed by Russian troops against Ukrainian civilians must also be answered.

I had the chance to meet with Ukrainian refugees, both in Kyiv on that former trip and in Poland just a few weeks ago. And to hear from Ukrainian women what was done to them, what happened to their husbands, to their children, to their hometowns is a reminder of the savagery of this war and the necessity of our standing firm with Ukraine.

Ukraine is running out of ammunition and running out of time. And the hope that they have in the United States, as the Nation that is the indispensable country leading the free world, will run out if we fail to come to their defense at this moment.

I will close with something that I heard from my parents when I was a child. There was a song popularized on the radio not long after Pearl Harbor. And in this song, a chaplain is reflecting on what he saw and what must be done next. The lyrics of the song go:

> Praise the Lord and pass the ammunition
> Praise the Lord and pass the ammunition
> And we'll all stay free

And this song by Frank Loesser, penned by an American not long after we were attacked at Pearl Harbor, he concludes: I can't afford to be a politician. We are all between perdition and the deep blue sea. So praise the Lord and pass the ammunition, and we will all stay free.

To the men and women of this Senate, I can only hope and pray that you will pass the ammunition forward.

To those who stand on the frontlines of freedom, who are facing relentless Russian attacks, and who even today, in the depths of winter, watch the debates on this floor to see whether this Nation will stand, whether we can be counted on—when our President says we will be with you to the end, that commitment must mean something. We must pass this supplemental.

Mr. DURBIN. Will the Senator yield for a question?

Mr. COONS. Absolutely. I yield.

Mr. DURBIN. Mr. President, if I am not mistaken, the Senator is also considering attending the Munich Security Conference.

Mr. COONS. I am.

Mr. DURBIN. As am I. And for those unfamiliar with that conference, leaders from around the world gather to discuss the current state of affairs when it comes to security.

Mr. COONS. Yes.

Mr. DURBIN. And if we are there, we are bound to be asked as a first question: Just what is the U.S. position on the defense of Ukraine?

Mr. COONS. We will.

Mr. DURBIN. Has the Senator come up with an answer?

Mr. COONS. The answer will be given by this body in the coming few hours and days—because I went to Europe with my friend and colleague Senator ROUNDS just a few weeks ago and in Poland and Slovakia and at a conference in Switzerland gave the answer: We are confident we will fund Ukraine.

Today, I am not certain. And in this question, in how we answer it, in how this body acts hangs the answer to whether the United States continues to lead the free world or is willing to be America first, America alone, and surrender to Putin.

Mr. DURBIN. As a student of history, I am sure the Senator remembers, as I do, the lengthy ordeal when the British came to us before World War II and begged us to come to their assistance, and we waited and we waited. We came up with an alternative, Lend-Lease and other things. But we didn't commit until that fatal day, December 7, 1941, when the Japanese attacked Pearl Harbor, and we were drawn into the war.

Can the Senator think of a time in history when the United States has walked away from an ally fighting for its life?

Mr. COONS. Not with the significance and severity of this moment, for a couple of reasons. One, because all of the world is engaged in watching or in supporting.

As I mentioned before, 50 nations are contributing munitions, financial support to Ukraine's fight. This is as global a fight as we have had since—well, the Second World War. And the clarity of the aggression by Russia against a sovereign, peaceful nation that in no way precipitated this conflict is as sharp and clear as any conflict in our lifetime.

I cannot imagine the consequences for our reputation, not just at a conference in Europe but in history, were we to abandon Ukraine now.

Mr. DURBIN. I would like to ask the Senator through the Chair again: In this circumstance, we have seen the revival, in my estimation, of an alliance which was so important 50 or 60 years ago and now is critical, and that is the NATO alliance. We have seen not only the strength of that alliance, but we have seen nations like Finland and Sweden announce that they want to be part of that alliance in the future. What does this say of the NATO alliance if the leading nation—the United States—walks away from Ukraine?

Mr. COONS. I think that would weaken the United States. I think it would weaken NATO. I think it would weaken the whole concept of collective security.

The Finns and the Swedes have a long history in this region. The Finns know better than any nation what it means to stand alone against Russian aggression, to fight hard, to stand tall, and to push them back. Their memory of the Winter War of 1939, 1940 is critical to their national identity, and they have a capable and sophisticated military. The Swedes were a regional power of dominant military centuries ago, but they remained neutral even in the Second World War.

For the Swedes and Finns to see Russia's aggression against Ukraine and extend their hand to all of NATO and say ''we want in'' shows that they appreciate the significance of this moment.

By adding Finland to NATO, we have doubled Russia's border with NATO. We have brought into NATO two very capable nations and militaries, but we have also increased, I think, our moral commitment to stand firm and to stand strong.

NATO has only invoked article V once, in our defense, after the attack of 9/11; and NATO came with us for 20 years to Afghanistan.

I have stood with the leaders of countries most Americans don't think about every day. Take, for example, Denmark, a small nation that fought alongside us for decades in Afghanistan that lost dozens and dozens of their soldiers. They met their pledge for collective security in NATO. We need to honor that pledge.

Mr. DURBIN. My last question, of course, relates to the aftermath if we abandon Ukraine. I have a special connection and affection for the Baltic nations as well as Poland, which is so ably represented in the State of Illinois and city of Chicago. We are very proud of that fact. What does this say to those countries that are literally in the sights of Putin as the next victim if we walk away from this situation in Ukraine?

Mr. COONS. It says to the people of Poland, to the people of Lithuania, to the people of Latvia, to the people of Estonia—nations that long knew the boot of Soviet occupation and oppression—that they should be afraid; that they cannot count on the United States; that they must provide for their own security.

In the trip I just took to Poland, Polish leadership said: Even though there has been a change in their election, they will not change. They are committing 4 percent of their GDP to their national defense—the highest of any NATO nation. They are welcoming Americans to participate.

As you well remember, my colleague from Chicago—from Illinois—we went to Poland, and we went to Lithuania together, just before Russia launched its second broad-scale invasion of Ukraine. We saw Americans training alongside Pols at the Lask Air Force Base. We saw Americans training alongside other Baltic nations, right on the border with Belarus. And then the war began.

The sense of the urgency of history was thick in the air as we got on a flight to come back to the United States, as the missiles and bullets were flying, as Russia's invasion of Ukraine began at full scale, and we did not know what would happen.

In every meeting, in every conversation, the folks we met with said it was crucial that the United States be the guarantor of NATO, be the backbone of this collective alliance that has kept us safe and free.

And with one last reference to history, the one previous time ''America first'' was a watch word spoken across this Nation was in 1939 and 1940 when Charles Lindbergh, a respected aviator, joined a nationwide isolationist movement to say we should stay out of the wars of Europe. As you ably pointed out, the lesson was nearly tragic, as Hitler's armies advanced across Europe, without the United States coming to the rescue of our allies. We waited and we waited and we waited until Japan attacked us.

It is only because Germany declared war on us that we got in the war in Europe. We waited too long. We could have saved millions of lives. We could have stopped the march of Nazism years before it got out of control. Many of us were raised on the lessons of that chapter of our history. We should not forget that.

Mr. DURBIN. I thank my colleague.

Mr. COONS. Thank you.

If I could conclude on this point: The lessons of history are thick not just in this Chamber, where the debates that formed NATO took place, not just in the capitals of Europe but around the world, where other authoritarians are watching to see whether we will stand, whether we will defend, and whether we can be counted on. We must pass this supplemental.

REMEMBERING DAVID BULLUCK BROWN

Mr. President, I rise to offer remarks in honor of a dear friend who passed recently: David Bulluck Brown, an attorney of the State of Delaware, a leader in our bench and our community, a neighbor and a friend; born in Wilmington, DE, 1946; David passed on January 22; devoted to his family, a tireless servant of our community. He was a tireless servant of our community, the sort of example of a life of humble leadership that makes our world better because David was in it.

He went to the same high school as my brother, A.I. duPont High School. He was a basketball and track star. He attended the University of North Carolina at Chapel Hill, where he graduated Phi Beta Kappa. He went to the University of Virginia Law School.

He worked here in Washington as an attorney before returning home and joining Potter Anderson & Corroon, a firm he later served as chair. David mentored junior associates and championed the firm's growing ranks of female lawyers. Kathleen McDonough, a dear friend and former chair of the firm, said David made everyone—from someone working in the mailroom to the most senior partner—feel heard, seen, and valued.

Through an incredible, lifelong commitment to pro bono work and volunteerism, a commitment to social justice and equal rights for Delawareans, David showed the rest of us in the bar what we are obligated to do as lawyers. He didn't just do a little pro bono service here and there; he was a lion of the law and a leader of our community.

He cofounded and long-served as chair of Delaware Volunteer Legal Services. He was the keeper of the institutional knowledge at DVLS and respected for his clear-eyed assessment of new projects. The current executive director of DVLS, Janine Howard-O'Rangers, said David was skilled at high-level vision-setting and equally skilled at sweating the details of specific causes and cases. He was always ready to greet the staff at DVLS with a hug or encouraging word and to give them his undivided attention.

David was also chair of Planned Parenthood of Delaware, chair of the Combined Campaign for Justice, and a board member of the Delaware Historical Society. In fact, he helped champion the creation of the historic Mitchell Center of African American Heritage at our Historical Society. He was on so many boards, I could take an hour and could not list them all: Delaware Theater Company, Downtown Wilmington Improvement Corporation, the Music School of Delaware.

For his service, he was appreciated, honored, and recognized by so many of us in the First State. He received the Governor's Volunteer of the Year Award. He received the distinguished Bar Association's Christopher White Award—Chris White, who is a personal friend and an example of service to justice.

David was a devoted family man who loved riding horses with his grandchildren, fishing with siblings at a family cottage in Wrightsville Beach in North Carolina, and who was a gracious, thoughtful, kind, brilliant, capable neighbor, friend, citizen, and attorney.

David is survived by his beloved wife Gwen and their family: Ellie, Hannah, Tim, Francis, Sophie, Max, and River.

On behalf of all of us in the State of Delaware, I simply wanted to convey my heartfelt condolences and my deep thanks for how many times David took time away from family and took time away from the productive practice of law to contribute to our community, to make a difference in our society, and to make our world a better place.

I will deeply miss David Brown, and I hope you know how much of a difference he made to all of us with his life of dedicated service.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

MAUI WILDFIRES

Ms. HIRONO. Mr. President, today marks 6 months since fire tore through Lahaina and Upcountry Maui. We continue to see the heart and resilience of our communities as we recover and remember the lives lost.

As recovery efforts continue, I am grateful to the thousands of people who have come together from literally all over the world to support our neighbors on Maui. Maui's recovery will take time, resources, and continuity of effort. I will keep working with my partners to ensure Maui has the resources it needs to recover and rebuild.

SUPPLEMENTAL FUNDING

Mr. President, the national security supplemental package we are debating demonstrates our strong support for our allies at a time of rising global instability, recognizing that an investment in our partners is also an investment in our own national security.

While the funding for Ukraine, Israel, and the Indo-Pacific currently included in this bill is critical, missing from this bill is the text of the recently renegotiated Compacts of Free Association, agreements with the Pacific Island nations, Palau, Micronesia, and the Marshall Islands. In exchange for economic assistance, the Compacts of Free Association provide our country with exclusive military access to these countries and their territorial waters.

With their strategic location in the South Pacific, these countries provide a strategic buffer between the United States and China. At a time of rising tensions in the Pacific, these compacts are a critical component of our ability to operate in the Pacific, especially as we work to counter China's growing influence in this region.

Our military leaders have unanimously pointed out the importance of these compacts. Most recently, Admiral Paparo, nominated to lead U.S. military operations in the Indo-Pacific, reiterated the importance of the compacts in his confirmation hearing recently. These compacts date back more than 40 years, but our relationship with these island nations dates back to World War II.

First agreed to in the early 1980s, the compacts have to be renegotiated and approved by Congress every 20 years.

Over the past 4 years, U.S. negotiators have worked with their counterparts in the COFA nations to agree to new compacts that will govern our relationship with these countries for the next 20 years.

Imagine, if we get this done with this bill, we will have accomplished what we need to do in our relationship in support for our compact nation allies for the next 20 years.

These compacts have broad bipartisan support, including from both the chairs and ranking members of the Foreign Relations, Armed Services, and Energy and Natural Resources Committees. These are the committees of jurisdiction over these compacts.

They understand how critical these agreements are to our posture and readiness in the Pacific. And the harmful message—frankly, the harmful message it would send if we do not get these compacts agreed to.

Believe me, China is watching to see what we do in our support for our island friends. And, in fact, just this week, the Presidents of all three compact nations, Palau, Micronesia, and the Marshall Islands sent a letter to Congress in which they wrote:

> Although we understand the delay in the legislation's approval, it has generated uncertainty among our peoples. As much they identify with and appreciate the United States . . . this has resulted in undesirable opportunities for economic exploitation by competitive political actors active in the [region].

Of course, they are talking about China. As I mentioned, China is watching and would love nothing more than for the United States to fail to pass these compacts.

Failure for the United States would present China with a golden opportunity to bring the COFA nations close to their sphere of influence, significantly undermining our credibility and ability to operate in this region.

Beyond the serious national security implications of the compacts, nearly 100,000 citizens of the COFA nations live, work, and pay taxes in our country. Moreover, COFA citizens enlist in our military at higher rates than U.S. citizens.

With this bill, we stand with our allies, yes, but the compact nations are our allies in the Pacific. We are not just talking about our allies in Europe. These compact nations are our allies in the Pacific just as important, just as important to our national security.

We are introducing an amendment with strong bipartisan support to add to this bill the text of the compacts. And I thank Senator RISCH, the lead sponsor of this amendment, for his leadership and partnership in this effort.

As we work to support our allies around the globe, I urge my colleagues to stand with our COFA partners and support our amendment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MERKLEY. Mr. President, the supplemental emergency package that we are considering addresses a number of issues, including, very importantly, the challenge of supporting the Ukrainian people. It also includes $9.2 billion for humanitarian aid around the world, and some of that aid will assist with the humanitarian challenge in Gaza.

But I want to address that challenge in Gaza today in far more detail and argue that we need to do more; that we are so connected to the circumstances in Gaza because of our very close relationship with Israel; that the United States has a moral imperative, a moral responsibility, to launch a massive effort to address the humanitarian challenges in Gaza—to address the shortage of water, the shortage of food, and the shortage of medical supplies.

We have worked conscientiously with Israel to try to dramatically increase that aid. We have done so month after month after month, but that effort has produced only a trickle of aid compared to the need, and the circumstances in Gaza continue to deteriorate. So the United States needs to operate or launch ''Operation Gaza Rescue''—or give it some other name but a bold and dramatic intervention in the humanitarian circumstances in Gaza.

Let me be clear. Israel had every right to go after Hamas after the horrific assault by Hamas terrorists on October 7 on villages in Israel, but how

Israel conducts that war matters. Hamas is Israel's enemy. The Palestinian civilians are not Israel's enemy, and the Palestinian civilians are not our enemy.

Israel's approach to the war, however, has produced horrifying, unacceptable levels of deaths and injuries and suffering for those Palestinian civilians. That has to change. It is why I have called for a cease-fire. It is why I have noted, though, that a cease-fire will not endure unless it includes the return of the hostages and an end to Hamas control in Gaza.

I salute today the Biden administration's intensive efforts to produce a cease-fire—a 40-day cease-fire and hopefully a permanent cease-fire—but yesterday those hopes were shattered. While such an outcome might still develop tomorrow or the day after, there is no certainty at all that it will come about, and that is why we can't simply hinge our hopes for addressing the tremendous suffering in Gaza on the possibility of a cease-fire. There is no guarantee when those negotiations will be successful, and with each passing day, the situation in Gaza is getting a lot worse.

The Netanyahu government's approach to the war has dramatically increased the suffering of civilians. At the same time, they have slow-walked the provision of humanitarian aid.

Senator VAN HOLLEN and I went to Rafah crossing, Rafah gate. We met with some of the most seasoned humanitarian workers to be found in the world. They told us about their work, having been in Sudan and in Yemen and on the frontlines in Ukraine. They said the combination of factors that they saw in Gaza made this worse than any other war or conflict they had ever been at—the worst humanitarian catastrophe that a group of seasoned aid workers had ever witnessed.

Netanyahu's government's war strategy has inflicted suffering on innocent civilians in multiple ways. President Biden described the Netanyahu government's bombing and shelling as ''indiscriminate,'' and that indiscriminate bombing has resulted in a breathtaking number of civilian casualties and injuries, now counting more than 27,000 dead, not including the estimates of those who might be trapped in the rubble. This number—every few days, it goes up by another thousand people, and more than double that number—some estimated 67,000 Palestinians with significant injuries. Among the dead, among those 27,000, more than 18,000 women and children have died.

You know, these numbers, they are just—they are numbers. They are hard to get your hands around. So think about it this way: If 18,000 women and children were lined up, holding hands, they would form a line 13 miles long. Picture yourself going on a hike for 13 miles, and with every stride, another dead child, another dead woman. Or picture it this way: If you were to spend 1 minute with each of those 18,000 individuals before they had passed away, it would have taken you more than 300 hours to have met each of them. And, of course, it isn't just the dead and the injured. We see the huge impact in the form of the challenges faced by expectant mothers, mothers carrying children, mothers delivering children. More mothers are having miscarriages. More mothers are having stillbirths. More mothers are anemic because of malnutrition, and that anemia is producing more postpartum hemorrhaging. More mothers are enduring C-sections without anesthesia. If any of you have had the privilege of being in the room with a woman delivering a child and imagine a C-section without anesthesia, you can imagine just how horrific that is.

Of course, the bombing has had devastating impacts on the infrastructure, all kinds of infrastructure. We have an estimated 70,000 homes destroyed, 300,000 homes damaged, 1.7 million people internally displaced inside Gaza—1.7 million out of 2.2 million Gazans. That is just an enormous percentage, an enormous number.

That isn't all. Because so little aid has gotten in, hunger is rampant. Of those who are estimated to be at the highest level of hunger in the world, by far, the majority are in Gaza as compared to the rest of the world, the entire rest of the planet combined. Ninety percent of people in Gaza are surviving on less than a meal per day.

The impacts of that malnutrition also add to the impacts on new mothers in the form of women who are malnourished and cannot breastfeed. If you can't breastfeed, you need to have clean water for formula. But the U.N. reports that about 70 percent of the people in Gaza are drinking contaminated water. Clean water is extremely hard to come by. If you provide formula with contaminated water, then the odds of a baby surviving drop dramatically.

On the medical side, there were 36 hospitals in Gaza before October 7. There are 13 that are still functioning, and they are not functioning well. They are short of basic medical supplies like anesthesia and antibiotics, drug supplies for diabetics or hypertension—the whole host of issues that they face.

You know, the supply of food, water, and medicine can be provided through trucks. Before October 7, 500 trucks a day entered Gaza. Over the last 7 days, the U.N. reports that an average of about 170 trucks came in per day. It is not enough to meet even the most basic food, water, and medical issues in Gaza, meaning that with each passing day, the situation is getting worse and worse and worse.

Why are there so few trucks? Two reasons. The first is that Israel has set up a very complicated system to inspect the trucks before entering. They had such an inspection system before October 7, and they were able to inspect and allow 500 trucks a day to enter, but they set up a convoluted system now that Senator VAN HOLLEN and I witnessed at Rafah crossing where truckdrivers, after loading up their supplies, often wait up to a week to get permission to pass into Gaza—a week. During that time, they have to wait until they can go to Nitzana to have an inspection. That means traveling down the road and going into Israel from Egypt. There, the load is inspected. Often, all the pallets are taken off, and they are looked at carefully.

There are a whole bunch of items that have been precleared because they are medical, food, and water items desperately needed, but at that site, the inspector may simply say ''I am not accepting that item,'' and then not just that item but the entire truck is rejected, and the process starts all over again.

Senator VAN HOLLEN and I went to a warehouse full of these rejected items. There were medical supplies and food supplies and bladders that you could put into the back of a pickup truck or on a flatbed to carry water and deliver water—all rejected.

In fact, we were told that one of the items being rejected were sanitary kits for assisting in the delivery of a child. I said: How could one reject a kit for the delivery of children?

The answer was—the inspector said: There is a scalpel in this kit, and that is a knife, and so these kits cannot be allowed.

We have women delivering babies often without going to the hospital because the communications have been shut down, but when they do get to a hospital, not even the basic supplies have necessarily arrived to assist the doctors to provide the right care in the right way at the moment a woman is giving birth.

So if you make it through this complicated, bizarre inspection process that is designed to slow everything down; if you finally get permission to go through Rafah gate or Kerem Shalom gate by the U.N.—trucks going through a separate entry; if you get that permission, then the problem is, how are you going to get from there to the warehouse? How are you going to get from there to the hospital? Because there is a war going on. Bombs are dropping. Shells are being fired. Tanks are shooting shells. So you need deconfliction to be able to deliver humanitarian supplies. And who can deconflict? Only one entity can deconflict, and that is Israel, and Israel has refused to do so.

So now imagine the truck comes in. The Egyptian truckdriver says that now it must be transferred to a Palestinian truck and a Palestinian driver. How is the Palestinian driver even going to know there is a truck there when the communications have been shut down? How is the Palestinian driver going to get safely to the truck? How are they going to get safely to the warehouse when there is no deconfliction? So, of course, people

have been dying trying to deliver the aid to the hospital or the aid to the warehouse.

The failure to have a sane, efficient inspection process—which we know is possible because Israel was able to do that for 500 trucks a day before October 7—in combination with the complete failure of deconfliction has resulted in a very small amount of aid getting in. That is the challenge. That is the challenge truckdrivers face, with broken roads and falling bombs and artillery shells, risking their lives as they do every day and making it extremely difficult.

For months, President Biden, Secretary of State Blinken, Defense Secretary Austin, and other senior members of the administration have been urging the Netanyahu government to change course. They have urged the Netanyahu government to adopt a strategy against Hamas that does not produce this tremendous number of civilian deaths, civilian injuries, and massive suffering. And Netanyahu has stiff-armed the American Government. They have made some little changes here and there but the same basic fact—massively insufficient supply of food and water and medical supplies.

I have heard how members of the administration, the top teams, have had very testy, very difficult conversations with Prime Minister Netanyahu and with his other core leaders. But, you know what, no matter how much we ask, no matter how often we ask, the same result—massively insufficient humanitarian aid.

So President Biden's request to change war strategies has been rejected, President Biden and his team's request to massively increase humanitarian aid have been rejected, and the circumstances get worse and worse and worse in Gaza with every passing day.

President Biden is doing the right thing by trying to urge Israel to make those changes, but the Netanyahu government has been very clear in the end that they are not going to do so. So the strategy, however well-intentioned, however passionately carried, has failed.

This leaves us, the United States of America—it leaves us in a terrible place. We are Israel's closest partner. The suffering in Gaza now becomes part of our story. It becomes part of our responsibility. As Israel's largest supplier of economic aid, it becomes part of our responsibility. As Israel's largest supplier of military aid, it becomes part of our responsibility. As Israel's largest supplier specifically of bombs and artillery shells that the Netanyahu government has used in that indiscriminate bombing that President Biden talks about, it becomes our responsibility. Thus, if it is our responsibility, we have to act. The United States must act. Asking politely or asking urgently or asking passionately or asking often to Israel is not enough. That strategy—it has failed.

That is why it is incumbent on the United States to immediately stand up a rescue operation—Operation Gaza Rescue—to get that massive humanitarian aid into Gaza, to deliver the food, the water, the medical supplies.

It is time to make sure that every one of the 13 remaining hospitals—13 out of 36—has all the medicines and medical supplies it needs. We can do that through immediate and sustained helicopter deliveries. We can do that with direct deconfliction with the Israelis because they are not going to shoot down American helicopters delivering aid.

How do we know that deconfliction can work in that setting? Because it has already been done. Jordan has been delivering on repeated occasions assistance through airdrop deliveries. If Jordan can do this, the United States, with our massive capabilities, can do so.

It is time not just to ensure that every hospital has everything it needs but to ensure there is enough food and water to alleviate the massive hunger and the massive challenge of citizens unable to currently get clean water. We know that dirty water will produce disease. We know that sustained undernutrition or malnutrition—starvation—will produce significant challenges, illness. The combination is terrible, even before you add in the massive injuries from the bombing and the shelling. We can get that food and we can get that water into Gaza. It is a 40-mile coastline. We have huge assets that can deliver food and water from sea to shore. It is our responsibility to do so.

We are at this point—because of our close relationship and partnership with Israel, we, the United States, are complicit in the starvation, the hunger, the thirst, the illness, the brokenness, the suffering of the Gazan people. So I direct my comments to President Biden and his top team: You all worked very hard to find a path through Israel to get the aid in, and it has failed. I commend you for trying. But now it is our responsibility, our moral responsibility, to no longer be complicit in this humanitarian catastrophe. We must act and act now.

I encourage President Biden and his team: Meet today. Send the orders to ships today to get offshore. Launch the plans today to be able to provide those medical supplies to those 13 hospitals. Prepare those plans now for sea-to-shore delivery of food and water.

Communicate to Israel that we are going to do this because we will not be complicit in this humanitarian catastrophe that is ongoing; that we value the life of every civilian, every Palestinian civilian, we value the life of every Palestinian woman and child, and we, the United States, are going to act.

President Biden, I encourage you not to only meet with your team to plan this but to announce it to the American people. The American people are deeply concerned about our close association with this humanitarian disaster. The world is very concerned about our close association and complicity in this humanitarian disaster. So speak to us, the American people, that Team Biden will act not in a week, not in a month, not when the war ends—but now. There is no time to waste, and this is a moral imperative.

It is the United States that so often says to the rest of the world: What has gone on here, and why have you allowed it to happen?

This is an unacceptable humanitarian catastrophe, and you must address it. That is the United States talking to the world, but now we have a humanitarian catastrophe that is in our hands, our responsibility, and we have to carry that responsibility squarely, directly, and act immediately and boldly. American complicity in the suffering of the Palestinians living in Gaza must end.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KAINE). Without objection, it is so ordered.

SUPPLEMENTAL FUNDING

Mr. SCHUMER. Mr. President, it is a very good thing that today the Senate cleared the first procedural hurdle to pass the national security supplemental.

For the information of Senators, the Senate will convene tomorrow at 12 noon to resume postcloture debate on the motion to proceed. If no agreement is reached, the Senate will vote on the motion to proceed at approximately 7 p.m. tomorrow evening.

As I said this morning, we still hope to reach an agreement with our Republican colleagues on amendments. Democrats have always been clear that we support having a fair and reasonable amendment process. Nevertheless, the Senate will keep working on this bill until the job is done.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SCHUMER. Now, Mr. President, on a few more procedural matters, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 482, Jeffrey Prescott, of the District of Columbia, to be U.S. Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador; that the Senate vote on the nomination without intervening action or debate; that the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of

the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Jeffrey Prescott, of the District of Columbia, to be U.S. Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador.

There being no objection, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Prescott nomination?

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

FEDERAL AGENCY PERFORMANCE ACT OF 2023

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 46, S. 709.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 709) to improve performance and accountability in the Federal Government, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment as follows:

(The part of the bill intended to be inserted is printed in italic.)

S. 709

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Agency Performance Act of 2023''.

SEC. 2. ESTABLISHMENT OF STRATEGIC REVIEWS AND REPORTING.

(a) STRATEGIC REVIEWS.—

(1) IN GENERAL.—Section 1121 of title 31, United States Code, is amended—

(A) by striking the section heading and inserting ''**Progress reviews and use of performance information**''; and

(B) by adding at the end the following:

''(c) AGENCY REVIEWS OF PROGRESS TOWARDS STRATEGIC GOALS AND OBJECTIVES.—

''(1) COVERED GOAL DEFINED.—In this subsection, the term 'covered goal' means a goal or objective established in the strategic plan of the agency under section 306(a) of title 5.

''(2) REVIEW.—Not less frequently than annually and consistent with guidance issued by the Director of the Office of Management and Budget, the head and Chief Operating Officer of each agency, shall—

''(A) for each covered goal, review with the appropriate agency official responsible for the covered goal—

''(i) the progress achieved toward the covered goal—

''(I) during the most recent fiscal year; or

''(II) from recent sources of evidence available at the time of the review; and

''(ii) the likelihood that the agency will achieve the covered goal;

''(B) coordinate with relevant personnel within and outside the agency who contribute to the accomplishment of each covered goal;

''(C) assess progress toward each covered goal by reviewing performance information and other types of evidence relating to each covered goal, such as program evaluations and statistical data;

''(D) identify whether additional evidence is necessary to better assess progress toward each covered goal, and prioritize the development of the evidence described in subparagraph (C), such as through the plans required under section 312 of title 5, if applicable;

''(E) assess whether relevant organizations, program activities, regulations, policies, and other activities contribute as planned to each covered goal;

''(F) as appropriate, leverage the assessment performed under subparagraph (E) as part of the portfolio reviews required under section 503(c)(1)(G);

''(G) identify any risks or impediments that would reduce or otherwise decrease the likelihood that the agency will achieve the covered goal; and

''(H) for each covered goal at greatest risk of not being achieved, identify prospects and strategies for performance improvement, including any necessary changes to program activities, regulations, policies, or other activities of the agency.

''(3) SUPPORT.—In fulfilling the requirements of paragraph (2), the head and Chief Operating Officer of each agency shall be supported by—

''(A) the Performance Improvement Officer of the agency;

''(B) as appropriate, the Chief Data Officer, Evaluation Officer, Program Management Improvement Officer, and Statistical Official of the agency; and

''(C) any other senior agency official designated by the head of the agency, the sustained involvement of whom may help the agency increase the likelihood of achieving 1 or more covered goals.''.

(2) CONFORMING AMENDMENT.—The table of sections for Chapter 11 of title 31, United States Code, is amended by striking the item relating to section 1121 and inserting the following:

''1121. Progress reviews and use of performance information.''.

(b) SUMMARY REQUIRED.—Section 1116 of title 31, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (6)(E), by striking ''and'' at the end;

(B) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(8) include a summary of the findings of the review of the agency under section 1121(c).''; and

(2) by striking subsections (f) through (i).

SEC. 3. REVISIONS TO THE FEDERAL PERFORMANCE WEBSITE.

Section 1122 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (C)—

(I) by inserting ''required to be included on the single website under subparagraph (A) and the information''; before ''in the program inventory''; and

(II) by striking ''and'' at the end;

(ii) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(E) ensure that the website described in subparagraph (A) conforms with the requirements for websites under section 3(a) of the 21st Century Integrated Digital Experience Act (44 U.S.C. 3501 note).''; and

(B) in paragraph (4), by striking subparagraph (A) and inserting the following:

''(A) archive and preserve—

''(i) the information included in the program inventory required under paragraph (2)(B), including the information described in paragraph (3), after the end of the period during which that information is made available; and

''(ii) the information included in the single website under paragraph (2)(A) in accordance with subsections (b) and (c) after the end of the period during which such information is made available on the website; and'';

(2) in subsection (b), by striking paragraph (6) and inserting the following:

''(6) the results achieved toward the agency priority goals established under section 1120(b)—

''(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

''(B) at the end of the 2-year agency priority goal period compared to the overall planned level of performance;''; and

(3) in subsection (c), by striking paragraph (5) and inserting the following:

''(5) the results achieved toward the priority goals developed under section 1120(a)(1)—

''(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

''(B) at the end of the 4-year Federal Government priority goal period compared to the overall planned level of performance;''.

SEC. 4. FEDERAL GOVERNMENT PRIORITY GOALS.

Section 1120(a)(2) of title 31, United States Code, is amended by striking the second sentence and inserting ''Such goals shall—

''(A) be updated and revised not less frequently than during the first year of each Presidential term;

''(B) be made publicly available not less frequently than concurrently with the submission of the budget of the United States Government under section 1105(a) made during the first full fiscal year following any year during which a term of the President commences under section 101 of title 3;

''(C) include plans for the successful achievement of each goal within each single Presidential term; and

''(D) explicitly cite to any specific contents of the budget described in subparagraph (B) that support the achievement of each goal.''.

SEC. 5. FEDERAL GOVERNMENT PRIORITY GOAL CO-LEADERS.

Section 1115(a) of title 31, United States Code, is amended by striking paragraph (3) and inserting the following:

''(3) For each Federal Government performance goal, identify, as appropriate, not fewer than 2 lead Government officials who shall jointly be responsible for coordinating the efforts to achieve the goal, of whom—

''(A) not less than 1 shall be from the Executive Office of the President; and

''(B) not less than 1 shall be from an agency identified as contributing to the Federal Government performance goal described in paragraph (2);''.

SEC. 6. ESTABLISHMENT OF DEPUTY PERFORMANCE IMPROVEMENT OFFICERS.

Section 1124(a) of title 31, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) ESTABLISHMENT.—At each agency, the head of the agency, in consultation with the Chief Operating Officer of the agency, shall designate—

''(A) a Performance Improvement Officer, who shall be a senior executive of the agency; and

''(B) if the Performance Improvement Officer designated under subparagraph (A) is not a career appointee of the Senior Executive Service, a Deputy Performance Improvement Officer, who shall be a career appointee of the Senior Executive Service.''; and

(2) by adding at the end the following:

''(3) DEPUTY PERFORMANCE IMPROVEMENT OFFICER.—A Deputy Performance Improvement Officer designated under paragraph (1)(B) shall support the Performance Improvement Officer in carrying out the functions of the Performance Improvement Officer under paragraph (2).''.

SEC. 7. REPEAL OF OUTDATED PILOT PROJECTS.

(a) IN GENERAL.—Chapter 11 of title 31, United States Code, is amended by striking sections 1118 and 1119.

(b) CONFORMING AMENDMENT.—Section 9704 of title 31, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection ''(d)'' as subsection ''(c)''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 11 of title 31, United States Code, is amended by striking the items relating to sections 1118 and 1119.

SEC. 8. CLARIFYING AMENDMENTS.

(a) CLARIFICATION OF REQUIREMENT TO CITE TO EVIDENCE-BUILDING ACTIVITIES IN STRATEGIC PLANS.—Section 306(a) of title 5, United States Code, is amended—

(1) in paragraph (8) by inserting '', as applicable'' after ''section 312''; and

(2) in paragraph (9), in the matter preceding subparagraph (A), by inserting ''with respect to the head of an agency required to develop a plan described in subsection (a) or (b) of section 312,'' before ''an assessment''.

(b) CLARIFICATION OF TIMING OF AGENCY PERFORMANCE REPORT.—Section 1116(b)(1) of title 31, United States Code, is amended by striking ''shall occur no less than 150 days after'' and inserting ''shall occur not later than 150 days after''.

SEC. 9. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, 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 Accountability of the House of Representatives a report on the effectiveness of this Act and the amendments made by this Act.

Mr. SCHUMER. I further ask that the committee-reported amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The committee-reported amendment was agreed to.

The bill (S. 709), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 709

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Agency Performance Act of 2023''.

SEC. 2. ESTABLISHMENT OF STRATEGIC REVIEWS AND REPORTING.

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''(A) for each covered goal, review with the appropriate agency official responsible for the covered goal—

''(i) the progress achieved toward the covered goal—

''(I) during the most recent fiscal year; or

''(II) from recent sources of evidence available at the time of the review; and

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''(B) coordinate with relevant personnel within and outside the agency who contribute to the accomplishment of each covered goal;

''(C) assess progress toward each covered goal by reviewing performance information and other types of evidence relating to each covered goal, such as program evaluations and statistical data;

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''(F) as appropriate, leverage the assessment performed under subparagraph (E) as part of the portfolio reviews required under section 503(c)(1)(G);

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''(6) the results achieved toward the agency priority goals established under section 1120(b)—

''(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

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''(3) DEPUTY PERFORMANCE IMPROVEMENT OFFICER.—A Deputy Performance Improvement Officer designated under paragraph (1)(B) shall support the Performance Improvement Officer in carrying out the functions of the Performance Improvement Officer under paragraph (2).''.

SEC. 7. REPEAL OF OUTDATED PILOT PROJECTS.

(a) IN GENERAL.—Chapter 11 of title 31, United States Code, is amended by striking sections 1118 and 1119.

(b) CONFORMING AMENDMENT.—Section 9704 of title 31, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection ''(d)'' as subsection ''(c)''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 11 of title 31, United States Code, is amended by striking the items relating to sections 1118 and 1119.

SEC. 8. CLARIFYING AMENDMENTS.

(a) CLARIFICATION OF REQUIREMENT TO CITE TO EVIDENCE-BUILDING ACTIVITIES IN STRATEGIC PLANS.—Section 306(a) of title 5, United States Code, is amended—

(1) in paragraph (8) by inserting '', as applicable'' after ''section 312''; and

(2) in paragraph (9), in the matter preceding subparagraph (A), by inserting ''with respect to the head of an agency required to develop a plan described in subsection (a) or (b) of section 312,'' before ''an assessment''.

(b) CLARIFICATION OF TIMING OF AGENCY PERFORMANCE REPORT.—Section 1116(b)(1) of title 31, United States Code, is amended by striking ''shall occur no less than 150 days after'' and inserting ''shall occur not later than 150 days after''.

SEC. 9. GAO REPORT.

Not later than 18 months after the date of enactment of this Act, 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 Accountability of the House of Representatives a report on the effectiveness of this Act and the amendments made by this Act.

RESOLUTIONS SUBMITTED TODAY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions: S. Res. 548, S. Res. 549, S. Res. 550, S. Res. 551, and S. Res. 552.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. SCHUMER. Mr. President, this resolution concerns a request for evidence in a criminal action pending in State district court in Lansing, MI. In this case, 15 defendants are charged with multiple felony counts relating to a certificate of votes for President and Vice President submitted by an unofficial, alternate slate of electors from Michigan in connection with the 2020 Presidential election. The first preliminary hearing, which began in December 2023, is set to resume on February 13, 2024, with additional preliminary hearing and trial dates to be scheduled thereafter.

The prosecution in this case has requested testimony from Daniel Schwager, formerly counsel to the Secretary of the Senate, concerning his knowledge and observations of how electoral ballots are received and processed in the Senate, and the process and constitutional and legal bases for Congress's counting of the Electoral College votes. Senate Secretary Berry would like to cooperate with this request by providing relevant testimony at the preliminary hearings and trial from Mr. Schwager.

In keeping with the rules and practices of the Senate, the enclosed resolution would authorize the production of relevant testimony from Mr. Schwager, with representation by the Senate legal counsel.

Mr. SCHUMER. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD (legislative day of Wednesday, February 7, 2024) under ''Submitted Resolutions.'')

HONORING THE LIFE OF JEAN A. CARNAHAN, FORMER SENATOR FOR THE STATE OF MISSOURI

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 553, which is at the desk.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 553) honoring the life of Jean A. Carnahan, former Senator for the State of Missouri.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 553) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD (legislative day of Wednesday, February 7, 2024) under ''Submitted Resolutions.'')

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, appoints the following Senators as members of the Senate National Security Working Group for the 118th Congress: JACK REED of Rhode Island, Administrative Co-Chair; ROBERT MENENDEZ of New Jersey, Co-Chair; RICHARD J. DURBIN of Illinois, Co-Chair; BENJAMIN L. CARDIN of Maryland, Co-Chair; ROBERT P. CASEY, Jr. of Pennsylvania; TAMMY DUCKWORTH of Illinois; KYRSTEN SINEMA of Arizona; RAPHAEL G. WARNOCK of Georgia; and ALEX PADILLA of California.

MORNING BUSINESS

ARMS SALES NOTIFICATION

Mr. CARDIN. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such an annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Washington, DC.

Hon. BENJAMIN L. CARDIN,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 24–06, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Poland for defense articles and services estimated to cost $1.2 billion. We will issue a news release to notify the public of

this proposed sale upon delivery of this letter to your office.

Sincerely,

JAMES A. HURSCH,
Director.

Enclosures.

TRANSMITTAL NO. 24–06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Poland.

(ii) Total Estimated Value:

Major Defense Equipment* $0.

Other $1.2 billion.

Total $1.2 billion.

Funding Source: Foreign Military Financing Direct Loan and National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Airspace and Surface Radar Reconnaissance (ASRR) aerostat systems; Airborne Early Warning (AEW) Radars with Identification of Friend or Foe (IFF) capability; electronic intelligence (ELINT) sensors systems; mooring systems with powered tether with embedded fiber optics; Ground Control Systems (GCS); associated installation hardware; special tools and test equipment; Basic Issue Items (BII); program management support; verification testing; systems technical support; transportation; spare and repair parts; communications equipment; operators and maintenance manuals; personnel training and training equipment; tool and test equipment; repair and return; publications and technical documentation; Quality Assurance Team (QAT); U.S. Government and contractor engineering, technical and logistics support services; in-country Field Service Representatives (FSR); and other related elements of logistics and program support.

(iv) Military Department: Army (PL–B–UET).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 7, 2024.

*as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Poland—Aerostat Systems

The Government of Poland has requested to buy Airspace and Surface Radar Reconnaissance (ASRR) aerostat systems; Airborne Early Warning AEW) Radars with Identification of Friend or Foe (IFF) capability; electronic intelligence (ELINT) sensors systems; mooring systems with powered tether with embedded fiber optics; Ground Control Systems (GCS); associated installation hardware; special tools and test equipment; Basic Issue Items (BII); program management support; verification testing; systems technical support; transportation; spare and repair parts; communications equipment; operators and maintenance manuals; personnel training and training equipment; tool and test equipment; repair and return; publications and technical documentation; Quality Assurance Team (QAT); U.S. Government and contractor engineering, technical, and logistics support services; in-country Field Service Representatives (FSR); and other related elements of logistics and program support. The estimated total program cost is $1.2 billion.

The proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a NATO Ally that is a force for political stability and economic progress in Europe.

The proposed sale will improve Poland's capability to meet current and future threats of enemy air and ground weapons systems. Poland will use the capability as an airborne early warning system to defend against incoming regional threats. This will also enable Poland to increase its contribution to future NATO operations. Poland will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors will be Raytheon Intelligence and Space, of El Segundo, CA; TCOM, L.P., of Columbia, MD; ELTA North America, of Annapolis Junction, MD; and Avantus Federal LLC (a wholly owned subsidiary of QinetiQ, Inc.), of McLean, VA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require forty (40) aerostat contractor representatives to travel to Poland for eighty-four (84) months to conduct the Contractor Logistics Support, training, and component assembly support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 24–06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Airspace and Surface Radar Reconnaissance (ASRR) system is a tethered aerostat system capable of supporting a variety of surveillance payloads. It incorporates a tethered aerostat with a relocatable mooring system capable of supporting payloads up to 7,000 lbs. at altitudes up to 15,000 ft., which provides surveillance systems with a line of sight of up to 350 km. In addition to the aerostat, each system includes a mobile mooring system, ground control and maintenance shelters, electrical generators and power distribution panel, forklift and man lift, and supply of helium and spare parts. The program will also include system training, maintenance, and in-country support services. Each of the four (4) aerostats will carry a payload consisting of one (1) radar system and one (1) electronic surveillance electronic intelligence (ELINT) sensor system with integrated Identify Friend or Foe (IFF) capability.

a. Radar System. The radar system will include one of the following: ETLA North America ELM–2083, Raytheon KnightWatch, or C–Speed ESR–LWR Radar. These systems comprise of a multi-function radar capable of providing long-range detection of airborne and maritime targets that are static or in motion. The systems can operate in overland, maritime, and air-to-air modes. They display Moving Target Indicator (MTI) tracks overlaid on a Doppler Beam Sharpened (DBS) image. The systems can switch between vertically and horizontally orientated antennas and incorporate an IFF capability of one of the following: Raytheon APX–119, TPX–62, and AS–4664 electronically scanned array (ESA) antennas or Telephonics SFF–44 All-Mode interrogator.

b. ELINT System. The ELINT system will include one of the following: Raytheon Deutschland Advanced Radar Detection System (ARDS), BANC3 TSD–2000, or ETLA North America ELL–8385. These systems comprise of a modular, scalable software-defined radio (SDR) designed for airborne ELINT missions. The system can search, intercept, collect, geo-locate, analyze, store, and distribute wireless signals.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Poland can provide the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Poland.

VOTE EXPLANATION

Ms. STABENOW. Mr. President, unfortunately, due to COVID–19, I was unable to attend the September 30 rollcall vote No. 247 on passage of the bill H.R. 5860, a bill making continuing appropriations for fiscal year 2024 and for other purposes, which passed by a vote of 88–9. Had I been able to attend, I would have voted in support of passage.

VOTE EXPLANATION

Mr. PETERS. Mr. President, as a result of travel with President Biden to Michigan, I was unable to attend vote No. 31 on February 1 on the motion to invoke cloture on Executive Calendar No. 477, Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International Trade. During the President's visit, I was able to discuss with him the unique capabilities of Selfridge Air Force Base, to recognize the hard work of Michigan autoworkers, and to emphasize Michigan's national leadership in manufacturing. I would have voted yea on the Motion had I been able to attend.

As a result of travel with President Biden to Michigan, I was unable to attend vote No. 32 on February 1 on the motion to invoke cloture on Executive Calendar No. 476, Joseph Albert Laroski, Jr., of Maryland, to be a Judge of the United States Court of International Trade. During the President's visit, I was able to discuss with him the unique capabilities of Selfridge Air Force Base, to recognize the hard work of Michigan autoworkers, and to emphasize Michigan's national leadership in manufacturing. I would have voted yea on the motion had I been able to attend the vote.

As a result of travel with President Biden to Michigan, I was unable to attend vote No. 33 on February 1 on the Confirmation of Executive Calendar No. 477, Lisa W. Wang, of the District of Columbia, to be a Judge of the United States Court of International

Trade. During the President's visit, I was able to discuss with him the unique capabilities of Selfridge Air Force Base, to recognize the hard work of Michigan autoworkers, and to emphasize Michigan's national leadership in manufacturing. I would have voted yea on the motion had I been able to attend.

REMEMBERING IGNACIO E. LOZANO, JR.

Mr. PADILLA. Mr. President, I rise today to celebrate the life of Ignacio E. ''Nacho'' Lozano, Jr., a name synonymous with the rise of Hispanic media in the United States and the legendary, longtime publisher of the Spanish-language newspaper La Opinion. He passed away in December at the age of 96.

Nacho Lozano was born in San Antonio to parents Alicia Elizondo Lozano and Ignacio E. Lozano, Sr.—the founder of the San Antonio-based daily newspaper La Prensa and, later, the publisher of La Opinion, then a little-known daily newspaper for the growing Latino population of Los Angeles.

Lozano long knew where he was headed in life; he set out to study journalism at the University of Notre Dame, began working at La Opinion after college, and in 1953, after the death of his father, became its publisher.

When Lozano took the helm of La Opinion, it had a circulation of 12,000. By the time Lozano stepped down over 30 years later, it had boomed to 70,000 subscribers, as scores of Spanish speakers in the Los Angeles region had come to claim it as their daily paper. But it didn't just grow in size; Lozano had fundamentally shifted the direction of Spanish-language media. What was once an outlet focused on stories from Mexico and other Spanish-speaking countries grew to dominate a local beat not often covered by major English-language outlets.

Under Lozano's leadership, La Opinion became a paper that reflected the emerging Latino audience in Southern California. As he told the Los Angeles Times in 1976, ''It is no longer a Mexican newspaper published in Los Angeles . . . but an American newspaper which happens to be published in Spanish.''

In 1981, after a La Opinion photographer was assaulted by Immigration and Naturalization Service agents while reporting on anti-deportation protests, Lozano successfully sued the Federal Government to the tune of $300,000, defending not only his reporter but the principle of a free and independent Hispanic media.

While editorial control and ownership of La Opinion changed hands over time, Lozano represented more to his community and our Nation than just a leading newspaper publisher.

He served as a consultant to the State Department under President Johnson, on the Council of Spanish-Speaking Americans under President Nixon, and eventually as Ambassador to El Salvador under President Ford.

But back home he held a different title: loving husband to Marta Navarro Lozano for 67 years and caring father to Leticia, Jose, Monica, and Francisco.

Ignacio Lozano, Jr., was a transformative pioneer for Hispanic media, a legend in the Los Angeles community, and a generous benefactor for his cherished causes—from performing arts to student scholarships.

Angela and I send our best to his four children, his nine grandchildren, and to all those in California and across the Nation who have ever turned to the Lozano family and their daily paper to stay informed.

ADDITIONAL STATEMENTS

RECOGNIZING ARNZEN BUILDING CONSTRUCTION

● Mr. RISCH. Mr. President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Arnzen Building Construction as the Idaho Small Business of the Month for February 2024.

Arnzen Building Construction was established in Cottonwood, Idaho in 1987 by Morris B. Arnzen. After attending the University of Idaho, Arnzen entered the construction business in 1979 and began his career at Enneking Building Construction. Following the retirement of George Enneking, Morris purchased Enneking Building Construction and, in 1995, renamed the firm Arnzen Building Construction.

Arnzen Building Construction has played a crucial role in the changing face of North Central Idaho. Their builds and remodels of residential, commercial, educational, medical, and public works projects throughout the region are a testament to their commitment to high-quality construction and workmanship. The Arnzen's leadership and support of the Idaho and Lewis County Fairs, local 4–H chapters, Cottonwood Fire Department, St. Mary's Youth Group, and local hospitals and schools demonstrates their loyalty to constructing not only sturdy buildings, but a strong community.

Congratulations to the Arnzens and all of the employees at Arnzen Building Construction on their selection as the Idaho Small Business of the Month for February 2024. Thank you for serving Idaho as small business owners and entrepreneurs. You make our great State proud, and I look forward to your continued growth and success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Stringer, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 485. An act to amend title XI of the Social Security Act to prohibit the use of quality-adjusted life years and similar measures in coverage and payment determinations under Federal health care programs.

H.R. 3415. An act to direct the Secretary of the Interior to convey to the Midvale Irrigation District the Pilot Butte Power Plant in the State of Wyoming, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 485. An act to amend title XI of the Social Security Act to prohibit the use of quality-adjusted life years and similar measures in coverage and payment determinations under Federal health care programs; to the Committee on Finance.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3484. A communication from the Associate Administrator for Rulemaking, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Child Restraint Systems'' (RIN2127–AL34) received in the Office of the President of the Senate on February 6, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3485. A communication from the Associate Administrator for Rulemaking, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Bus Rollover Structural Integrity'' (RIN2127–AM58) received in the Office of the President of the Senate on February 6, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3486. A communication from the Associate Administrator for Rulemaking, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2021 Light

Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2021'' (RIN2127–AM59) received in the Office of the President of the Senate on February 6, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3487. A communication from the Fisheries Regulations Specialist , National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Coast Guard's Alaska Facility Maintenance and Repair Activities'' (RIN0648–BK57) received during adjournment of the Senate in the Office of the President of the Senate on February 2, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3488. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Wittenberg and Shawano, Wisconsin'' (MB Docket No. 23–336) received during adjournment of the Senate in the Office of the President of the Senate on February 2, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3489. A communication from the Fisheries Regulations Specialist, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to the Coastal Virginia Offshore Wind Commercial Project Offshore of Virginia'' (RIN0648–BL74) received in the Office of the President of the Senate on January 29, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3490. A communication from the Chief of Staff and Deputy Chief, Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendment of Section 1.80(b) of the Commission's Rules Adjustment of Civil Monetary Penalties to Reflect Inflation'' (DA Docket No. 22–1198) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3491. A communication from the Assistant Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Data Breach Reporting Requirements'' ((RIN3060–AG43) (WC Docket No. 22–21)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3492. A communication from the Attorney Advisor, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Civil Penalty Amounts, 2024'' (RIN2105–AF16) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3493. A communication from the Secretary of the Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustment of Civil Monetary Penalties'' (RIN3072–AC98) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3494. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4093'' ((RIN2120–AA65) (Docket No. 31523)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3495. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments; Amendment No. 4094'' ((RIN2120–AA65) (Docket No. 31524)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3496. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of the Prohibition Against Certain Flights in the Damascus Flight Information Region (FIR) (OSTT)'' ((RIN2120–AA64) (Docket No. FAA–2017–0768)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3497. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Ozark, AL and Columbus, GA; Correction'' ((RIN2120–AA66) (Docket No. FAA–2023–1352)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3498. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States Area Navigation (RNAV) Route T–302 in the Vicinity of Acequia, ID'' ((RIN2120–AA66) (Docket No. FAA–2023–1548)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3499. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airways V–20, V–222, V–289, V–552, V–569, and V–574, and Establishment of United States Area Navigation (RNAV) Routes T–483 and T–485 in the Vicinity of Beaumont, TX'' ((RIN2120–AA66) (Docket No. FAA–2023–1528)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3500. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of United States RNAV Route T–251 in the Vicinity of Bowling Green, MO'' ((RIN2120–AA66) (Docket No. FAA–2023–2365)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3501. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Very High Frequency Omnidirectional Range Federal Airway V–4 in the Vicinity of Burley, ID'' ((RIN2120–AA66) (Docket No. FAA–2023–2453)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3502. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of United States Area Navigation (RNAV) Route T–401 in the Vicinity of Paynesville, CA'' ((RIN2120–AA66) (Docket No. FAA–2023–1338)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3503. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Area R–2512 Holtville, CA; Correction'' ((RIN2120–AA66) (Docket No. FAA–2023–2220)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3504. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Renaming of Restricted Areas R–6601A, R–6601B, and R–6601C; Fort AP Hill, VA'' ((RIN2120–AA66) (Docket No. FAA–2023–2555)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3505. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Areas R–3801A, R–3801B, and R–3801C; Camp Claiborne, LA, and R–3803A, R–3803B, R–3803C, R–3803D, R–3803E, R–3803F, R–3804A, R–3804B, and R–3804C; Fort Polk, LA'' ((RIN2120–AA66) (Docket No. FAA–2023–2544)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3506. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Statesboro, GA'' ((RIN2120–AA66) (Docket No. FAA–2023–2051)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3507. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Minden-Tahoe Airport, Minden, NV'' ((RIN2120–AA66) (Docket No. FAA–2023–1006)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3508. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Ralph M. Calhoun Memorial Airport, Tanana, AK'' ((RIN2120–AA66) (Docket No. FAA–2023–2448)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3509. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E

Airspace; Uvalde, TX'' ((RIN2120–AA66) (Docket No. FAA–2023–1747)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3510. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Wilmington, DE'' ((RIN2120–AA66) (Docket No. FAA–2023–2192)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3511. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Statesboro, GA'' ((RIN2120–AA66) (Docket No. FAA–2023–2051)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3512. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Thomasville, GA'' ((RIN2120–AA66) (Docket No. FAA–2023–2052)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3513. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Bedford, PA'' ((RIN2120–AA66) (Docket No. FAA–2023–2114)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3514. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Hutchinson, MN'' ((RIN2120–AA66) (Docket No. FAA–2023–2116)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3515. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Jackson, OH'' ((RIN2120–AA66) (Docket No. FAA–2023–2113)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3516. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Minden-Tahoe Airport, Minden, NV; Correction'' ((RIN2120–AA66) (Docket No. FAA–2023–1006)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3517. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Natchez, MS'' ((RIN2120–AA66) (Docket No. FAA–2023–2115)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3518. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Area R–2512 Holtville, CA'' ((RIN2120–AA66) (Docket No. FAA–2023–2220)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3519. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Lajitas, TX'' ((RIN2120–AA66) (Docket No. FAA–2023–1614)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3520. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22637'' ((RIN2120–AA64) (Docket No. FAA–2023–1648)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3521. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes; Amendment 39–22663'' ((RIN2120–AA64) (Docket No. FAA–2024–0032)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3522. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39–22611'' ((RIN2120–AA64) (Docket No. FAA–2023–2153)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3523. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Embraer S.A. (Type Certificate Previously Held by Yabora Industria Aeronautica S.A.; Embraer S.A) Airplanes; Amendment 39–22644'' ((RIN2120–AA64) (Docket No. FAA–2023–2399)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3524. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Engines; Amendment 39–22623'' ((RIN2120–AA64) (Docket No. FAA–2023–1889)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3525. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd & Co KG Engines; Amendment 39–22647'' ((RIN2120–AA64) (Docket No. FAA–2023–1892)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3526. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes; Amendment 39–22634'' ((RIN2120–AA64) (Docket No. FAA–2023–1502)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3527. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Dassault Aviation Airplanes; Amendment 39–22634'' ((RIN2120–AA64) (Docket No. FAA–2023–1502)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3528. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39–22625'' ((RIN2120–AA64) (Docket No. FAA–2023–1706)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3529. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39–22640'' ((RIN2120–AA64) (Docket No. FAA–2023–1715)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3530. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes; Amendment 39–22640'' ((RIN2120–AA64) (Docket No. FAA–2023–1715)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3531. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22624'' ((RIN2120–AA64) (Docket No. FAA–2023–1822)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3532. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22639'' ((RIN2120–AA64) (Docket No. FAA–2023–1711)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3533. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22642'' ((RIN2120–AA64) (Docket No. FAA–2023–1887)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3534. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22636'' ((RIN2120–AA64) (Docket No. FAA–2023–1994)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3535. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus SAS Airplanes; Amendment 39–22632'' ((RIN2120–AA64) (Docket No. FAA–2023–1822)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3536. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Airplanes; Amendment 39–22653'' ((RIN2120–AA64) (Docket No. FAA–2024–0027)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3537. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Helicopters; Amendment 39–22641'' ((RIN2120–AA64) (Docket No. FAA–2023–2396)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3538. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Leonardo S.p.a. Helicopters; Amendment 39–22635'' ((RIN2120–AA64) (Docket No. FAA–2023–1894)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3539. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Piaggio Aviation S.p.A. Airplanes; Amendment 39–22630'' ((RIN2120–AA64) (Docket No. FAA–2023–1819)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3540. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd Airplanes; Amendment 39–22648'' ((RIN2120–AA64) (Docket No. FAA–2023–2404)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3541. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Airbus SAS Airplanes; Amendment 39–22631'' ((RIN2120–AA64) (Docket No. FAA–2023–2243)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3542. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; MHI RJ Aviation ULC (Type Certificate Previously Held by Bombardier, Inc .) Airplanes; Amendment 39–22628'' ((RIN2120–AA64) (Docket No. FAA–2023–1823)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3543. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes; Amendment 39–22638'' ((RIN2120–AA64) (Docket No. FAA–2023–1999)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3544. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes; Amendment 39–22646'' ((RIN2120–AA64) (Docket No. FAA–2023–2005)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3545. A communication from the Management Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Saab AB, Support and Services (Formerly Known as Saab AB, Saab Aeronautics) Airplanes; Amendment 39–22633'' ((RIN2120–AA64) (Docket No. FAA–2023–1896)) received in the Office of the President of the Senate on January 22, 2024; to the Committee on Commerce, Science, and Transportation.

EC–3546. A communication from the Administrative Staff Assistant, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Emergency Escape Breathing Apparatus Standards'' (RIN2130–AC14) received during adjournment of the Senate in the Office of the President of the Senate on January 30, 2024; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. REED for the Committee on Armed Services.

*Cara L. Abercrombie, of Virginia, to be an Assistant Secretary of Defense.

*Aprille Joy Ericsson, of New York, to be an Assistant Secretary of Defense.

*Douglas Craig Schmidt, of Tennessee, to be Director of Operational Test and Evaluation, Department of Defense.

*Ronald T. Keohane, of New York, to be an Assistant Secretary of Defense.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. TILLIS (for himself, Mrs. BLACKBURN, and Mr. CORNYN):

S. 3767. A bill to amend title 18, United States Code, to create or enhance penalties for murder and assault committed against a law enforcement officer, and for other purposes; to the Committee on the Judiciary.

By Mr. CRAMER (for himself and Mr. KING):

S. 3768. A bill to extend and modify the transportation grant program of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LUJÁN:

S. 3769. A bill to amend the Child Abuse Prevention and Treatment Act to provide for alternative pathways of addressing child abuse and neglect; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. WELCH, Ms. SMITH, Mr. KING, Mr. BOOKER, Mr. BLUMENTHAL, Ms. KLOBUCHAR, Mr. SANDERS, Ms. HIRONO, and Mr. PADILLA):

S. 3770. A bill to amend the Public Health Service Act to authorize grants to support schools of nursing in increasing the number of nursing students and faculty and in program enhancement and infrastructure modernization, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASSIDY (for himself, Mr. BLUMENTHAL, and Mr. CASEY):

S. 3771. A bill to amend title 5, United States Code, to provide increased locality pay rates to certain Bureau of Prisons employees whose duty stations are located in the pay locality designated as ''Rest of U.S.'', and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RISCH (for himself, Mr. HICKENLOOPER, Mr. BUDD, Mr. CRAPO, Mr. KENNEDY, and Mr. RUBIO):

S. 3772. A bill to amend the Small Business Act to require that plain writing statements regarding the solicitation of subcontractors be included in certain subcontracting plans, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO (for himself, Mr. KING, Mr. TILLIS, and Ms. HASSAN):

S. 3773. A bill to require the Inspector General of the Department of Health and Human Services to evaluate the cybersecurity practices and protocols of the Department, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LUJÁN (for himself, Mr. CASEY, and Mr. HEINRICH):

S. 3774. A bill to provide additional funding under the Child Abuse Prevention and Treatment Act; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Ms. CORTEZ MASTO, Mrs. CAPITO, and Mr. KAINE):

S. 3775. A bill to amend the Public Health Service Act to reauthorize the BOLD Infrastructure for Alzheimer's Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. JOHNSON, Mr. MURPHY, Mrs. BLACKBURN, Ms. BALDWIN, and Mrs. BRITT):

S. 3776. A bill to establish a safe-to-report policy within the Coast Guard, and for other

purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROMNEY (for himself and Mr. BRAUN):

S. 3777. A bill to require Congress to budget in advance for disasters, and for other purposes; to the Committee on the Budget.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, Mr. KELLY, and Mr. KING):

S. 3778. A bill to amend the Safe Drinking Water Act to modify eligibility for the State response to contaminants program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHATZ (for himself, Mr. BLUMENTHAL, Mr. KAINE, Mr. BROWN, Mr. BOOKER, Mr. VAN HOLLEN, Ms. KLOBUCHAR, and Mr. WYDEN):

S. 3779. A bill to authorize the Secretary of Health and Human Services to award grants to establish or expand programs to implement evidence-aligned practices in health care settings for the purpose of reducing the suicide rates of covered individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HYDE-SMITH (for herself, Mr. BRAUN, and Mr. WICKER):

S. 3780. A bill to amend the Communications Act of 1934 to provide for additional prohibitions and enhanced penalties for providing or possessing wireless communications devices in detention facilities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. DUCKWORTH (for herself and Mrs. BLACKBURN):

S. 3781. A bill to amend the National Telecommunications and Information Administration Organization Act to codify the Institute for Telecommunication Sciences, to direct the Assistant Secretary of Commerce for Communications and Information to establish an initiative to support the development of emergency communication and tracking technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COTTON:

S. 3782. A bill to require regular briefings on efforts to capture or kill the leadership of the Jalisco New Generation Cartel; to the Committee on Armed Services.

By Mr. CRAMER:

S. 3783. A bill to require the Committee on Foreign Investment in the United States to respond to the Governor of a State who requests a determination with respect to whether a transaction would trigger a review by the Committee; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REED (for himself, Mr. BROWN, Ms. SMITH, Mr. WYDEN, and Mr. MERKLEY):

S. 3784. A bill to provide requirements for the bulk auction or group sale of certain non-performing loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI:

S. 3785. A bill to support rural coastal and maritime economic development, and for other purposes; to the Committee on Finance.

By Mr. CRUZ:

S. 3786. A bill to provide for the standardization, publication, and accessibility of data relating to public outdoor recreational use of Federal waterways, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Mr. KING, Ms. KLOBUCHAR, and Mrs. GILLIBRAND):

S. 3787. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Ms. MURKOWSKI (for herself and Ms. CANTWELL):

S. 3788. A bill to reauthorize the National Landslide Preparedness Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S. 3789. A bill to make additional Federal public land available for selection under the Alaska Native Vietnam era veterans land allotment program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SULLIVAN (for himself and Ms. MURKOWSKI):

S. 3790. A bill to make additional Federal public land available for selection under the Alaska Native Vietnam era veterans land allotment program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARPER (for himself, Mrs. CAPITO, Mr. CARDIN, Mr. BOOZMAN, Mr. PADILLA, Mr. WICKER, Mr. WHITEHOUSE, Mr. MULLIN, and Mr. VAN HOLLEN):

S. 3791. A bill to reauthorize the America's Conservation Enhancement Act, and for other purposes; to the Committee on Environment and Public Works.

By Mr. PETERS (for himself and Mr. SCHMITT):

S. 3792. A bill to expand the functions of the National Institute of Standards and Technology to include workforce frameworks for critical and emerging technologies, to require the Director of the National Institute of Standards and Technology to develop an artificial intelligence workforce framework, and periodically review and update the National Initiative for Cybersecurity Education Workforce Framework for Cybersecurity, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SULLIVAN (for himself, Mr. VAN HOLLEN, Mrs. SHAHEEN, Mr. MERKLEY, Mr. HAGERTY, Mr. CORNYN, Mr. YOUNG, and Ms. DUCKWORTH):

S. Res. 545. A resolution recognizing the importance of trilateral cooperation among the United States, Japan, and South Korea; to the Committee on Foreign Relations.

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

S. Res. 546. A resolution designating February 2024 as ''Hawaiian Language Month'' or ''ʻŌlelo Hawaiʻi Month''; to the Committee on the Judiciary.

By Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. DURBIN, Mr. RICKETTS, Mr. BLUMENTHAL, Mr. KAINE, Mr. HICKENLOOPER, Mr. COONS, Mr. CASEY, Mrs. GILLIBRAND, Mr. MANCHIN, Ms. DUCKWORTH, Ms. SINEMA, Mr. WELCH, Mr. WHITEHOUSE, Mr. BENNET, Mr. KELLY, Mr. WARNOCK, Mr. FETTERMAN, Ms. HASSAN, Mr. MERKLEY, Ms. SMITH, Mr. WYDEN, Mr. PADILLA, Mr. PETERS, Mr. REED, Mr. CARPER, Mrs. MURRAY, Ms. CORTEZ MASTO, Mr. BROWN, Mr. SANDERS, Mr. TESTER, and Ms. KLOBUCHAR):

S. Res. 547. A resolution acknowledging the two-year anniversary of Russia's further invasion of Ukraine and expressing support for the people of Ukraine; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Ms. DUCKWORTH, Mr. DURBIN, Ms. HASSAN, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. PADILLA, Mr. SANDERS, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WELCH, and Mr. WYDEN):

S. Res. 548. A resolution designating the week of February 5 through 9, 2024, as ''National School Counseling Week''; considered and agreed to.

By Mr. YOUNG (for himself, Mr. COONS, Mr. BOOKER, Mr. BLUMENTHAL, Ms. BUTLER, Mr. CARPER, Ms. CORTEZ MASTO, Mr. DURBIN, Ms. HASSAN, Mr. HICKENLOOPER, Mr. KAINE, Mr. KELLY, Mr. KING, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MERKLEY, Mr. OSSOFF, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. WARNOCK, Mr. GRASSLEY, Ms. LUMMIS, Mr. DAINES, Mr. MARSHALL, Mr. RISCH, Mr. TILLIS, Mr. HAGERTY, Mr. COTTON, Mr. BARRASSO, Mrs. BLACKBURN, Mr. CRAPO, Mrs. CAPITO, Mr. BOOZMAN, Mr. CRAMER, Mr. GRAHAM, Mr. THUNE, Mr. MCCONNELL, Mr. RICKETTS, Mr. HOEVEN, Mr. SCHMITT, Mr. MULLIN, Mr. KENNEDY, Mr. BRAUN, Ms. ERNST, Ms. COLLINS, Mrs. BRITT, Mrs. HYDE-SMITH, Mr. CORNYN, Mr. LANKFORD, Mr. WICKER, Mr. SCOTT of Florida, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. CRUZ, and Mr. SCOTT of South Carolina):

S. Res. 549. A resolution expressing support for the designation of February 17 through February 24, 2024, as ''National FFA Week'', recognizing the important role of the National FFA Organization in developing the next generation of globally conscious leaders who will change the world, and celebrating the 10th anniversary of the ''Give the Gift of Blue'' program, which has donated more than 17,000 of the iconic FFA blue jackets to FFA members in need; considered and agreed to.

By Mr. KAINE (for himself, Mr. YOUNG, Ms. BALDWIN, Mr. BUDD, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. BRITT, Mr. BROWN, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Ms. CORTEZ MASTO, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Mr. FETTERMAN, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARSHALL, Mr. MERKLEY, Mrs. MURRAY, Mr. PADILLA, Mr. PETERS, Mr. REED, Mr. RISCH, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. SMITH, Mr. THUNE, Mr. TILLIS, Mr. VAN HOLLEN, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, Mrs. HYDE-SMITH, Mr. BENNET, Mr. BRAUN, and Ms. ERNST):

S. Res. 550. A resolution supporting the goals and ideals of ''Career and Technical Education Month''; considered and agreed to.

By Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. WARNOCK, Ms. BUTLER, Mrs. HYDE-

SMITH, Ms. CORTEZ MASTO, Mr. RISCH, Mr. CARPER, Mr. CRAMER, Mr. SCHATZ, Mr. MORAN, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. CARDIN, Mr. SCOTT of Florida, Mr. KAINE, Mr. CRAPO, Mr. PADILLA, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. RUBIO, Mr. REED, Mr. COONS, Mr. CASEY, Mr. MERKLEY, Mr. DURBIN, Mr. FETTERMAN, Mr. SANDERS, Ms. HASSAN, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Ms. WARREN, Ms. BALDWIN, Ms. ROSEN, Ms. STABENOW, Mr. KING, Ms. CANTWELL, Ms. HIRONO, Mr. HEINRICH, Ms. SMITH, Mr. OSSOFF, Mr. KELLY, Mrs. MURRAY, Mr. WYDEN, Mrs. SHAHEEN, Mr. WARNER, Mr. MURPHY, Mr. LUJÁN, Mr. MARKEY, Mr. WELCH, Mr. WICKER, Mr. CORNYN, Ms. DUCKWORTH, Mr. HICKENLOOPER, Mr. PETERS, Mrs. BRITT, and Mr. BROWN):

S. Res. 551. A resolution celebrating Black History Month; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. MCCONNELL):

S. Res. 552. A resolution to authorize testimony and representation in People of the State of Michigan v. Berden, et al; considered and agreed to.

By Mr. HAWLEY (for himself, Mr. SCHMITT, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mrs. BRITT, Mr. BROWN, Mr. BUDD, Ms. BUTLER, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mr. FETTERMAN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY, Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Mr. MULLIN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. REED, Mr. RICKETTS, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. VANCE, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG):

S. Res. 553. A resolution honoring the life of Jean A. Carnahan, former Senator for the State of Missouri; considered and agreed to.

ADDITIONAL COSPONSORS

S. 91

At the request of Mr. HAGERTY, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 91, a bill to award a Congressional Gold Medal to 60 diplomats, in recognition of their bravery and heroism during the Holocaust.

S. 260

At the request of Mr. BROWN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 260, a bill to amend title XVIII of the Social Security Act to permit nurse practitioners and physician assistants to satisfy the documentation requirement under the Medicare program for coverage of certain shoes for individuals with diabetes.

S. 317

At the request of Mr. KAINE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 317, a bill to guarantee that Americans have the freedom to make certain reproductive decisions without undue government interference.

S. 497

At the request of Ms. DUCKWORTH, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 497, a bill to amend the Food and Nutrition Act of 2008 to exclude a basic allowance for housing from income for purposes of eligibility for the supplemental nutrition assistance program.

S. 547

At the request of Mr. WHITEHOUSE, the name of the Senator from Pennsylvania (Mr. FETTERMAN) was added as a cosponsor of S. 547, a bill to award a Congressional Gold Medal, collectively, to the First Rhode Island Regiment, in recognition of their dedicated service during the Revolutionary War.

S. 711

At the request of Mr. BUDD, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 711, a bill to require the Secretary of the Treasury to mint coins in commemoration of the invaluable service that working dogs provide to society.

S. 722

At the request of Ms. KLOBUCHAR, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to permit certain expenses associated with obtaining or maintaining recognized postsecondary credentials to be treated as qualified higher education expenses for purposes of 529 accounts.

S. 815

At the request of Mr. TESTER, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 815, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 923

At the request of Mr. BENNET, the name of the Senator from New Mexico (Mr. LUJÁN) was added as a cosponsor of S. 923, a bill to amend titles XVIII and XIX of the Social Security Act to reform and improve mental health and substance use care under the Medicare and Medicaid programs, and for other purposes.

S. 1189

At the request of Mrs. CAPITO, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1189, a bill to establish a pilot grant program to improve recycling accessibility, and for other purposes.

S. 1271

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Georgia (Mr. OSSOFF) was added as a cosponsor of S. 1271, a bill to impose sanctions with respect to trafficking of illicit fentanyl and its precursors by transnational criminal organizations, including cartels, and for other purposes.

S. 1300

At the request of Mr. CRUZ, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1300, a bill to require the Secretary of the Treasury to mint coins in recognition of the late Prime Minister Golda Meir and the 75th anniversary of the United States-Israel relationship.

S. 1376

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1376, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1695

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 1695, a bill to amend the Internal Revenue Code of 1986 to provide a credit to issuers of American infrastructure bonds.

S. 1803

At the request of Mr. BENNET, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 1803, a bill to amend title XVIII of the Social Security Act to revise payment for air ambulance services under the Medicare program.

S. 2563

At the request of Mrs. MURRAY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2563, a bill to amend the Food and Nutrition Act of 2008 to allow for dual enrollment in the supplemental nutrition assistance program and the food distribution program on Indian reservations.

S. 2781

At the request of Mr. HEINRICH, the names of the Senator from Vermont (Mr. WELCH) and the Senator from Oklahoma (Mr. MULLIN) were added as cosponsors of S. 2781, a bill to promote remediation of abandoned hardrock mines, and for other purposes.

S. 2825

At the request of Mr. CORNYN, the name of the Senator from Tennessee (Mr. HAGERTY) was added as a cosponsor of S. 2825, a bill to award a Congressional Gold Medal to the United States Army Dustoff crews of the Vietnam War, collectively, in recognition of

their extraordinary heroism and life-saving actions in Vietnam.

S. 2888

At the request of Mr. KING, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 2888, a bill to amend title 10, United States Code, to authorize representatives of veterans service organizations to participate in presentations to promote certain benefits available to veterans during preseparation counseling under the Transition Assistance Program of the Department of Defense, and for other purposes.

S. 3063

At the request of Mr. KING, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 3063, a bill to require the Secretary of Agriculture to establish a grant program to address forestry workforce development needs, and for other purposes.

S. 3109

At the request of Mr. MARKEY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nebraska (Mr. RICKETTS) were added as cosponsors of S. 3109, a bill to require the Administrator of the Centers for Medicare & Medicaid Services and the Commissioner of Social Security to review and simplify the processes, procedures, forms, and communications for family caregivers to assist individuals in establishing eligibility for, enrolling in, and maintaining and utilizing coverage and benefits under the Medicare, Medicaid, CHIP, and Social Security programs respectively, and for other purposes.

S. 3457

At the request of Mr. CORNYN, the names of the Senator from Mississippi (Mrs. HYDE-SMITH) and the Senator from Arizona (Mr. KELLY) were added as cosponsors of S. 3457, a bill to promote fairness in the sale of event tickets.

S. 3682

At the request of Mr. CASSIDY, the name of the Senator from North Carolina (Mr. BUDD) was added as a cosponsor of S. 3682, a bill to amend the Employee Retirement Income Security Act of 1974 to clarify the obligation of the Pension Benefit Guarantee Corporation to reclaim any overpayment of special financial assistance payment under the American Rescue Plan Act of 2021, including amounts paid on behalf of a deceased participant or beneficiary, and for other purposes.

S. 3694

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 3694, a bill to amend the Marine Mammal Protection Act of 1972 and the Animal Welfare Act to prohibit the taking, importation, exportation, and breeding of certain cetaceans for public display, and for other purposes.

S. 3751

At the request of Mr. OSSOFF, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 3751, a bill to expand and modify the grant program of the Department of Veterans Affairs to provide innovative transportation options to veterans in highly rural areas, and for other purposes.

S.J. RES. 45

At the request of Mrs. SHAHEEN, the name of the Senator from California (Ms. BUTLER) was added as a cosponsor of S.J. Res. 45, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 450

At the request of Mr. MARKEY, the name of the Senator from California (Mr. PADILLA) was added as a cosponsor of S. Res. 450, a resolution expressing the sense of the Senate that paraprofessionals and education support staff should have fair compensation, benefits, and working conditions.

S. RES. 543

At the request of Mr. MARSHALL, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 543, a resolution to express the sense of the Senate regarding the constitutional right of State Governors to repel the dangerous ongoing invasion across the United States southern border.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Ms. CORTEZ MASTO, Mrs. CAPITO, and Mr. KAINE):

S. 3775. A bill to amend the Public Health Service Act to reauthorize the BOLD Infrastructure for Alzheimer's Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Madam President, I rise today to introduce legislation to reauthorize the Building Our Largest Dementia, BOLD, infrastructure for Alzheimer's Act, legislation I authored that was signed into law in 2018.

The Building Our Largest Dementia, BOLD, Infrastructure for Alzheimer's Reauthorization Act of 2024, which I am pleased to introduce today with my colleagues CATHERINE CORTEZ MASTO, SHELLEY MOORE CAPITO, and TIM KAINE, would continue our important work to create a public health infrastructure to combat Alzheimer's disease and preserve brain health.

Public health plays an important role in achieving population-level improvements, but for too long Alzheimer's and other dementias have been viewed as just a normal part of aging and not as the public health crisis it warrants. Through the BOLD Act, we started to change this narrative and for the first time put resources behind the interventions that can help improve the health and quality of life for people living with Alzheimer's, as well as reduce the costs associated with the disease.

Still, Alzheimer's disease remains one of the greatest public health threats of our time. Approximately 6.7 million Americans are living with the disease, and, barring any major breakthroughs to prevent, slow down, or cure Alzheimer's, that number is expected to more than double. In addition to the human suffering it causes, Alzheimer's is one of our Nation's most expensive diseases, costing an estimated $345 billion last year. In my home State of Maine, more than 29,000 seniors are living with the disease, and unfortunately that number is only increasing. In addition, more than 51,000 loved ones are providing care valued at nearly $1.9 billion. Every State across the country is experiencing a similar story, underscoring the need to invest in the development of a robust Alzheimer's public health infrastructure on a State, local, and Tribal level to combat this growing public health crisis.

Through coordinated Federal investments and a national strategy created by the National Alzheimer's Project Act I authored, we have accelerated our understanding of this complex disease and unlocked steps we can take to increase early detection and diagnosis, reduce risk, prevent avoidable hospitalizations, and support dementia caregivers. Groundbreaking research has also now led to a new age of treatment, with disease-modifying therapies now available to patients. These promising treatments could substantially change how the disease is perceived and managed, increasing the urgency to educate the public, and promote early diagnosis.

Now, after decades of increasing investments in biomedical research for Alzheimer's, we are nearing the next phase of effectively preventing, treating, and curing Alzheimer's—translating research into real-world interventions. The BOLD Infrastructure for Alzheimer's Act accelerated a multipronged public health approach for the prevention, treatment, and care of Alzheimer's and related dementias. The bill we are introducing today would reauthorize the BOLD Infrastructure for Alzheimer's Act for 5 years in order to ensure that these critical activities can continue to reach communities across the country.

Specifically, the BOLD Infrastructure for Alzheimer's Act directed CDC to establish Alzheimer's and Related Dementias Public Health Centers of Excellence, provide Federal funding to support State, local, and Tribal public health departments, and increase data analysis and timely reporting in order to inform interventions, research, and public policy.

The CDC's Centers of Excellence are now working to promote effective Alzheimer's disease management and caregiving interventions, as well as educating the public on Alzheimer's disease, cognitive decline, and brain health. Each center is focused on a key issue related to dementia—from risk reduction to early detection to

caregiving. The three current centers have established themselves as national resources and are supporting nationwide implementation of the actions outlined in the CDC's Healthy Brain Initiative's Road Map. This includes identifying, translating, and disseminating promising research findings and best practices for nationwide uptake. Our legislation would reauthorize the Alzheimer's Disease and Related Dementias Public Health Centers of Excellence and add a new focus on implementation science, which is essential to bridging the gap between research findings and practical application in real-world settings.

In addition, building upon the CDC's Healthy Brain Initiative and its Public Health Road Map, the BOLD Infrastructure for Alzheimer's Act has provided public health departments with the funding and support necessary to implement effective Alzheimer's interventions in communities across the country, including a focus on reducing the risk of dementia, increasing early detection and diagnosis, and supporting caregivers. Forty-three public health departments across the United States are now promoting a strong public health approach to Alzheimer's disease and related dementia with the support of BOLD awards.

In September 2020, the Maine Department of Health and Human Services received one of the first BOLD Program Awards. This investment has allowed for the implementation of the Maine State Plan for Alzheimer's Disease and Related Dementias, as well as advancements in Maine's public awareness of brain health, early detection and diagnosis of Alzheimer's disease, and access to care and support. Maine's Department of Health and Human Services has even been able to publish county-specific data on cognitive decline to better understand risk factors and prevention across the State. In addition, the Bangor Public Health & Community Services Department and partners have educated its employees on how to respond to the Alzheimer's public health crisis, emphasizing early detection and diagnosis and brain health. Efforts such as these play a key role in bringing awareness to and ultimately reducing the growing prevalence of dementia in the State.

In September 2023, Maine received a second BOLD award from the CDC for Alzheimer's prevention programs. This implementation funding will allow Maine to build on its initial investments and carry out the Maine Alzheimer's Prevention Program and the CDC's Healthy Brain Initiative Road Map.

There continues to be an urgent need to translate what science tells us about the opportunity to reduce risk, delay onset, and ultimately reduce prevalence into effective public health practice. However, unless Congress acts to reauthorize these effective programs, BOLD programming is set to expire on September 30. The BOLD Infrastructure for Alzheimer's Reauthorization Act would continue our investment in a nationwide Alzheimer's public health response so that States, including Maine, can sustain the critical work being done in communities across the country and ensure this work has a real-world impact in the years ahead.

As founder and cochair of the Congressional Task Force on Alzheimer's Disease, the fight against Alzheimer's for me is both personal and a matter of crafting effective public policy. Virtually every family in the country has been touched by this disease, and I know the gravity of this disease firsthand as I lost my father, grandfather, and two uncles to Alzheimer's. I remain committed to advancing research, care, and support for individuals and families living with this devastating disease. Reauthorization of the BOLD Infrastructure for Alzheimer's Act will ensure communities across the country have access to resources to promote effective Alzheimer's interventions and better cognitive health that can lead to improved health outcomes.

This bipartisan legislation is endorsed by the Alzheimer's Association, the Alzheimer's Impact Movement, and UsAgainstAlzheimer's. I urge my colleagues to support this critical legislation.

By Mr. REED (for himself, Mr. BROWN, Ms. SMITH, Mr. WYDEN, and Mr. MERKLEY):

S. 3784. A bill to provide requirements for the bulk auction or group sale of certain non-performing loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Madam President, today I am reintroducing the Preserving Homes and Communities Act with Senators BROWN, WYDEN, SMITH, and MERKLEY. This legislation would reform Federal Housing Administration, FHA, Fannie Mae, and Freddie Mac note sale programs to protect homeowners from foreclosure and keep properties in the hands of families and local civic institutions.

FHA, Fannie Mae, and Freddie Mac began selling nonperforming and reperforming loans after the great recession to strengthen their balance sheets. These transactions, known as note sales, transfer mortgage ownership to bulk purchasers, including private equity firms and institutional investors. The sale of nonperforming and reperforming loans may reduce financial risk for FHA, Fannie Mae, and Freddie Mac and help purchasers turn a profit, but they often directly harm homeowners by taking homes from families and moving properties into the single-family rental market.

Loans insured by FHA or securitized by Fannie Mae or Freddie Mac have strong foreclosure protections for borrowers. Companies that service these mortgages must offer specific loss mitigation options to eligible borrowers before they can begin foreclosure proceedings, which helps many borrowers avoid foreclosure and catch up on their payments. But while these foreclosure protections are effective, they are drastically reduced when a mortgage is included in a note sale.

Unfortunately, the lack of robust, required protections after a note sale has very real consequences for homeowners. Over 80 percent of homeowners whose nonperforming loans were sold by FHA ultimately lost their homes after their new servicers reached a final loan resolution, and the U.S. Government Accountability Office has found that nonperforming loans sold by FHA are more likely to face foreclosure than comparable loans that FHA keeps on its own balance sheet. The majority of homeowners with nonperforming loans sold by Fannie Mae and Freddie Mac have also lost their homes after servicers reached a final resolution. It is abundantly clear that note sales do not help most borrowers remain in their homes.

Making matters worse, note sale purchasers are predominately private equity firms and institutional investors, which often move foreclosed properties out of the owner-occupied market. Indeed, approximately one-third of properties foreclosed upon or voluntarily turned over to a lender after a Fannie Mae or Freddie Mac nonperforming loan note sale are sold to an investor, held by the purchaser for rental, or become real estate owned. In other words, one-third of these homes may be taken out of the owner-occupied market, reducing home ownership opportunities for families and shifting property ownership to large corporations that often drive up rents.

The Preserving Homes and Communities Act tackles these problems. It would protect homeowners by, one, requiring mortgage servicers complete Agency-required loss mitigation actions before FHA, Fannie Mae, or Freddie Mac can sell a nonperforming mortgage, and two, by improving loss mitigation protections for these mortgages after purchasers acquire them. It would similarly protect communities by giving local entities with public missions, including States, municipalities, and nonprofits, the first opportunity to purchase nonperforming and reperforming mortgages—ahead of private equity and institutional investors—while requiring purchasers that foreclose on nonperforming note sale properties to prioritize owner-occupants and low- and moderate-income households when selling or renting these homes. In sum, our legislation seeks to keep homeowners in their homes, support home ownership opportunities, and preserve the supply of available and affordable homes for families.

I thank the National Consumer Law Center, on behalf of its low-income clients, and the National Community Stabilization Trust for their support. I urge my colleagues to cosponsor this legislation and support its passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 545—RECOGNIZING THE IMPORTANCE OF TRILATERAL COOPERATION AMONG THE UNITED STATES, JAPAN, AND SOUTH KOREA

Mr. SULLIVAN (for himself, Mr. VAN HOLLEN, Mrs. SHAHEEN, Mr. MERKLEY, Mr. HAGERTY, Mr. CORNYN, Mr. YOUNG, and Ms. DUCKWORTH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 545

Whereas, in 2023, South Korea and Japan restarted bilateral summitry for the first time since 2019 with President Yoon Suk Yeol and Prime Minister Kishida Fumio meeting seven times;

Whereas the two sides have made efforts to address longstanding historical grievances, including the issue of South Koreans forced to work for Japanese companies during World War II;

Whereas the Governments of Japan and South Korea restored normal economic ties, which had been strained since 2019, by reinstating each other on their respective ''white lists'' of preferential trade partners, with Japan lifting export controls on South Korea related to three materials needed to produce semiconductors and South Korea dropping its case before the World Trade Organization related to those export controls;

Whereas the United States, Japan, and South Korea have restarted trilateral summitry, holding five trilateral meetings among President Biden, Prime Minister Kishida, and President Yoon since June 2022;

Whereas, on August 18, 2023, the United States, Japan, and South Korea held the first standalone trilateral leaders summit at Camp David;

Whereas the three allies issued a trilateral commitment to consult with one another trilaterally ''in an expeditious manner to coordinate our responses to regional challenges, provocations, and threats affecting our collective interests and security'';

Whereas the three allies improved deterrence and defense capabilities against the growing security threat posed by North Korea by resuming military exercises in 2022;

Whereas the United States, Japan, and South Korea expanded and developed a multi-year schedule for trilateral military exercises and conducted the first United States-Japan-South Korea aerial exercise in October 2023;

Whereas the three allies have activated a 2022 agreement to exchange real-time missile warning data focused on North Korean missile launches;

Whereas, in December 2022, South Korea and Japan published national security documents that closely mirrored those of the United States, setting the stage for greater policy alignment and cooperation in the Indo-Pacific;

Whereas the three allies announced plans for expanded and more regular summits, including agreeing to hold annual trilateral summit meetings, agreeing to hold annual trilateral meetings among cabinet-level officials, specifically the three countries' foreign ministers, defense ministers, commerce and industry ministers, and national security advisors, and agreeing to hold the first trilateral meeting among finance ministers;

Whereas the three allies announced a trilateral initiative to synchronize their efforts to build the maritime capabilities of Southeast Asian and Pacific Island countries;

Whereas South Korea and Japan have resumed cabinet- and subcabinet-level bilateral consultations, including holding a Security Dialogue and a Strategic Dialogue;

Whereas the Governments of Japan and South Korea announced a new bilateral science and technology cooperative arrangement, including a hydrogen and ammonia global value chain initiative, which includes raising funds for joint projects, and a quantum technology research and development initiative between the two countries' government-affiliated research institutes;

Whereas South Korea and Japan cooperated to evacuate Japanese and South Korean nationals from Sudan after the eruption of civil conflict in April 2023 and from Israel after Hamas' attack in October 2023;

Whereas South Korea arranged for the experts dispatched to the Fukushima Daiichi Nuclear Power Station to monitor TEPCO's release of treated water into the Pacific Ocean;

Whereas, in December 2023, the United States, Japan, and South Korea held the inaugural meeting of the trilateral Working Group on DPRK Cyber Activities;

Whereas the three allies have held trilateral dialogues on space security (November 2023) and Indo-Pacific policies (January 2024); and

Whereas the United States, Japan, and South Korea announced trilateral economic and technology cooperation initiatives, including a supply chain early warning system pilot program, a partnership program among the three countries' national laboratories: Now, therefore, be it

Resolved, That the Senate—

(1) commends the extraordinary leadership of President of South Korea Yoon Suk Yeol and Prime Minister of Japan Kishida Fumio in taking initiative to repair relations between their two countries;

(2) acknowledges that strengthening relations between Japan and South Korea has enabled greater ambition in trilateral cooperation involving the United States;

(3) encourages ever greater cooperation between South Korea and Japan and trilateral cooperation across diplomatic, economic, security, and informational domains;

(4) welcomes ever greater levels of trilateral strategic coordination among the United States, Japan, and South Korea as a stabilizing influence on the Western Pacific region and global order more broadly;

(5) celebrates the shared democratic, liberal values that are the bedrock of the enduring ties among the United States, Japan, and South Korea; and

(6) recognizes the critical importance to the interests of the United States and the peace and security of the Western Pacific of United States treaty alliances with South Korea and Japan.

SENATE RESOLUTION 546—DESIGNATING FEBRUARY 2024 AS ''HAWAIIAN LANGUAGE MONTH'' OR ''ʻŌLELO HAWAIʻI MONTH''

Mr. SCHATZ (for himself and Ms. HIRONO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 546

Whereas the Hawaiian language, or ʻŌlelo Hawaiʻi—

(1) is the Native language of Native Hawaiians, the aboriginal, Indigenous people who—

(A) settled the Hawaiian archipelago as early as 300 A.D., over which they exercised sovereignty; and

(B) over time, founded the Kingdom of Hawaiʻi; and

(2) was once widely spoken by Native Hawaiians and non-Native Hawaiians throughout the Kingdom of Hawaiʻi, which held one of the highest literacy rates in the world prior to the illegal overthrow of the Kingdom of Hawaiʻi in 1893 and the establishment of the Republic of Hawaiʻi;

Whereas the Republic of Hawaiʻi enacted a law in 1896 effectively banning school instruction in ʻŌlelo Hawaiʻi, which led to the near extinction of the language by the 1980s when fewer than 50 fluent speakers under 18 years old remained;

Whereas, since the 1960s, Native Hawaiians have led a grassroots revitalization of their Native language, launching a number of historic initiatives, including—

(1) ʻAha Pūnana Leo's Hawaiian language immersion preschools;

(2) the Hawaiian language immersion program of the Hawaiʻi State Department of Education; and

(3) the Hawaiian language programs of the University of Hawaiʻi system;

Whereas the Hawaiian language revitalization movement inspired systemic Native language policy reform, including—

(1) the State of Hawaiʻi recognizing ʻŌlelo Hawaiʻi as an official language in the Constitution of the State of Hawaiʻi in 1978;

(2) the State of Hawaiʻi removing the 90-year ban on teaching ʻŌlelo Hawaiʻi in public and private schools in 1986;

(3) the enactment of the Native American Languages Act (25 U.S.C. 2901 et seq.) in 1990, which established the policy of the United States to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages; and

(4) the State of Hawaiʻi designating the month of February as ''ʻŌlelo Hawaiʻi Month'' to celebrate and encourage the use of the Hawaiian language; and

Whereas the enactment of the Native American Language Resource Center Act of 2022 (20 U.S.C. 6301 note; Public Law 117–335) in 2023—

(1) reconfirmed a Federal commitment to revitalizing Indigenous languages, including the Hawaiian language; and

(2) resulted in the Department of Education awarding the University of Hawaiʻi at Hilo a 5-year grant to establish the first National Native American Language Resource Center: Now, therefore, be it

Resolved, That the Senate—

(1) designates February 2024 as ''Hawaiian Language Month'' or ''ʻŌlelo Hawaiʻi Month'';

(2) commits to preserving, protecting, and promoting the use, practice, and development of ʻŌlelo Hawaiʻi in alignment with the Native American Languages Act (25 U.S.C. 2901 et seq.); and

(3) urges the people of the United States and interested groups to celebrate ʻŌlelo Hawaiʻi Month with appropriate activities and programs to demonstrate support for ʻŌlelo Hawaiʻi.

SENATE RESOLUTION 547—ACKNOWLEDGING THE TWO-YEAR ANNIVERSARY OF RUSSIA'S FURTHER INVASION OF UKRAINE AND EXPRESSING SUPPORT FOR THE PEOPLE OF UKRAINE

Mrs. SHAHEEN (for herself, Mr. TILLIS, Mr. DURBIN, Mr. RICKETTS, Mr. BLUMENTHAL, Mr. KAINE, Mr. HICKENLOOPER, Mr. COONS, Mr. CASEY, Mrs. GILLIBRAND, Mr. MANCHIN, Ms. DUCKWORTH, Ms. SINEMA, Mr. WELCH, Mr. WHITEHOUSE, Mr. BENNET, Mr.

KELLY, Mr. WARNOCK, Mr. FETTERMAN, Ms. HASSAN, Mr. MERKLEY, Ms. SMITH, Mr. WYDEN, Mr. PADILLA, Mr. PETERS, Mr. REED, Mr. CARPER, Mrs. MURRAY, Ms. CORTEZ MASTO, Mr. BROWN, Mr. SANDERS, Mr. TESTER, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 547

Whereas on February 24, 2022, Russia launched a full-scale, unprovoked, and illegal invasion of Ukraine, which followed Russia's illegal annexation of Crimea in 2014;

Whereas the United States assessed that Russia's goal for such invasion was to overthrow Ukraine's democratically-elected government and install a puppet regime;

Whereas the international community recognizes the full territorial integrity of Ukraine;

Whereas, since February 24, 2022, the Ukrainian armed forces and the people of Ukraine have marshalled a determined resistance that has prevented Russia from taking control of their country;

Whereas more than 8,000,000 Ukrainian refugees have been forced to flee their homes as a result of Russia's further invasion of Ukraine;

Whereas in April 2022, evidence revealed that Russian forces had committed mass murder of more than 400 Ukrainian civilians and prisoners of war in Bucha, Ukraine;

Whereas in May 2022, Russian forces completed a siege of the Ukrainian city of Mariupol, during which an estimated 25,000 Ukrainians were killed amid horrific humanitarian conditions, including the destruction of health and sanitary infrastructure;

Whereas evidence from cities attacked by Russian forces, including Bucha and Mariupol, confirm that Russian forces have employed rape as a weapon of war;

Whereas in addition to war crimes, Russia has committed genocide in Ukraine;

Whereas Russia had established filtration camps before the February 24, 2022 further invasion, through which more than 1,000,000 Ukrainians, including 200,000 children, have been registered, interrogated, and forcibly relocated to Russia as part of a widespread Russification campaign;

Whereas Vladimir Putin and the Kremlin have engaged in anti-Semitic propaganda, including calling for the de-Nazification of Ukraine;

Whereas almost all independent media outlets have been banned, blocked, or listed as ''foreign agents'' in Russia since the February 24, 2022 further invasion;

Whereas, in September 2022, Russia announced the illegal annexation of 4 Ukrainian regions, including the Luhansk and Donetsk Oblasts in the Donbas region;

Whereas Ukraine has launched successful counteroffensives to push back Russian forces, including in the cities of Kherson and Kharkiv;

Whereas hundreds of Russian missile attacks have intentionally targeted Ukrainian critical infrastructure, including energy infrastructure, and civilian population centers;

Whereas Iran has supplied Russia with drones, some of which have been used in strikes against critical Ukrainian infrastructure;

Whereas Russia has used energy as a weapon of war, including by manipulating oil and natural gas exports to Europe;

Whereas Russia has sought to interrupt global food supply chains by blocking Ukrainian grain exports at Ukrainian ports;

Whereas global food and gas prices have risen as a direct result of Russia's further invasion of Ukraine;

Whereas the Lukashenka regime in Belarus has supported Russia's further invasion of Ukraine and allowed Russia to use Belarusian territory as a staging ground for the invasion of Ukraine;

Whereas the Lukashenka regime has supported the illegal filtration of Ukrainians in Belarus;

Whereas in July 2023, Ukraine was reported to have more landmines than any other country in the world, with Russian forces using at least 13 different types of anti-personnel mines that do not distinguish between military and civilian targets;

Whereas Russia unilaterally withdrew from the Initiative on the Safe Transportation of Grain and Foodstuffs from Ukrainian ports, done at Istanbul July 22, 2022 (commonly known as the ''Black Sea Grain Initiative''), which had previously enabled the export of grain from Ukraine to keep global food prices stable, which has resulted in higher global food prices and the blocking of Ukrainian grain exports, which is a key component of Ukraine's economy;

Whereas Russia and Belarus have arrested peaceful protestors aligned with anti-war, pro-democracy movements in those countries that arose in response to Russia's further invasion;

Whereas on December 29, 2023, Russia launched its largest air attack against Ukraine since the start of the full-scale invasion, which killed 31 people;

Whereas the United States and its transatlantic allies have stood with Ukraine by supplying military and humanitarian aid and levying sanctions to respond to Russia's aggression and to defund Russia's war machine;

Whereas the North Atlantic Treaty Organization (NATO) has played a significant role in supporting Ukraine, including by bolstering NATO defenses, granting Finland's accession to NATO and formally inviting Sweden to join NATO;

Whereas support for Ukraine has resulted in the reinvestment of millions of dollars into the United States defense industrial base, which has bolstered local economies and provided good-paying jobs for American families; and

Whereas Ukraine continues to resist Russia's illegal and unprovoked further invasion in defense of its sovereignty and democracy: Now, therefore, be it

Resolved, That the Senate—

(1) expresses condolences to the people of Ukraine for the loss of hundreds of thousands of Ukrainian people since Russia's further invasion began on February 24, 2022;

(2) reaffirms the support of the United States for the full territorial integrity of Ukraine;

(3) continues to acknowledge that a sovereign Ukraine is necessary for peace and stability in Europe and around the world;

(4) commends NATO and the international community, including the United Nations, for their continued efforts to support human rights, peace, and democracy in Ukraine; and

(5) encourages the United States and the transatlantic community to continue to stand up to Russia's illegal and unprovoked war in Ukraine and counter Russian aggression worldwide.

SENATE RESOLUTION 548—DESIGNATING THE WEEK OF FEBRUARY 5 THROUGH 9, 2024, AS ''NATIONAL SCHOOL COUNSELING WEEK''

Mrs. MURRAY (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. BROWN, Ms. DUCKWORTH, Mr. DURBIN, Ms. HASSAN, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. MERKLEY, Mr. PADILLA, Mr. SANDERS, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Mr. WELCH, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 548

Whereas school counselors are more important now than ever, as the COVID–19 pandemic has magnified the mental health crisis among the youth of the United States;

Whereas the American School Counselor Association has designated February 5 through 9, 2024, as ''National School Counseling Week'';

Whereas school counselors have long advocated for all students;

Whereas school counselors help develop well-rounded students by guiding students through academic learning, social and emotional development, and career exploration;

Whereas personal and social growth can help lead to increased academic achievement;

Whereas school counselors play a vital role in ensuring that students are ready for both college and careers;

Whereas school counselors play a vital role in making students aware of opportunities for financial aid and college scholarships;

Whereas school counselors assist with and coordinate efforts to foster a positive school climate, resulting in a safer learning environment for all students;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with personal trauma as well as tragedies in their communities and the United States;

Whereas students face myriad challenges every day, including peer pressure, bullying, mental health issues, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas a school counselor is one of the few professionals in a school building who is trained in both education and social and emotional development;

Whereas the roles and responsibilities of school counselors are often misunderstood;

Whereas the school counselor position is often among the first to be eliminated to meet budgetary constraints;

Whereas the national average ratio of students to school counselors is 408 to 1, almost twice the 250 to 1 ratio recommended by the American School Counselor Association, the National Association for College Admission Counseling, and other organizations; and

Whereas the celebration of National School Counseling Week will increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 5 through 9, 2024, as ''National School Counseling Week''; and

(2) encourages the people of the United States to observe National School Counseling Week with appropriate ceremonies and activities that promote awareness of the role school counselors play in schools and the community at large in preparing students for fulfilling lives as contributing members of society.

SENATE RESOLUTION 549—EXPRESSING SUPPORT FOR THE DESIGNATION OF FEBRUARY 17 THROUGH FEBRUARY 24, 2024, AS ''NATIONAL FFA WEEK'' , RECOGNIZING THE IMPORTANT ROLE OF THE NATIONAL FFA ORGANIZATION IN DEVELOPING THE NEXT GENERATION OF GLOBALLY CONSCIOUS LEADERS WHO WILL CHANGE THE WORLD, AND CELEBRATING THE 10TH ANNIVERSARY OF THE ''GIVE THE GIFT OF BLUE'' PROGRAM, WHICH HAS DONATED MORE THAN 17,000 OF THE ICONIC FFA BLUE JACKETS TO FFA MEMBERS IN NEED

Mr. YOUNG (for himself, Mr. COONS, Mr. BOOKER, Mr. BLUMENTHAL, Ms. BUTLER, Mr. CARPER, Ms. CORTEZ MASTO, Mr. DURBIN, Ms. HASSAN, Mr. HICKENLOOPER, Mr. KAINE, Mr. KELLY, Mr. KING, Ms. KLOBUCHAR, Mr. LUJÁN, Mr. MERKLEY, Mr. OSSOFF, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. WARNOCK, Mr. GRASSLEY, Ms. LUMMIS, Mr. DAINES, Mr. MARSHALL, Mr. RISCH, Mr. TILLIS, Mr. HAGERTY, Mr. COTTON, Mr. BARRASSO, Mrs. BLACKBURN, Mr. CRAPO, Mrs. CAPITO, Mr. BOOZMAN, Mr. CRAMER, Mr. GRAHAM, Mr. THUNE, Mr. MCCONNELL, Mr. RICKETTS, Mr. HOEVEN, Mr. SCHMITT, Mr. MULLIN, Mr. KENNEDY, Mr. BRAUN, Ms. ERNST, Ms. COLLINS, Mrs. BRITT, Mrs. HYDE-SMITH, Mr. CORNYN, Mr. LANKFORD, Mr. WICKER, Mr. SCOTT of Florida, Ms. DUCKWORTH, Mrs. SHAHEEN, Mr. CRUZ, and Mr. SCOTT of South Carolina) submitted the following resolution; which was considered and agreed to:

S. RES. 549

Whereas the National FFA Organization (referred to in this preamble as the ''FFA'') was established in 1928;

Whereas the mission of the FFA is to make a positive difference in the lives of students by developing their potential for premier leadership, personal growth, and career success through agricultural education;

Whereas the FFA has more than 945,000 members in 9,163 chapters in all 50 States, the Commonwealth of Puerto Rico, the United States Virgin Islands, and the District of Columbia;

Whereas the FFA welcomes all students;

Whereas more than 13,000 FFA advisors and agricultural education teachers deliver an integrated model of agricultural education, providing students with an innovative and cutting-edge education;

Whereas the FFA facilitates formative experiences, altering the course of students' lives for the better;

Whereas FFA members develop the necessary career-readiness skills to continue their education in college or to enter the workforce immediately;

Whereas the FFA prepares members to be globally conscious citizens of their community, their State, their country, and the world;

Whereas the FFA provides opportunities to demonstrate literacy, advocacy, and technical skills in agriculture, food, and natural resources;

Whereas the blue jacket originated in 1933 in Fredericktown, Ohio and was created by the Universal Uniform Company;

Whereas the blue jacket debuted at the 1933 National FFA Convention and was so popular the convention's official delegates made the blue jacket part of the official FFA attire;

Whereas 17,000 FFA blue jackets have been given to FFA members in need since 2014; and

Whereas members of the FFA will celebrate ''National FFA Week'' during the week of February 17 through February 24, 2024: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of February 17 through February 24, 2024, as ''National FFA Week'';

(2) recognizes the important role of the National FFA Organization (referred to in this resolution as the ''FFA'') in developing the next generation of globally conscious leaders who will change the world; and

(3) celebrates the 10th anniversary of the ''Give the Gift of Blue'' program, which has donated more than 17,000 of the iconic FFA blue jackets to FFA members in need.

SENATE RESOLUTION 550—SUPPORTING THE GOALS AND IDEALS OF ''CAREER AND TECHNICAL EDUCATION MONTH''

Mr. KAINE (for himself, Mr. YOUNG, Ms. BALDWIN, Mr. BUDD, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. BRITT, Mr. BROWN, Ms. CANTWELL, Mrs. CAPITO, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Ms. CORTEZ MASTO, Mr. CRAMER, Mr. CRAPO, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Mr. FETTERMAN, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARSHALL, Mr. MERKLEY, Mrs. MURRAY, Mr. PADILLA, Mr. PETERS, Mr. REED, Mr. RISCH, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. SMITH, Mr. THUNE, Mr. TILLIS, Mr. VAN HOLLEN, Mr. WARNER, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, Mrs. HYDE-SMITH, Mr. BENNET, Mr. BRAUN, and Ms. ERNST) submitted the following resolution; which was considered and agreed to:

S. RES. 550

Whereas a competitive global economy requires workers who are prepared for skilled professions;

Whereas not fewer than 17,000,000 new workers will be needed to support the infrastructure sector of the United States through 2031, including to design, build, and operate transportation, housing, utilities, and telecommunications;

Whereas advancements in technology have fundamentally changed critical economic sectors of the United States and the global economy, creating significant, new demand for high-wage, high-quality, and efficient education and training opportunities;

Whereas career and technical education (referred to in this preamble as ''CTE'') ensures that a competitive and skilled workforce is ready, willing, and capable of holding jobs in high-wage, high-skill, and in-demand career fields;

Whereas CTE helps the United States meet the very real and immediate challenges of economic development, student achievement, and global competitiveness;

Whereas, in the United States, it is forecast that nearly ⅓ of all jobs will require some level of postsecondary education, but less than a bachelor's degree, by 2031;

Whereas 11,500,000 students are enrolled in CTE programs across the United States at the secondary and postsecondary levels, with CTE programs in thousands of comprehensive high schools, area technical centers, and career academies and in over 1,000 two-year colleges;

Whereas CTE aligns with labor market demand and provides students with employability skills and relevant academic and technical coursework leading to credentials of value for secondary and postsecondary education levels and adult learners;

Whereas CTE affords students the opportunity to cultivate the knowledge and skills to earn the credentials needed to secure careers in growing, high-demand fields;

Whereas secondary CTE is associated with a lower probability of dropping out of high school and a higher likelihood of graduating high school on time;

Whereas, according to a recent national survey conducted by the Hunt Institute and Lake Research Partners, 94 percent of parents and voters favor increased opportunities for students to access workforce training and related opportunities to cultivate skills needed for a career;

Whereas students at schools with highly integrated, rigorous academics and CTE programs are significantly more likely to meet college and career readiness benchmarks than students at schools with less integrated programs;

Whereas, in 2018, Congress affirmed the importance of CTE by passing the Strengthening Career and Technical Education for the 21st Century Act (Public Law 115–224; 132 Stat. 1563), which supports investment and improvement in secondary and postsecondary CTE programs in all 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, and outlying areas; and

Whereas February 23, 2024, marks the 107th anniversary of the signing of the Act of February 23, 1917 (39 Stat. 929, chapter 114, commonly known as the ''Smith-Hughes Vocational Education Act of 1917''), which was the first major Federal investment in secondary CTE and laid the foundation for the bipartisan, bicameral support for CTE that continues as of February 2024: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of February 2024 as ''Career and Technical Education Month'' to celebrate career and technical education across the United States;

(2) supports the goals and ideals of Career and Technical Education Month;

(3) recognizes the importance of career and technical education in preparing a well-educated and skilled workforce in the United States; and

(4) encourages educators, school counselors, guidance and career development professionals, administrators, and parents to promote career and technical education as a respected educational pathway for students.

SENATE RESOLUTION 551—CELEBRATING BLACK HISTORY MONTH

Mr. BOOKER (for himself, Mr. SCOTT of South Carolina, Mr. WARNOCK, Ms. BUTLER, Mrs. HYDE-SMITH, Ms. CORTEZ MASTO, Mr. RISCH, Mr. CARPER, Mr. CRAMER, Mr. SCHATZ, Mr. MORAN, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. CARDIN, Mr. SCOTT of Florida, Mr. KAINE, Mr. CRAPO, Mr. PADILLA, Mr. SULLIVAN, Ms. KLOBUCHAR, Mr. RUBIO, Mr. REED, Mr. COONS, Mr. CASEY, Mr. MERKLEY, Mr. DURBIN, Mr. FETTERMAN, Mr. SANDERS,

Ms. HASSAN, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Ms. WARREN, Ms. BALDWIN, Ms. ROSEN, Ms. STABENOW, Mr. KING, Ms. CANTWELL, Ms. HIRONO, Mr. HEINRICH, Ms. SMITH, Mr. OSSOFF, Mr. KELLY, Mrs. MURRAY, Mr. WYDEN, Mrs. SHAHEEN, Mr. WARNER, Mr. MURPHY, Mr. LUJÁN, Mr. MARKEY, Mr. WELCH, Mr. WICKER, Mr. CORNYN, Ms. DUCKWORTH, Mr. HICKENLOOPER, Mr. PETERS, Mrs. BRITT, and Mr. BROWN) submitted the following resolution; which was considered and agreed to:

S. RES. 551

Whereas, in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that ''all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness'';

Whereas Africans were first brought involuntarily to the shores of the United States as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas, in 2024, the vestiges of those injustices and inequalities remain evident in the society of the United States;

Whereas, in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Maya Angelou, Arthur Ashe, Jr., James Baldwin, James Beckwourth, Clara Brown, Blanche Bruce, Ralph Bunche, Shirley Chisholm, Holt Collier, Miles Davis, Louis Armstrong, Larry Doby, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Aretha Franklin, Alex Haley, Dorothy Height, Jon Hendricks, Olivia Hooker, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Stephanie Tubbs Jones, B.B. King, Martin Luther King, Jr., Coretta Scott King, Thurgood Marshall, Constance Baker Motley, Rosa Parks, Walter Payton, Bill Pickett, Homer Plessy, Bass Reeves, Hiram Revels, Amelia Platts Boynton Robinson, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Booker T. Washington, the Greensboro Four, the Tuskegee Airmen, Prince Rogers Nelson, Recy Taylor, Fred Shuttlesworth, Duke Ellington, Langston Hughes, Muhammad Ali, Elijah Cummings, Ella Fitzgerald, Mamie Till, Toni Morrison, Gwen Ifill, Diahann Carroll, Chadwick Boseman, John Lewis, Katherine Johnson, Rev. C.T. Vivian, Hank Aaron, Edith Savage-Jennings, Septima Clark, Mary Mcleod Bethune, Cicely Tyson, John Hope Franklin, Colin Powell, bell hooks, Bob Moses, Sidney Poitier, Bill Russell, and Chief Justice of South Carolina Ernest Finney, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancement of the United States;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition those individuals deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of business, government, and the military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the ''Father of Black History'', to enhance knowledge of Black history through The Journal of Negro History, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, originated in 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievements of Black people in the United States;

Whereas Dr. Carter G. Woodson stated, ''We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.' '';

Whereas, since its founding, the United States has imperfectly progressed toward noble goals;

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to try again;

Whereas, on November 4, 2008, the people of the United States elected Barack Obama, an African-American man, as President of the United States; and

Whereas, on February 22, 2012, people across the United States celebrated the groundbreaking of the National Museum of African American History and Culture, which opened to the public on September 24, 2016, on the National Mall in Washington, District of Columbia: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided country, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as a nation ''indivisible, with liberty and justice for all.''.

SENATE RESOLUTION 552—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN PEOPLE OF THE STATE OF MICHIGAN V. BERDEN, ET AL

Mr. SCHUMER (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 552

Whereas, in the case of *People of the State of Michigan v. Berden, et al.*, Case Nos. 23–02209–FY *et seq.*, pending in the 54–A District Court in the City of Lansing, Michigan, the prosecution has requested the production of testimony from Daniel Schwager, a former employee of the Office of the Secretary of the Senate;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former officers and employees of the Senate with respect to any subpoena, order, or request for evidence relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Daniel Schwager, a former employee of the Office of the Secretary of the Senate, is authorized to provide relevant testimony in the case of *People of the State of Michigan v. Berden, et al.*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Mr. Schwager, and any current or former or employee of the Secretary's office, in connection with the production of evidence authorized in section one of this resolution.

SENATE RESOLUTION 553—HONORING THE LIFE OF JEAN A. CARNAHAN, FORMER SENATOR FOR THE STATE OF MISSOURI

Mr. HAWLEY (for himself, Mr. SCHMITT, Mr. SCHUMER, Mr. MCCONNELL, Ms. BALDWIN, Mr. BARRASSO, Mr. BENNET, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BOOZMAN, Mr. BRAUN, Mrs. BRITT, Mr. BROWN, Mr. BUDD, Ms. BUTLER, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORNYN, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAMER, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Ms. DUCKWORTH, Mr. DURBIN, Ms. ERNST, Mr. FETTERMAN, Mrs. FISCHER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. HAGERTY, Ms. HASSAN, Mr. HEINRICH, Mr. HICKENLOOPER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. JOHNSON, Mr. KAINE, Mr. KELLY, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEE, Mr. LUJÁN, Ms. LUMMIS, Mr. MANCHIN, Mr. MARKEY,

Mr. MARSHALL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Mr. MULLIN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. OSSOFF, Mr. PADILLA, Mr. PAUL, Mr. PETERS, Mr. REED, Mr. RICKETTS, Mr. RISCH, Mr. ROMNEY, Ms. ROSEN, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. SHAHEEN, Ms. SINEMA, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TUBERVILLE, Mr. VAN HOLLEN, Mr. VANCE, Mr. WARNER, Mr. WARNOCK, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 553

Whereas, on December 20, 1933, Jean A. Carnahan was born in Washington, D.C.;

Whereas, from 1993 to 2000, Jean A. Carnahan served as First Lady of Missouri when her husband, Mel Carnahan, was elected as Governor of the State of Missouri;

Whereas, in 2000, Jean A. Carnahan was appointed to the Senate after her husband, Mel Carnahan, was tragically killed in a plane crash during his campaign bid for Senate;

Whereas, from 2001 to 2002, Jean A. Carnahan became the first woman to represent the State of Missouri in the Senate;

Whereas Jean A. Carnahan, during her tenures as First Lady of Missouri and as a Senator, was a dedicated public servant who proudly represented the people of the State of Missouri;

Whereas Jean A. Carnahan was a strong advocate for children, working families, seniors, and veterans, and continued her advocacy after she left the Senate;

Whereas Jean A. Carnahan authored 8 books, including 2 historical works on the Governor's Mansion in Missouri;

Whereas Jean A. Carnahan was preceded in death by her husband, Mel Carnahan, and their son, Roger; and

Whereas Jean A. Carnahan is survived by 2 sons, Russ and Tom, a daughter, Robin, and 5 grandchildren: Now, therefore, be it

Resolved, That the Senate—

(1) has heard with profound sorrow and deep regret the announcement of the death of Jean A. Carnahan, former member of the Senate;

(2) directs the Secretary of the Senate to communicate this resolution to the House of Representatives and transmit an enrolled copy of this resolution to the family of Jean A. Carnahan; and

(3) stands adjourned, as a further mark of respect to the memory of the late Jean A. Carnahan, when the Senate adjourns today.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1393. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table.

SA 1394. Mr. KAINE (for himself, Mr. HEINRICH, Mr. VAN HOLLEN, Mr. MERKLEY, Ms. WARREN, Mr. WELCH, Mr. LUJÁN, Mr. DURBIN, Mr. SCHATZ, Mr. MURPHY, Mr. WARNOCK, Mr. CARPER, Mrs. SHAHEEN, Mr. REED, Ms. BUTLER, Mr. SANDERS, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. BENNET, Ms. BALDWIN, Mr. OSSOFF, Mr. BOOKER, Ms. DUCKWORTH, Mr. MARKEY, Ms. SMITH, Mr. CARDIN, Mr. WARNER, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1395. Mr. SCHATZ (for himself, Mr. SCHUMER, Mr. VAN HOLLEN, Mr. CARPER, Mrs. MURRAY, Mr. CARDIN, Mr. WYDEN, Ms. HIRONO, Mr. MERKLEY, Ms. SMITH, Mr. MURPHY, Mr. WELCH, Mr. DURBIN, Ms. STABENOW, Ms. KLOBUCHAR, Mr. PETERS, Mr. REED, Mr. WARNER, Ms. CANTWELL, Mr. TESTER, Mr. CASEY, Mr. COONS, Mr. MENENDEZ, Mr. BROWN, Mr. SANDERS, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. BOOKER, Ms. BALDWIN, Ms. WARREN, Mr. KAINE, Ms. BUTLER, Ms. ROSEN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. HEINRICH, Mr. LUJÁN, Mr. KELLY, Mr. KING, Mr. WARNOCK, Ms. SINEMA, Mrs. GILLIBRAND, Ms. CORTEZ MASTO, Mr. BENNET, Mr. PADILLA, Ms. DUCKWORTH, Mr. HICKENLOOPER, Ms. HASSAN, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1396. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, Mr. DURBIN, Mr. WELCH, Mr. SANDERS, Mr. SCHATZ, Mr. HEINRICH, Ms. WARREN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1397. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, Mr. WELCH, Mr. SANDERS, Mr. SCHATZ, Mr. HEINRICH, Ms. WARREN, Ms. BUTLER, Ms. HIRONO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1398. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1399. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1400. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1401. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1402. Mr. BUDD submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1403. Ms. WARREN (for herself, Mr. VAN HOLLEN, Mr. WELCH, Mr. MERKLEY, and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1404. Mr. BARRASSO (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1405. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1406. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1407. Mr. SCHMITT submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1408. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1409. Mr. RISCH (for himself, Mr. MANCHIN, Mr. BARRASSO, Mr. CARDIN, Mr. BOOZMAN, Ms. HIRONO, Mr. WICKER, Mr. REED, Ms. MURKOWSKI, Mr. WYDEN, Mr. HAGERTY, Mr. SCHATZ, Mr. MORAN, Ms. ERNST, Ms. DUCKWORTH, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1410. Mr. ROUNDS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1411. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1412. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1413. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1414. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1415. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1416. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1417. Mr. PAUL submitted an amendment intended to be proposed to amendment

SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1418. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1419. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1420. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1421. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1422. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1423. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1424. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1425. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1426. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1428. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1429. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1430. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1432. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1433. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1434. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1435. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1436. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1437. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1438. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1439. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1440. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1441. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1442. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1443. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1444. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1445. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1446. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1447. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1448. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1449. Mr. LEE (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1450. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1451. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1452. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

SA 1453. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1393. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CITIZENSHIP AND CONGRESSIONAL APPORTIONMENT.

(a) SHORT TITLE.—This section may be cited as the ''Equal Representation Act''.

(b) CITIZENSHIP STATUS ON DECENNIAL CENSUS.—Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (h); and

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

''(g)(1) In conducting the 2030 decennial census and each decennial census thereafter, the Secretary shall include, in any questionnaire distributed or otherwise used for the purpose of determining the total population of each State, a checkbox or other similar option for the respondent to indicate, on behalf of the respondent and each member of the respondent's household, whether such individual is—

''(A) a citizen of the United States;

''(B) a national of the United States who is not a citizen of the United States;

''(C) an alien lawfully residing in the United States; or

''(D) an alien unlawfully residing in the United States.

''(2) Not later than 120 days after the completion of each decennial census of population pursuant to subsection (a), the Secretary shall make publicly available the number of persons per State, disaggregated by each of the 4 categories described in subparagraphs (A) through (D) of paragraph (1), as tabulated in accordance with this section.''.

(c) EXCLUSION OF NONCITIZENS FROM NUMBER OF PERSONS USED TO DETERMINE APPORTIONMENT OF REPRESENTATIVES AND NUMBER OF ELECTORAL VOTES.—

(1) EXCLUSION.—Section 22(a) of the Act entitled ''An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress'', approved June 18, 1929 (2 U.S.C. 2a(a)), is amended by inserting ''and individuals who are not citizens of the United States'' after ''not taxed''.

(2) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the apportionment of Representatives carried out pursuant to the decennial census conducted during 2030 and each succeeding decennial census.

(d) SEVERABILITY.—If any provision of this section or of an amendment made by this section, or the application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this section and amendments made by this section, and the application of such provision or amendment to any other person or circumstance, shall not be affected.

SA 1394. Mr. KAINE (for himself, Mr. HEINRICH, Mr. VAN HOLLEN, Mr. MERKLEY, Ms. WARREN, Mr. WELCH, Mr. LUJÁN, Mr. DURBIN, Mr. SCHATZ, Mr. MURPHY, Mr. WARNOCK, Mr. CARPER, Mrs. SHAHEEN, Mr. REED, Ms. BUTLER, Mr. SANDERS, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. BENNET, Ms. BALDWIN, Mr. OSSOFF, Mr. BOOKER, Ms. DUCKWORTH, Mr. MARKEY, Ms. SMITH, Mr. CARDIN, Mr. WARNER, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 42, beginning on line 12, strike ''*Provided further*,'' and all that follows through ''United States:'' on line 16.

SA 1395. Mr. SCHATZ (for himself, Mr. SCHUMER, Mr. VAN HOLLEN, Mr. CARPER, Mrs. MURRAY, Mr. CARDIN, Mr. WYDEN, Ms. HIRONO, Mr. MERKLEY, Ms. SMITH, Mr. MURPHY, Mr. WELCH, Mr. DURBIN, Ms. STABENOW, Ms. KLOBUCHAR, Mr. PETERS, Mr. REED, Mr. WARNER, Ms. CANTWELL, Mr. TESTER, Mr. CASEY, Mr. COONS, Mr. MENENDEZ, Mr. BROWN, Mr. SANDERS, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. BOOKER, Ms. BALDWIN, Ms. WARREN, Mr. KAINE, Ms. BUTLER, Ms. ROSEN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. HEINRICH, Mr. LUJÁN, Mr. KELLY, Mr. KING, Mr. WARNOCK, Ms. SINEMA, Mrs. GILLIBRAND, Ms. CORTEZ MASTO, Mr. BENNET, Mr. PADILLA, Ms. DUCKWORTH, Mr. HICKENLOOPER, Ms. HASSAN, and Mr. OSSOFF) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. It is the policy of the United States—

(1) to support a negotiated comprehensive solution to the Israeli-Palestinian conflict resulting in two states with Israelis and Palestinians living side by side in peace, security, dignity, and mutual recognition; and

(2) that such a solution must ensure the state of Israel's survival as a secure, democratic, and Jewish state, and fulfill the legitimate aspirations of the Palestinian people for a state of their own.

SA 1396. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, Mr. DURBIN, Mr. WELCH, Mr. SANDERS, Mr. SCHATZ, Mr. HEINRICH, Ms. WARREN, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

SA 1397. Mr. MERKLEY (for himself, Mr. VAN HOLLEN, Mr. WELCH, Mr. SANDERS, Mr. SCHATZ, Mr. HEINRICH, Ms. WARREN, Ms. BUTLER, Ms. HIRONO, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 12 and 13, insert the following:

SEC. 709.(a) In this section—

(1) the term ''civilians'' means individuals who are not on active duty as members of the Israel Defense Forces or the Israel National Police; and

(2) the term ''United States Conventional Arms Transfer Policy'' means the United States Conventional Arms Transfer Policy described in National Security Memorandum/NSM-18, dated February 23, 2023.

(b) None of the amounts appropriated or otherwise made available by this division may be obligated or expended to facilitate the commercial export, foreign military sale, transfer, or delivery of any firearms, including pistols and semi-automatic and fully automatic rifles, to Israel, unless the Secretary of State certifies to Congress that the Secretary has received written assurance from the Government of Israel that—

(1) such firearms—

(A) will be used only by active duty members of the Israel Defense Forces and the Israel National Police; and

(B) will not be transferred to civilians;

(2) any such firearms used by activated reserves of the Israel Defense Forces or the Israel National Police will be returned to the Israel Defense Forces or the Israel National Police once those reserves have been deactivated; and

(3) such firearms will be used in accordance with United States law and the United States Conventional Arms Transfer Policy.

(c) Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to Congress that describes—

(1) the number of firearms that have been transferred to the Israel Defense Forces and the Israel National Police since the date of the enactment of this Act;

(2) whether the firearms referred to in paragraph (1) were used by the Israel Defense Forces and Israel National Police in accordance with United States law and the United States Conventional Arms Transfer Policy;

(3) any cases in which the firearms referred to in paragraph (1) were used in violation of United States law and the Conventional Arms Transfer Policy during the period covered by the report;

(4) the number of firearms have been transferred to civilians in violation of United States law and policy since the date of the enactment of this Act;

(5) where and to whom the firearms referred to in paragraph (4) were ultimately delivered; and

(6) whether the firearms referred to in paragraph (4) were used in documented cases of violence by Israeli settlers in the West Bank.

On page 61, between lines 12 and 13, insert the following:

SEC. 709. Following the October 7, 2023 Hamas terror attacks from Gaza against Israel, it is the policy of the United States that—

(1) Israel should be secure from terrorism and other violent attacks emanating from Gaza;

(2) there should be no forcible displacement of Palestinians from Gaza;

(3) Palestinians displaced during the war must be allowed to return to their homes;

(4) Israel should not reoccupy Gaza;

(5) there should not be any reduction of the area or land of Gaza; and

(6) there should not be a blockade on Gaza.

SA 1398. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 4 through 21 and insert the following:

PROHIBITION ON FUNDING FOR UKRAINIAN BUSINESSES AND FOREIGN PRIVATE SECTOR GROWTH

None of the amounts appropriated or otherwise made available for this Act may be made available for the development of foreign private sector growth or for the support of Ukrainian businesses.

SA 1399. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON FUNDS FOR THE WEST BANK OR GAZA UNTIL HOSTAGES ARE RELEASED.

(a) PROHIBITION.—No amounts appropriated or otherwise made available by this Act may be may made available to any organization to fund, operate, advise, provide technical assistance, or support any other activity in the West Bank or Gaza until the following conditions are met:

(1) All citizens and permanent residents of the United States are released from captivity in Gaza to the United States, Israel, or another country of the individual's choice.

(2) The remains of all citizens and permanent residents of the United States are returned to their families.

(b) EXCEPTION.—The prohibition under subsection (a) shall not apply to any activities—

(1) by the United States Government intended to locate or recover citizens and permanent residents of the United States; or

(2) by the State of Israel.

(c) REPORT.—

(1) IN GENERAL.—Any activities carried out under subsection (b) shall be reported to the appropriate congressional committees not later than 15 days after the date of the enactment of this Act and every 30 days thereafter until—

(A) all amounts appropriated or otherwise made available by this Act have been obligated or expended; or

(B) the conditions described in subsection (a) have been met.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1400. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MANDATORY DETENTION OF CERTAIN ALIENS CHARGED WITH A CRIME RESULTING IN DEATH OR SERIOUS BODILY INJURY.

(a) SHORT TITLE.—This section may be cited as ''Sarah's Law''.

(b) IN GENERAL.—Section 236(c) of the Immigration and Nationality Act (8 U.S.C. 1226(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(B) in subparagraph (B), by striking the comma at the end and inserting a semicolon;

(C) in subparagraph (C)—

(i) by striking ''sentence'' and inserting ''sentenced''; and

(ii) by striking '', or'' and inserting a semicolon;

(D) in subparagraph (D), by striking the comma at the end and inserting ''; or''; and

(E) by inserting after subparagraph (D) the following:

''(E)(i)(I) was not inspected and admitted into the United States;

''(II) held a nonimmigrant visa (or other documentation authorizing admission into the United States as a nonimmigrant) that has been revoked under section 221(i); or

''(III) is described in section 237(a)(1)(C)(i); and

''(ii) has been charged by a prosecuting authority in the United States with any crime that resulted in the death or serious bodily injury (as defined in section 1365(h)(3) of title 18, United States Code) of another person,''; and

(2) by adding at the end the following:

''(3) NOTIFICATION REQUIREMENT.—Upon encountering or gaining knowledge of an alien described in paragraph (1), the Assistant Secretary of Homeland Security for Immigration and Customs Enforcement shall make reasonable efforts—

''(A) to obtain information from law enforcement agencies and from other available sources regarding the identity of any victims of the crimes for which such alien was charged or convicted; and

''(B) to provide the victim or, if the victim is deceased, a parent, guardian, spouse, or closest living relative of such victim, with information, on a timely and ongoing basis, including—

''(i) the alien's full name, aliases, date of birth, and country of nationality;

''(ii) the alien's immigration status and criminal history;

''(iii) the alien's custody status and any changes related to the alien's custody; and

''(iv) a description of any efforts by the United States Government to remove the alien from the United States.''.

(c) SAVINGS PROVISION.—Nothing in this section, or the amendments made by this section, may be construed to limit the rights of crime victims under any other provision of law, including section 3771 of title 18, United States Code.

SA 1401. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1402. Mr. BUDD submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, after section 708, insert the following:

SEC. 709. PROHIBITION ON USE OF FUNDS FOR HUMANITARIAN AID FOR GAZA UNTIL UNITED STATES CITIZENS HELD HOSTAGE BY HAMAS HAVE BEEN RELEASED.

Notwithstanding any other provision of this division, no amounts appropriated or otherwise made available by this division may be obligated or expended for humanitarian aid for Gaza until all citizens of the United States held hostage by Hamas have been released.

SA 1403. Ms. WARREN (for herself, Mr. VAN HOLLEN, Mr. WELCH, Mr. MERKLEY, and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. 709. IMPLEMENTATION OF THE CIVILIAN HARM INCIDENT RESPONSE GUIDANCE.

(a) ALLOCATION OF FUNDING.—Of the amount appropriated by this Act, $10,000,000 shall be made available to the Department of State for implementation by the Bureau of Democracy, Human Rights, and Labor, in coordination with the Bureau of Political-Military Affairs, of the Civilian Harm Incident Response Guidance, with a priority on investigating reports of civilian harm caused by United States-origin weapons in conflict areas during the one-year period ending on the date of the enactment of this Act.

(b) PUBLICATION OF CIVILIAN HARM INCIDENT RESPONSE GUIDANCE.—The Secretary of State shall publish the text of the Civilian Harm Incident Response Guidance on a publicly accessible website in unclassified form.

(c) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report summarizing all civilian harm events considered in the preceding year under the Civilian Harm Incident Response Guidance, including the location, summary of investigation, and findings.

(d) REPORTS ON CIVILIAN HARM EVENTS IN VIOLATION OF INTERNATIONAL LAW.—Not later than 30 days after the Secretary of State determines that United States-origin weapons have been used in a civilian harm event in violation of international law, the Secretary of State shall submit to the appropriate congressional committees an unclassified report that includes—

(1) a description of the civilian harm event, including the nature of the violation, the perpetrator, and the event's location;

(2) a description of the Department of State's investigation of the civilian harm event;

(3) a description of all United States defense articles or services used in the civilian harm event;

(4) the authority under which a transfer of such defense articles of services occurred; and

(5) a description of measures that the Department of State has taken to ensure accountability for and nonrecurrence of such harm.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Forces, and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Forces, and the Committee on Appropriations of the House of Representatives.

SA 1404. Mr. BARRASSO (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. ACTION ON APPLICATIONS TO EXPORT LIQUEFIED NATURAL GAS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) PUBLIC INTEREST.—

''(1) IN GENERAL.—For purposes of subsection (a), all of the following shall be deemed to be consistent with the public interest and applications for such importation or exportation shall be granted without modification or delay:

''(A) The importation of natural gas referred to in subsection (b).

''(B) The exportation of natural gas to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas.

''(C) The exportation of natural gas to a nation that—

''(i) imports, directly or indirectly, natural gas (including liquefied natural gas) from the Russian Federation or the Islamic Republic of Iran;

''(ii) has the physical capability to import, directly or indirectly, natural gas (including liquefied natural gas) from the Russian Federation or the Islamic Republic of Iran; or

''(iii) has previously imported, directly or indirectly, natural gas (including liquefied natural gas) from the Russian Federation or the Islamic Republic of Iran.

''(2) EXCLUSIONS.—Paragraph (1) shall not apply with respect to the exportation of natural gas—

''(A) to any nation that is subject to sanctions imposed by the United States; or

''(B) to any nation that is designated as excluded from that paragraph by an Act of Congress.'';

(2) in subsection (e)(3)(A), by inserting ''and subsection (g)'' after ''subparagraph (B)''; and

(3) by adding at the end the following:

''(g) ACTION ON APPLICATIONS TO EXPORT LNG.—

''(1) DEFINITIONS.—In this subsection:

''(A) COVERED APPLICATION.—The term 'covered application' means an application submitted with respect to a covered facility for an authorization to export natural gas under subsection (a).

''(B) COVERED FACILITY.—The term 'covered facility' means a liquefied natural gas export facility for which a proposal to site, construct, expand, or operate is required to be approved under subsection (e).

''(2) DECISION DEADLINE.—The Commission shall issue a final decision on a covered application not later than 45 days after the later of—

''(A) the date on which each review required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to the siting, construction, expansion, or operation of the covered facility that is the subject of the covered application is published; and

''(B) the date of enactment of this subsection.

''(3) UNTIMELY FINAL DECISION.—

''(A) IN GENERAL.—If the Commission fails to issue a final decision under paragraph (2) by the applicable date required under that paragraph, the covered application shall be considered approved, and the environmental review shall be considered sufficient to satisfy all requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(B) FINAL AGENCY ACTION.—A determination under subparagraph (A) shall be considered to be a final agency action.

''(4) JUDICIAL REVIEW.—

''(A) JURISDICTION.—Except for review in the Supreme Court of the United States, the court of appeals of the United States for the circuit in which a covered facility is, or will be, located pursuant to a covered application shall have original and exclusive jurisdiction over any civil action for the review of an order issued by the Commission with respect to the covered application.

''(B) EXPEDITED REVIEW.—The applicable United States Court of Appeals shall—

''(i) set any civil action brought under this subsection for expedited review; and

''(ii) set the action on the docket as soon as practicable after the filing date of the initial pleading.

''(C) TRANSFER OF EXISTING ACTIONS.—In the case of a covered application for which a petition for review has been filed as of the date of enactment of this subsection, the petition shall be—

''(i) on a motion by the applicant, transferred to the court of appeals of the United States in which the covered facility that is the subject of the covered application is, or will be, located; and

''(ii) adjudicated in accordance with this paragraph.''.

SA 1405. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

On page 39, strike lines 9 through 19.

SA 1406. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1407. Mr. SCHMITT submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE I

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $4,400,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel: *Provided*, That such amounts may be transferred to accounts under the headings ''Operation and Maintenance'' and ''Procurement'' for replacement of defense articles from the stocks of the Department of Defense, and for reimbursement for defense services of the Department of Defense and military education and training, provided to Israel or identified and notified to Congress for provision to Israel: *Provided further*, That funds transferred pursuant to the previous proviso shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided under this heading, such amounts may be transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided under this heading is

in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $801,400,000, to remain available until September 30, 2026, to respond to the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $10,000,000, to remain available until September 30, 2026, to respond to the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $38,600,000, to remain available until September 30, 2026, to respond to the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $4,000,000,000, to remain available until September 30, 2026, for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome and David's Sling defense systems to counter short-range rocket threats: *Provided*, That such funds shall be transferred pursuant to an exchange of letters and are in addition to funds provided pursuant to the U.S.-Israel Iron Dome Procurement Agreement, as amended: *Provided further*, That nothing under this heading shall be construed to apply to amounts made available in prior appropriations Acts for the procurement of the Iron Dome and David's Sling defense systems: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $1,350,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel, of which $1,200,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the development of the Iron Beam defense system to counter short-range rocket threats: *Provided*, That such funds shall be transferred pursuant to an exchange of letters: *Provided further*, That nothing in the preceding proviso shall be construed to apply to amounts made available in prior appropriations Acts for the development of the Iron Beam defense system: *Provided further*, That such amounts may be transferred to ''Procurement, Defense-Wide'' for the production of such system: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of the details of such transfers not less than 15 days before any such transfer: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided under this heading, such amounts may be transferred back and merged with this appropriation: *Provided further*, That any transfer authority provided under this heading is in addition to any other transfer authority provided by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS TITLE

SEC. 101. Section 12001 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287), as amended by Public Law 115–141, is amended as follows:

(1) In paragraph (2) of subsection (a), by striking ''armor'' and all that follows through the end of the paragraph and inserting ''defense articles that are in the inventory of the Department of Defense as of the date of transfer, are intended for use as reserve stocks for Israel, and are located in a stockpile for Israel as of the date of transfer'';

(2) In subsection (b), by striking ''at least equal to the fair market value of the items transferred'' and inserting ''in an amount to be determined by the Secretary of Defense''; and

(3) In subsection (c), by striking ''30'' and inserting ''15'', and by inserting ''Appropriations,'' after ''Committees on'' in both places it occurs.

SEC. 102. During fiscal year 2024, section 514(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)) shall not apply to defense articles to be set aside, earmarked, reserved, or intended for use as reserve stocks in stockpiles in the State of Israel.

SEC. 103. Not later than 30 days after the date of enactment of this Act, and every 30 days thereafter through fiscal year 2025, the Secretary of Defense, in coordination with the Secretary of State, shall provide a written report to the Committees on Appropriations, Armed Services, and Foreign Affairs of the House of Representatives and the Committees on Appropriations, Armed Services, and Foreign Relations of the Senate describing United States security assistance provided to Israel since the October 7, 2023, terrorist attack on Israel, including a comprehensive list of the defense articles and services provided to Israel and the associated authority and funding used to provide such articles and services: *Provided*, That such report shall be submitted in unclassified form, but may be accompanied by a classified annex.

SEC. 104. Concurrent with any notification of assistance made pursuant to section 506(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(b)(1)), the Secretary of Defense shall submit a written notification to the congressional defense committees that contains a description of the defense articles and defense services to be furnished, including the quantity, approximate value, and an estimate of the cost to replace such article or an equivalent capability; and a timeline for the delivery of such defense articles and defense services.

TITLE II

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC PROGRAMS

For an additional amount for ''Diplomatic Programs'', $150,000,000, to remain available until September 30, 2025, for responding to the attacks in Israel and areas impacted by the attacks in Israel, including for crisis response and relocation support for Mission Israel, of which $100,000,000 shall be available until expended for Worldwide Security Protection to sustain requirements for Mission Israel and other United States missions affected by the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

For an additional amount for ''Emergencies in the Diplomatic and Consular Service'', $50,000,000, to remain available until September 30, 2025, for emergency evacuation of United States Government personnel and citizens in Israel and in countries in the region impacted by the attacks in Israel: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INTERNATIONAL SECURITY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $3,500,000,000, to remain available until September 30, 2025, to respond to the attacks in Israel: *Provided*, That funds made available under this heading in this Act and prior Acts making appropriations for the Department of State, foreign operations, and related programs for fiscal year 2024, in addition to funds otherwise available for such purposes, may be used by the Department of State for necessary expenses for the general costs of administering military assistance and sales, including management and oversight of such programs and activities: *Provided further*, That, to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel under this heading shall, as agreed by the United States and Israel, be available for advanced weapons systems, of which up to $3,500,000,000 may be available for the procurement in Israel of defense articles and defense services: *Provided further*, That any congressional notification requirement applicable to funds made available under this heading for Israel may be waived if a determination is made that extraordinary circumstances exist that impact the national security of the United States: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

GENERAL PROVISIONS—THIS TITLE

SEC. 201. (a) During fiscal year 2024, and subject to subsection (b), section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) shall be applied by substituting ''$2,500,000,000'' for ''$100,000,000''.

(b) Subsection (a) shall not take effect unless the Secretary of State determines and reports to the appropriate congressional committees that the exercise of the authority of such subsection is necessary to respond to the situation in Israel.

SEC. 202. Not later than 30 days after the date of enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on the proposed uses of funds appropriated by this title to respond to the situation in Israel: *Provided*, That such report shall be updated and submitted to such Committees every 60 days thereafter until September 30, 2025, and every 180 days thereafter until all funds have been expended, and shall include information detailing how estimates and assumptions contained in previous reports have changed, including obligations and expenditures.

TITLE III

GENERAL PROVISIONS—THIS ACT

SEC. 301. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 302. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 303. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2024.

SEC. 304. Each amount designated in this Act by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 305. Any amount appropriated by this Act, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

BUDGETARY OFFSETS

SEC. 306. (a) RESCISSION OF CERTAIN BALANCES MADE AVAILABLE TO THE INTERNAL REVENUE SERVICE.—Of the unobligated balances of amounts appropriated or otherwise made available for activities of the Internal Revenue Service by paragraphs (1)(A)(ii), (1)(A)(iii), (1)(B), (2), (3), (4), and (5) of section 10301 of Public Law 117–169 (commonly known as the ''Inflation Reduction Act of 2022'') as of the date of the enactment of this Act, $14,300,000,000 are hereby rescinded.

(b) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this section shall not be estimated—

(1) for purposes of section 251 of such act;

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974; and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

This Act may be cited as the ''Israel Security Supplemental Appropriations Act, 2024''.

SA 1408. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—RADIATION EXPOSURE COMPENSATION ACT

TITLE I—MANHATTAN PROJECT WASTE

SEC. 4001. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Radiation Exposure Compensation Expansion Act''.

SEC. 4002. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

The Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting after section 5 the following:

''SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

''(a) IN GENERAL.—A claimant shall receive compensation for a claim made under this Act, as described in subsection (b) or (c), if—

''(1) a claim for compensation is filed with the Attorney General—

''(A) by an individual described in paragraph (2); or

''(B) on behalf of that individual by an authorized agent of that individual, if the individual is deceased or incapacitated, such as—

''(i) an executor of estate of that individual; or

''(ii) a legal guardian or conservator of that individual;

''(2) that individual, or if applicable, an authorized agent of that individual, demonstrates that the individual—

''(A) was physically present in an affected area for a period of at least 2 years after January 1, 1949; and

''(B) contracted a specified disease after such period of physical presence;

''(3) the Attorney General certifies that the identity of that individual, and if applicable, the authorized agent of that individual, is not fraudulent or otherwise misrepresented; and

''(4) the Attorney General determines that the claimant has satisfied the applicable requirements of this Act.

''(b) LOSSES AVAILABLE TO LIVING AFFECTED INDIVIDUALS.—

''(1) IN GENERAL.—In the event of a claim qualifying for compensation under subsection (a) that is submitted to the Attorney General to be eligible for compensation under this section at a time when the individual described in subsection (a)(2) is living, the amount of compensation under this section shall be in an amount that is the greater of $50,000 or the total amount of compensation for which the individual is eligible under paragraph (2).

''(2) LOSSES DUE TO MEDICAL EXPENSES.—A claimant described in paragraph (1) shall be eligible to receive, upon submission of contemporaneous written medical records, reports, or billing statements created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, additional compensation in the amount of all documented out-of-pocket medical expenses incurred as a result of the specified disease suffered by that claimant, such as any medical expenses not covered, paid for, or reimbursed through—

''(A) any public or private health insurance;

''(B) any employee health insurance;

''(C) any workers' compensation program; or

''(D) any other public, private, or employee health program or benefit.

''(c) PAYMENTS TO BENEFICIARIES OF DECEASED INDIVIDUALS.—In the event that an individual described in subsection (a)(2) who qualifies for compensation under subsection (a) is deceased at the time of submission of the claim—

''(1) a surviving spouse may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the amount of $25,000; or

''(2) in the event that there is no surviving spouse, the surviving children, minor or otherwise, of the deceased individual may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the total amount of $25,000, paid in equal shares to each surviving child.

''(d) AFFECTED AREA.—For purposes of this section, the term 'affected area' means—

''(1) in the State of Missouri, the ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63121, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, and 63367;

''(2) in the State of Tennessee, the ZIP Codes of 37732, 37755, 37756, 37841, 37847, 37852, 37872, 37892, 37714, 37715, 37729, 37757, 37762, 37766, 37769, 37819, 37847, 37870, 37719, 37726, 37733, 37748, 37770, 37829, 37845, 37849, 37931, 37779, 37807, 37866, 37709, 37721, 37754, 37764, 37806, 37853, 37871, 37901, 37902, 37909, 37912, 37914, 37915, 37916, 37917, 37918, 37919, 37920, 37921, 37922, 37923, 37924, 37927, 37928, 37929, 37930, 37932, 37933, 37934, 37938, 37939, 37940, 37950, 37995, 37996, 37997, 37998, 37337, 37367, 37723, 37854, 38555, 38557, 38558, 38571, 38572, 38574, 38578, 38583, 37763, 37771, 37774, 37830, 37840, 37846, 37874, 37321, 37332, 37338, 37381, 37742, 37772, 37846, 37322, 37336, and 37880;

''(3) in the State of Alaska, the ZIP Codes of 99546 and 99547; and

''(4) in the State of Kentucky, the ZIP Codes of 42001, 42003, and 42086.

''(e) SPECIFIED DISEASE.—For purposes of this section, the term 'specified disease' means any of the following:

''(1) Any leukemia, other than chronic lymphocytic leukemia, provided that the initial exposure occurred after the age of 20 and the onset of the disease was at least 2 years after first exposure.

''(2) Any of the following diseases, provided that the onset was at least 2 years after the initial exposure:

''(A) Multiple myeloma.

''(B) Lymphoma, other than Hodgkin's disease.

''(C) Primary cancer of the—

''(i) thyroid;

''(ii) male or female breast;

''(iii) esophagus;

''(iv) stomach;

''(v) pharynx;

''(vi) small intestine;

''(vii) pancreas;

''(viii) bile ducts;

''(ix) gall bladder;

''(x) salivary gland;

''(xi) urinary bladder;

''(xii) brain;

''(xiii) colon;

''(xiv) ovary;

''(xv) liver, except if cirrhosis or hepatitis B is indicated; or

''(xvi) lung.

''(f) PHYSICAL PRESENCE.—

''(1) IN GENERAL.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of—

''(A) contemporaneous written residential documentation and at least 1 additional employer-issued or government-issued document or record that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area; or

''(B) other documentation determined by the Attorney General to demonstrate that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area.

''(2) TYPES OF PHYSICAL PRESENCE.—For purposes of determining physical presence under this section, a claimant shall be considered to have been physically present in an affected area if—

''(A) the claimant's primary residence was in the affected area;

''(B) the claimant's place of employment was in the affected area; or

''(C) the claimant attended school in the affected area.

''(g) DISEASE CONTRACTION IN AFFECTED AREAS.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless the claimant submits—

''(1) written medical records or reports created by or at the direction of a licensed medical professional, created contemporaneously with the provision of medical care to the claimant, that the claimant, after a period of physical presence in an affected area, contracted a specified disease; or

''(2) other documentation determined by the Attorney General to demonstrate that the claimant contracted a specified disease after a period of physical presence in an affected area.''.

SEC. 4003. COOPERATIVE AGREEMENT.

(a) IN GENERAL.—Not later than September 30, 2024, the Secretary of Energy, acting through the Director of the Office of Legacy Management, shall award to an eligible association a cooperative agreement to support the safeguarding of human and ecological health at the Amchitka, Alaska, Site.

(b) REQUIREMENTS.—A cooperative agreement awarded under subsection (a)—

(1) may be used to fund—

(A) research and development that will improve and focus long-term surveillance and monitoring of the site;

(B) workforce development at the site; and

(C) such other activities as the Secretary considers appropriate; and

(2) shall require that the eligible association—

(A) engage in stakeholder engagement; and

(B) to the greatest extent practicable, incorporate Indigenous knowledge and the participation of local Indian Tribes in research and development and workforce development activities.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE ASSOCIATION.—The term ''eligible association'' means an association of 2 or more of the following:

(A) An institution of higher education (as that term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) located in the State of Alaska.

(B) An agency of the State of Alaska.

(C) A local Indian Tribe.

(D) An organization—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

(ii) located in the State of Alaska.

(2) LOCAL INDIAN TRIBE.—The term ''local Indian Tribe'' means an Indian tribe (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) that is located in the Aleut Region of the State of Alaska.

TITLE II— COMPENSATION FOR WORKERS INVOLVED IN URANIUM MINING

SEC. 4101. SHORT TITLE.

This title may be cited as the ''Radiation Exposure Compensation Act Amendments of 2024''.

SEC. 4102. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note).

SEC. 4103. EXTENSION OF FUND.

Section 3(d) is amended—

(1) by striking the first sentence and inserting ''The Fund shall terminate 19 years after the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024.''; and

(2) by striking ''2-year'' and inserting ''19-year''.

SEC. 4104. CLAIMS RELATING TO ATMOSPHERIC TESTING.

(a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(B) in subclause (II)—

(i) by striking ''in the affected area'' and inserting ''in an affected area''; and

(ii) by striking ''or'' after the semicolon;

(C) by redesignating subclause (III) as subclause (V); and

(D) by inserting after subclause (II) the following:

''(III) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(IV) was physically present in an affected area—

''(aa) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(bb) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''; and

(2) in clause (ii)(I), by striking ''physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)'' and inserting ''physical presence described in subclause (I), (II), (III), or (IV) of clause (i) or onsite participation described in clause (i)(V)''.

(b) AMOUNTS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1) is amended—

(1) in subparagraph (A), by striking ''an amount'' and inserting ''the amount''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) AMOUNT.—If the conditions described in subparagraph (C) are met, an individual who is described in subparagraph (A) shall receive $150,000.''.

(c) CONDITIONS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1)(C) is amended—

(1) by striking clause (i); and

(2) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(d) SPECIFIED DISEASES CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(2) is amended—

(1) in subparagraph (A)—

(A) by striking ''in the affected area'' and inserting ''in an affected area'';

(B) by striking ''2 years'' and inserting ''1 year''; and

(C) by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(2) in subparagraph (B)—

(A) by striking ''in the affected area'' and inserting ''in an affected area''; and

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

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following:

''(C) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(D) was physically present in an affected area—

''(i) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(ii) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''.

(e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED DISEASES.—Section 4(a)(2) is amended in the matter following subparagraph (E) (as redesignated by subsection (d) of this section) by striking ''$50,000 (in the case of an individual described in subparagraph (A) or (B)) or $75,000 (in the case of an individual described in subparagraph (C)),'' and inserting ''$150,000''.

(f) MEDICAL BENEFITS.—Section 4(a) is amended by adding at the end the following:

''(5) MEDICAL BENEFITS.—An individual receiving a payment under this section shall be eligible to receive medical benefits in the same manner and to the same extent as an individual eligible to receive medical benefits under section 3629 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t).''.

(g) DOWNWIND STATES.—Section 4(b)(1) is amended to read as follows:

''(1) 'affected area' means—

''(A) except as provided under subparagraphs (B) and (C), Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Guam;

''(B) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or subsection (a)(2)(C), only New Mexico; and

''(C) with respect to a claim by an individual under subsection (a)(1)(A)(i)(IV) or subsection (a)(2)(D), only Guam.''.

(h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECIFIED DISEASE.—Section 4(b)(2) is amended by striking ''other than chronic lymphocytic leukemia'' and inserting ''including chronic lymphocytic leukemia''.

SEC. 4105. CLAIMS RELATING TO URANIUM MINING.

(a) EMPLOYEES OF MINES AND MILLS.—Section 5(a)(1)(A)(i) is amended—

(1) by inserting ''(I)'' after ''(i)'';

(2) by striking ''December 31, 1971; and'' and inserting ''December 31, 1990; or''; and

(3) by adding at the end the following:

''(II) was employed as a core driller in a State referred to in subclause (I) during the period described in such subclause; and''.

(b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended by inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury'' after ''nonmalignant respiratory disease''.

(c) MILLERS, CORE DRILLERS, AND ORE TRANSPORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

(1) by inserting '', core driller,'' after ''was a miller'';

(2) by inserting '', or was involved in remediation efforts at such a uranium mine or uranium mill,'' after ''ore transporter'';

(3) by inserting ''(I)'' after ''clause (i)''; and

(4) by striking all that follows ''nonmalignant respiratory disease'' and inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury; or''.

(d) COMBINED WORK HISTORIES.—Section 5(a)(1)(A)(ii) is further amended—

(1) by striking ''or'' at the end of subclause (I); and

(2) by adding at the end the following:

''(III)(aa) does not meet the conditions of subclause (I) or (II);

''(bb) worked, during the period described in clause (i)(I), in two or more of the following positions: miner, miller, core driller, and ore transporter;

''(cc) meets the requirements of paragraph (4) or (5), or both; and

''(dd) submits written medical documentation that the individual developed lung cancer or a nonmalignant respiratory disease or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury after exposure to radiation through work in one or more of the positions referred to in item (bb);''.

(e) DATES OF OPERATION OF URANIUM MINE.—Section 5(a)(2)(A) is amended by striking ''December 31, 1971'' and inserting ''December 31, 1990''.

(f) SPECIAL RULES RELATING TO COMBINED WORK HISTORIES.—Section 5(a) is amended by adding at the end the following:

''(4) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST ONE YEAR OF EXPERIENCE.—An individual meets the requirements of this paragraph if the individual worked in one or more of the positions referred to in paragraph (1)(A)(ii)(III)(bb) for a period of at least one year during the period described in paragraph (1)(A)(i)(I).

''(5) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR MINERS.—An individual meets the requirements of this paragraph if the individual, during the period described in paragraph (1)(A)(i)(I), worked as a miner and was exposed to such number of working level months that the Attorney General determines, when combined with the exposure of such individual to radiation through work as a miller, core driller, or ore transporter during the period described in paragraph (1)(A)(i)(I), results in such individual being exposed to a total level of radiation that is greater or equal to the level of exposure of an individual described in paragraph (4).''.

(g) DEFINITION OF CORE DRILLER.—Section 5(b) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the term 'core driller' means any individual employed to engage in the act or process of obtaining cylindrical rock samples of uranium or vanadium by means of a borehole drilling machine for the purpose of mining uranium or vanadium.''.

SEC. 4106. EXPANSION OF USE OF AFFIDAVITS IN DETERMINATION OF CLAIMS; REGULATIONS.

(a) AFFIDAVITS.—Section 6(b) is amended by adding at the end the following:

''(3) AFFIDAVITS.—

''(A) EMPLOYMENT HISTORY.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate the employment history of an individual as a miner, miller, core driller, or ore transporter if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the employment history of the individual;

''(ii) attests to the employment history of the individual;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(B) PHYSICAL PRESENCE IN AFFECTED AREA.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's physical presence in an affected area during a period described in section 4(a)(1)(A)(i) or section 4(a)(2) if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's presence in an affected area during that time period;

''(ii) attests to the individual's presence in an affected area during that period;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(C) PARTICIPATION AT TESTING SITE.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's participation onsite in a test involving the atmospheric detonation of a nuclear device if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(ii) attests to the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 6 is amended—

(1) in subsection (b)(2)(C), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)'';

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(ii) in clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(B) in subparagraph (B), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)''; and

(3) in subsection (e), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''.

(c) REGULATIONS.—

(1) IN GENERAL.—Section 6(k) is amended by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, the Attorney General shall issue revised regulations to carry out this Act.''.

(2) CONSIDERATIONS IN REVISIONS.—In issuing revised regulations under section 6(k) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as amended under paragraph (1), the Attorney General shall ensure that procedures with respect to the submission and processing of claims under such Act take into account and make allowances for the law, tradition, and customs of Indian tribes, including by accepting as a record of proof of physical presence for a claimant a grazing permit, a homesite lease, a record of being a holder of a post office box, a letter from an elected leader of an Indian tribe, or a record of any recognized tribal association or organization.

SEC. 4107. LIMITATION ON CLAIMS.

(a) EXTENSION OF FILING TIME.—Section 8(a) is amended—

(1) by striking ''2 years'' and inserting ''19 years''; and

(2) by striking ''2022'' and inserting ''2023''.

(b) RESUBMITTAL OF CLAIMS.—Section 8(b) is amended to read as follows:

''(b) RESUBMITTAL OF CLAIMS.—

''(1) DENIED CLAIMS.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who has been denied compensation under this Act may resubmit a claim for consideration by the Attorney General in accordance with this Act not more than three times. Any resubmittal made before the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024 shall not be applied to the limitation under the preceding sentence.

''(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

''(A) IN GENERAL.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who received compensation under this Act may submit a request to the Attorney General for additional compensation and benefits. Such request shall contain—

''(i) the claimant's name, social security number, and date of birth;

''(ii) the amount of award received under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024;

''(iii) any additional benefits and compensation sought through such request; and

''(iv) any additional information required by the Attorney General.

''(B) ADDITIONAL COMPENSATION.—If the claimant received compensation under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024 and submits a request under subparagraph (A), the Attorney General shall—

''(i) pay the claimant the amount that is equal to any excess of—

''(I) the amount the claimant is eligible to receive under this Act (as amended by the Radiation Exposure Compensation Act Amendments of 2024); minus

''(II) the aggregate amount paid to the claimant under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024; and

''(ii) in any case in which the claimant was compensated under section 4, provide the claimant with medical benefits under section 4(a)(5).''.

SEC. 4108. GRANT PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF URANIUM MINING AND MILLING.

(a) DEFINITIONS.—In this section—

(1) the term ''institution of higher education'' has the meaning given under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

(2) the term ''program'' means the grant program established under subsection (b); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary shall establish a grant program relating to the epidemiological impacts of uranium mining and milling. Grants awarded under the program shall be used for the study of the epidemiological impacts of uranium mining and milling among non-occupationally exposed individuals, including family members of uranium miners and millers.

(c) ADMINISTRATION.—The Secretary shall administer the program through the National Institute of Environmental Health Sciences.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or nonprofit private entity shall be eligible to apply for a grant. To apply for a grant an eligible institution or entity shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this section $3,000,000 for each of fiscal years 2024 through 2026.

SEC. 4109. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) COVERED EMPLOYEES WITH CANCER.—Section 3621(9) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(9)) is amended by striking subparagraph (A) and inserting the following:

''(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if—

''(i) that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee); or

''(ii) that individual—

''(I) contracted that specified cancer after beginning employment in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, or any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act; and

''(II) was employed in a uranium mine or uranium mill described under subclause (I) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) at any time during the period beginning on January 1, 1942, and ending on December 31, 1990.''.

(b) MEMBERS OF SPECIAL EXPOSURE COHORT.—Section 3626 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384q) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees—

''(A) at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received; and

''(B) employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, who likely were exposed to radiation at that mine or mill but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.''; and

(2) by striking subsection (b) and inserting the following:

''(b) DESIGNATION OF ADDITIONAL MEMBERS.—

''(1) Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility, or at an atomic weapons employer facility, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

''(2) Subject to the provisions of section 3621(14)(C), the members of a class of employees employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.''.

SA 1409. Mr. RISCH (for himself, Mr. MANCHIN, Mr. BARRASSO, Mr. CARDIN, Mr. BOOZMAN, Ms. HIRONO, Mr. WICKER, Mr. REED, Ms. MURKOWSKI, Mr. WYDEN, Mr. HAGERTY, Mr. SCHATZ, Mr. MORAN, Ms. ERNST, Ms. DUCKWORTH, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—AMENDING COMPACTS OF FREE ASSOCIATION

SEC. 4001. SHORT TITLE.

This division may be cited as the ''Compact of Free Association Amendments Act of 2024''.

SEC. 4002. FINDINGS.

Congress finds the following:

(1) The United States (in accordance with the Trusteeship Agreement for the Trust Territory of the Pacific Islands, the United Nations Charter, and the objectives of the international trusteeship system of the United Nations) fulfilled its obligations to promote the development of the people of the Trust Territory toward self-government or independence, as appropriate, to the particular circumstances of the Trust Territory and the people of the Trust Territory and the freely expressed wishes of the people concerned.

(2) The United States, the Federated States of Micronesia, and the Republic of the Marshall Islands entered into the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239) and the United States and the Republic of Palau entered into the Compact of Free Association set forth in section 201 of Public Law 99–658 (48 U.S.C. 1931 note) to create and maintain a close and mutually beneficial relationship.

(3) The ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia'', the ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands'', and related agreements were signed by the Government of the United States and the Governments of the Federated States of Micronesia and the Republic of the Marshall Islands and approved, as applicable, by section 201 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188).

(4) The ''Agreement between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review'', was signed by the Government of the United States and the Government of the Republic of Palau on September 3, 2010, and amended on September 19, 2018.

(5) On May 22, 2023, the United States signed the ''Agreement between the Government of the United States of America and the Government of the Republic of Palau Resulting From the 2023 Compact of Free Association Section 432 Review''.

(6) On May 23, 2023, the United States signed 3 agreements related to the U.S.-FSM Compact of Free Association, including an Agreement to Amend the Compact, as amended, a new fiscal procedures agreement, and a new trust fund agreement and on September 28, 2023, the United States signed a Federal Programs and Services agreement related to the U.S.-FSM Compact of Free Association.

(7) On October 16, 2023, the United States signed 3 agreements relating to the U.S.-RMI Compact of Free Association, including an Agreement to Amend the Compact, as amended, a new fiscal procedures agreement, and a new trust fund agreement.

SEC. 4003. DEFINITIONS.

In this division:

(1) 1986 COMPACT.—The term ''1986 Compact'' means the Compact of Free Association between the Government of the United States and the Governments of the Marshall Islands and the Federated States of Micronesia set forth in section 201 of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 note; Public Law 99–239).

(2) 2003 AMENDED U.S.-FSM COMPACT.—The term ''2003 Amended U.S.-FSM Compact'' means the Compact of Free Association amending the 1986 Compact entitled the ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia'' set forth in section 201(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188).

(3) 2003 AMENDED U.S.-RMI COMPACT.—The term ''2003 Amended U.S.-RMI Compact'' means the Compact of Free Association amending the 1986 Compact entitled ''Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands'' set forth in section 201(b) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 note; Public Law 108–188).

(4) 2023 AGREEMENT TO AMEND THE U.S.-FSM COMPACT.—The term ''2023 Agreement to Amend the U.S.-FSM Compact'' means the Agreement between the Government of the United States of America and the Government of the Federated States of Micronesia to Amend the Compact of Free Association, as Amended, done at Palikir May 23, 2023.

(5) 2023 AGREEMENT TO AMEND THE U.S.-RMI COMPACT.—The term ''2023 Agreement to Amend the U.S.-RMI Compact'' means the Agreement between the Government of the United States of America and the Government of the Republic of the Marshall Islands to Amend the Compact of Free Association, as Amended, done at Honolulu October 16, 2023.

(6) 2023 AMENDED U.S.-FSM COMPACT.—The term ''2023 Amended U.S.-FSM Compact'' means the 2003 Amended U.S.-FSM Compact, as amended by the 2023 Agreement to Amend the U.S.-FSM Compact.

(7) 2023 AMENDED U.S.-RMI COMPACT.—The term ''2023 Amended U.S.-RMI Compact'' means the 2003 Amended U.S.-RMI Compact, as amended by the 2023 Agreement to Amend the U.S.-RMI Compact.

(8) 2023 U.S.-FSM FEDERAL PROGRAMS AND SERVICES AGREEMENT.—The term ''2023 U.S.-FSM Federal Programs and Services Agreement'' means the 2023 Federal Programs and Services Agreement between the Government of the United States of America and the Government of the Federated States of Micronesia, done at Washington September 28, 2023.

(9) 2023 U.S.-FSM FISCAL PROCEDURES AGREEMENT.—The term ''2023 U.S.-FSM Fiscal Procedures Agreement'' means the Agreement Concerning Procedures for the Implementation of United States Economic Assistance provided in the 2023 Amended U.S.-FSM Compact between the Government of the United States of America and the Government of the Federated States of Micronesia, done at Palikir May 23, 2023.

(10) 2023 U.S.-FSM TRUST FUND AGREEMENT.—The term ''2023 U.S.-FSM Trust Fund Agreement'' means the Agreement between the Government of the United States of America and the Government of the Federated States of Micronesia Regarding the Compact Trust Fund, done at Palikir May 23, 2023.

(11) 2023 U.S.-PALAU COMPACT REVIEW AGREEMENT.—The term ''2023 U.S.-Palau Compact Review Agreement'' means the Agreement between the Government of the United States of America and the Government of the Republic of Palau Resulting From the 2023 Compact of Free Association Section 432 Review, done at Port Moresby May 22, 2023.

(12) 2023 U.S.-RMI FISCAL PROCEDURES AGREEMENT.—The term ''2023 U.S.-RMI Fiscal Procedures Agreement'' means the Agreement Concerning Procedures for the Implementation of United States Economic Assistance Provided in the 2023 Amended Compact Between the Government of the United States of America and the Government of the Republic of the Marshall Islands, done at Honolulu October 16, 2023.

(13) 2023 U.S.-RMI TRUST FUND AGREEMENT.—The term ''2023 U.S.-RMI Trust Fund Agreement'' means the Agreement between the Government of the United States of America and the Government of the Republic of the Marshall Islands Regarding the Compact Trust Fund, done at Honolulu October 16, 2023.

(14) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Energy and Natural Resources of the Senate;

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

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

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

(15) FREELY ASSOCIATED STATES.—The term ''Freely Associated States'' means—

(A) the Federated States of Micronesia;

(B) the Republic of the Marshall Islands; and

(C) the Republic of Palau.

(16) SUBSIDIARY AGREEMENT.—The term ''subsidiary agreement'' means any of the following:

(A) The 2023 U.S.-FSM Federal Programs and Services Agreement.

(B) The 2023 U.S.-FSM Fiscal Procedures Agreement.

(C) The 2023 U.S.-FSM Trust Fund Agreement.

(D) The 2023 U.S.-RMI Fiscal Procedures Agreement.

(E) The 2023 U.S.-RMI Trust Fund Agreement.

(F) Any Federal Programs and Services Agreement in force between the United States and the Republic of the Marshall Islands.

(G) Any Federal Programs and Services Agreement in force between the United States and the Republic of Palau.

(H) Any other agreement that the United States may from time-to-time enter into with the Government of the Federated States of Micronesia, the Government of the Republic of Palau, or the Government of the Republic of the Marshall Islands, in accordance with—

(i) the 2023 Amended U.S.-FSM Compact;

(ii) the 2023 U.S.-Palau Compact Review Agreement; or

(iii) the 2023 Amended U.S.-RMI Compact.

(17) U.S.-PALAU COMPACT.—The term ''U.S.-Palau Compact'' means the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Public Law 99–658 (48 U.S.C. 1931 note).

SEC. 4004. APPROVAL OF 2023 AGREEMENT TO AMEND THE U.S.-FSM COMPACT, 2023 AGREEMENT TO AMEND THE U.S.-RMI COMPACT, 2023 U.S.-PALAU COMPACT REVIEW AGREEMENT, AND SUBSIDIARY AGREEMENTS.

(a) FEDERATED STATES OF MICRONESIA.—

(1) APPROVAL.—The 2023 Agreement to Amend the U.S.-FSM Compact and the 2023 U.S.-FSM Trust Fund Agreement, as submitted to Congress on June 15, 2023, are approved and incorporated by reference.

(2) CONSENT OF CONGRESS.—Congress consents to—

(A) the 2023 U.S.-FSM Fiscal Procedures Agreement, as submitted to Congress on June 15, 2023; and

(B) the 2023 U.S.-FSM Federal Programs and Services Agreement.

(3) AUTHORITY OF PRESIDENT.—Notwithstanding section 101(f) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921(f)), the President is authorized to bring into force and implement the agreements described in paragraphs (1) and (2).

(b) REPUBLIC OF THE MARSHALL ISLANDS.—

(1) APPROVAL.—The 2023 Agreement to Amend the U.S.-RMI Compact and the 2023 U.S.-RMI Trust Fund Agreement, as submitted to Congress on October 17, 2023, are approved and incorporated by reference.

(2) CONSENT OF CONGRESS.—Congress consents to the 2023 U.S.-RMI Fiscal Procedures Agreement, as submitted to Congress on October 17, 2023.

(3) AUTHORITY OF PRESIDENT.—Notwithstanding section 101(f) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921(f)), the President is authorized to bring into force and implement the agreements described in paragraphs (1) and (2).

(c) REPUBLIC OF PALAU.—

(1) APPROVAL.—The 2023 U.S.-Palau Compact Review Agreement, as submitted to Congress on June 15, 2023, is approved.

(2) AUTHORITY OF PRESIDENT.—The President is authorized to bring into force and implement the 2023 U.S.-Palau Compact Review Agreement.

(d) AMENDMENTS, CHANGES, OR TERMINATION TO COMPACTS AND CERTAIN AGREEMENTS.—

(1) IN GENERAL.—Any amendment to, change to, or termination of all or any part of the 2023 Amended U.S.-FSM Compact, 2023 Amended U.S.-RMI Compact, or the U.S.-Palau Compact, by mutual agreement or unilateral action of the Government of the United States, shall not enter into force until the date on which Congress has incorporated the applicable amendment, change, or termination into an Act of Congress.

(2) ADDITIONAL ACTIONS AND AGREEMENTS.—In addition to the Compacts described in paragraph (1), the requirements of that paragraph shall apply to—

(A) any action of the Government of the United States under the 2023 Amended U.S.-FSM Compact, 2023 Amended U.S.-RMI Compact, or U.S.-Palau Compact, including an action taken pursuant to section 431, 441, or 442 of the 2023 Amended U.S.-FSM Compact, 2023 Amended U.S.-RMI Compact, or U.S.-Palau Compact; and

(B) any amendment to, change to, or termination of—

(i) the agreement described in section 462(a)(2) of the 2023 Amended U.S.-FSM Compact;

(ii) the agreement described in section 462(a)(5) of the 2023 Amended U.S.-RMI Compact;

(iii) an agreement concluded pursuant to section 265 of the 2023 Amended U.S.-FSM Compact;

(iv) an agreement concluded pursuant to section 265 of the 2023 Amended U.S.-RMI Compact;

(v) an agreement concluded pursuant to section 177 of the 2023 Amended U.S.-RMI Compact;

(vi) Articles III and IV of the agreement described in section 462(b)(6) of the 2023 Amended U.S.-FSM Compact;

(vii) Articles III, IV, and X of the agreement described in section 462(b)(6) of the 2023 Amended U.S.-RMI Compact;

(viii) the agreement described in section 462(h) of the U.S.-Palau Compact; and

(ix) Articles VI, XV, and XVII of the agreement described in section 462(b)(7) of the 2023 Amended U.S.-FSM Compact and 2023 Amended U.S.-RMI Compact and section 462(i) of the U.S.-Palau Compact.

(e) ENTRY INTO FORCE OF FUTURE AMENDMENTS TO SUBSIDIARY AGREEMENTS.—An agreement between the United States and the Government of the Federated States of Micronesia, the Government of the Republic of the Marshall Islands, or the Government of the Republic of Palau that would amend, change, or terminate any subsidiary agreement or portion of a subsidiary agreement (other than an amendment to, change to, or termination of an agreement described in subsection (d)) shall not enter into force until the date that is 90 days after the date on which the President has transmitted to the President of the Senate and the Speaker of the House of Representatives—

(1) the agreement to amend, change, or terminate the subsidiary agreement;

(2) an explanation of the amendment, change, or termination;

(3) a description of the reasons for the amendment, change, or termination; and

(4) in the case of an agreement that would amend, change, or terminate any agreement described in section 462(b)(3) of the 2023 Amended U.S.-FSM Compact or the 2023 Amended U.S.-RMI Compact, a statement by the Secretary of Labor that describes—

(A) the necessity of the amendment, change, or termination; and

(B) any impacts of the amendment, change, or termination.

SEC. 4005. AGREEMENTS WITH FEDERATED STATES OF MICRONESIA.

(a) LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Pursuant to sections 222 and 224 of the 2023 Amended U.S.-FSM Compact, the United States shall provide nonreimbursable technical and training assistance, as appropriate, including training and equipment for postal inspection of illicit drugs and other contraband, to enable the Government of the Federated States of Micronesia—

(A) to develop and adequately enforce laws of the Federated States of Micronesia; and

(B) to cooperate with the United States in the enforcement of criminal laws of the United States.

(2) USE OF APPROPRIATED FUNDS.—Funds appropriated pursuant to subsection (j) of section 105 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d) (as amended by section 4009(j)) may be used in accordance with section 102(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921a(a)).

(b) UNITED STATES APPOINTEES TO JOINT ECONOMIC MANAGEMENT COMMITTEE.—

(1) IN GENERAL.—The 3 United States appointees (which are composed of the United States chair and 2 other members from the Government of the United States) to the Joint Economic Management Committee established under section 213 of the 2023 Amended U.S.-FSM Compact (referred to in this subsection as the ''Committee'') shall—

(A) be voting members of the Committee; and

(B) continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 3 United States members of the Committee described in paragraph (1) shall be appointed for a term of 2 years as follows:

(A) 1 member shall be appointed by the Secretary of State, in consultation with the Secretary of the Treasury.

(B) 1 member shall be appointed by the Secretary of the Interior, in consultation with the Secretary of the Treasury.

(C) 1 member shall be appointed by the Interagency Group on Freely Associated States established under section 4008(d)(1).

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—Not fewer than 2 United States members of the Committee appointed under paragraph (2) shall be individuals who—

(A) by reason of knowledge, experience, or training, are especially qualified in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics; and

(B) possess not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States member of the Committee under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement prepared by the Secretary of the Interior attesting to the qualifications of the member described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A)—

(i) in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior; and

(ii) in the case of a member appointed under paragraph (2)(C), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Interagency Group on Freely Associated States established under section 4008(d)(1) on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Federated States of Micronesia submits to the Committee a report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

(c) UNITED STATES APPOINTEES TO JOINT TRUST FUND COMMITTEE.—

(1) IN GENERAL.—The 3 United States voting members (which are composed of the United States chair and 2 other members from the Government of the United States) to the Joint Trust Fund Committee established pursuant to the agreement described in section 462(b)(5) of the 2023 Amended U.S.-FSM Compact (referred to in this subsection as the ''Committee'') shall continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 3 United States members of the Committee described in paragraph (1) shall be appointed for a term not more than 2 years as follows:

(A) 1 member shall be appointed by the Secretary of State.

(B) 1 member shall be appointed by the Secretary of the Interior.

(C) 1 member shall be appointed by the Secretary of the Treasury.

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—Not fewer than 2 members of the Committee appointed under paragraph (2) shall be individuals who—

(A) by reason of knowledge, experience, or training, are especially qualified in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics; and

(B) possess not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States member to the Committee under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement attesting to the qualifications of the member described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A)—

(i) in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior; and

(ii) in the case of a member appointed under paragraph (2)(C), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of the Treasury on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Federated States of Micronesia submits to the Committee a report required under the 2023 Amended U.S.-FSM Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

SEC. 4006. AGREEMENTS WITH AND OTHER PROVISIONS RELATED TO THE REPUBLIC OF THE MARSHALL ISLANDS.

(a) LAW ENFORCEMENT ASSISTANCE.—

(1) IN GENERAL.—Pursuant to sections 222 and 224 of the 2023 Amended U.S.-RMI Compact, the United States shall provide nonreimbursable technical and training assistance, as appropriate, including training and equipment for postal inspection of illicit drugs and other contraband, to enable the Government of the Republic of the Marshall Islands—

(A) to develop and adequately enforce laws of the Marshall Islands; and

(B) to cooperate with the United States in the enforcement of criminal laws of the United States.

(2) USE OF APPROPRIATED FUNDS.—Funds appropriated pursuant to subsection (j) of section 105 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d) (as amended by section 4009(j)) may be used in accordance with section 103(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(a)).

(b) ESPOUSAL PROVISIONS.—

(1) IN GENERAL.—Congress reaffirms that—

(A) section 103(g)(1) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(g)(1)) and section 103(e)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(e)(1)) provided that ''It is the intention of the Congress of the United States that the provisions of section 177 of the Compact of Free Association and the Agreement between the Government of the United States and the Government of the Marshall Islands for the Implementation of Section 177 of the Compact (hereafter in this subsection referred to as the 'Section 177 Agreement') constitute a full and final settlement of all claims described in Articles X and XI of the Section 177 Agreement, and that any such claims be terminated and barred except insofar as provided for in the Section 177 Agreement.''; and

(B) section 103(g)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(g)(2))

and section 103(e)(2) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(e)(2)) provided that ''In furtherance of the intention of Congress as stated in paragraph (1) of this subsection, the Section 177 Agreement is hereby ratified and approved. It is the explicit understanding and intent of Congress that the jurisdictional limitations set forth in Article XII of such Agreement are enacted solely and exclusively to accomplish the objective of Article X of such Agreement and only as a clarification of the effect of Article X, and are not to be construed or implemented separately from Article X.''.

(2) EFFECT.—Nothing in the 2023 Agreement to Amend the U.S.-RMI Compact affects the application of the provisions of law reaffirmed by paragraph (1).

(c) CERTAIN SECTION 177 AGREEMENT PROVISIONS.—Congress reaffirms that—

(1) Article IX of the Agreement Between the Government of the United States and the Government of the Marshall Islands for the Implementation of Section 177 of the Compact of Free Association, done at Majuro June 25, 1983, provided that ''If loss or damage to property and person of the citizens of the Marshall Islands, resulting from the Nuclear Testing Program, arises or is discovered after the effective date of this Agreement, and such injuries were not and could not reasonably have been identified as of the effective date of this Agreement, and if such injuries render the provisions of this Agreement manifestly inadequate, the Government of the Marshall Islands may request that the Government of the United States provide for such injuries by submitting such a request to the Congress of the United States for its consideration. It is understood that this Article does not commit the Congress of the United States to authorize and appropriate funds.''; and

(2) section 3(a) of Article XIII of the agreement described in paragraph (1) provided that ''The Government of the United States and the Government of the Marshall Islands shall consult at the request of either of them on matters relating to the provisions of this Agreement.''.

(d) UNITED STATES APPOINTEES TO JOINT ECONOMIC MANAGEMENT AND FINANCIAL ACCOUNTABILITY COMMITTEE.—

(1) IN GENERAL.—The 2 United States appointees (which are composed of the United States chair and 1 other member from the Government of the United States) to the Joint Economic Management and Financial Accountability Committee established under section 214 of the 2003 Amended U.S.-RMI Compact (referred to in this subsection as the ''Committee'') shall—

(A) be voting members of the Committee; and

(B) continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 2 United States members of the Committee described in paragraph (1) shall be appointed for a term of 2 years as follows:

(A) 1 member shall be appointed by the Secretary of State, in consultation with the Secretary of the Treasury.

(B) 1 member shall be appointed by the Secretary of the Interior, in consultation with the Secretary of the Treasury.

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—At least 1 United States member of the Committee appointed under paragraph (2) shall be an individual who—

(A) by reason of knowledge, experience, or training, is especially qualified in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics; and

(B) possesses not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States member under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement attesting to the qualifications of the member described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A), in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Republic of the Marshall Islands submits to the Committee a report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

(e) UNITED STATES APPOINTEES TO TRUST FUND COMMITTEE.—

(1) IN GENERAL.—The 3 United States voting members (which are composed of the United States chair and 2 other members from the Government of the United States) to the Trust Fund Committee established pursuant to the agreement described in section 462(b)(5) of the 2003 Amended U.S.-RMI Compact (referred to in this subsection as the ''Committee'') shall continue to be officers or employees of the Federal Government.

(2) TERM; APPOINTMENT.—The 3 United States members of the Committee described in paragraph (1) shall be appointed for a term not more than 5 years as follows:

(A) 1 member shall be appointed by the Secretary of State.

(B) 1 member shall be appointed by the Secretary of the Interior.

(C) 1 member shall be appointed by the Secretary of the Treasury.

(3) REAPPOINTMENT.—A United States member of the Committee appointed under paragraph (2) may be reappointed for not more than 2 additional 2-year terms.

(4) QUALIFICATIONS.—Not fewer than 2 members of the Committee appointed under paragraph (2) shall be individuals who—

(A) by reason of knowledge, experience, or training, are especially qualified in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics; and

(B) possess not less than 5 years of full-time experience in accounting, auditing, budget analysis, compliance, financial investment, grant administration, program management, or international economics.

(5) NOTICE.—

(A) IN GENERAL.—Not later than 90 days after the date of appointment of a United States Member under paragraph (2), the Secretary of the Interior shall notify the appropriate committees of Congress that an individual has been appointed as a voting member of the Committee under that paragraph, including a statement attesting to the qualifications of the appointee described in paragraph (4), subject to subparagraph (B).

(B) REQUIREMENT.—For purposes of a statement required under subparagraph (A)—

(i) in the case of a member appointed under paragraph (2)(A), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of State on request of the Secretary of the Interior; and

(ii) in the case of a member appointed under paragraph (2)(C), the Secretary of the Interior shall compile information on the member provided to the Secretary of the Interior by the Secretary of the Treasury on request of the Secretary of the Interior.

(6) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Committee receives or completes any report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(7) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Republic of the Marshall Islands submits to the Committee a report required under the 2023 Amended U.S.-RMI Compact, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

(f) FOUR ATOLL HEALTH CARE PROGRAM.—Congress reaffirms that—

(1) section 103(j)(1) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(j)(1)) and section 103(h)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)(1)) provided that services ''provided by the United States Public Health Service or any other United States agency pursuant to section 1(a) of Article II of the Agreement for the Implementation of Section 177 of the Compact (hereafter in this subsection referred to as the 'Section 177 Agreement') shall be only for services to the people of the Atolls of Bikini, Enewetak, Rongelap, and Utrik who were affected by the consequences of the United States nuclear testing program, pursuant to the program described in Public Law 95–134 and Public Law 96–205 and their descendants (and any other persons identified as having been so affected if such identification occurs in the manner described in such public laws). Nothing in this subsection shall be construed as prejudicial to the views or policies of the Government of the Marshall Islands as to the persons affected by the consequences of the United States nuclear testing program.'';

(2) section 103(j)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(j)(2)) and section 103(h)(2) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)(2)) provided that ''at the end of the first year after the effective date of the Compact and at the end of each year thereafter, the providing agency or agencies shall return to the Government of the Marshall Islands any unexpended funds to be returned to the Fund Manager (as described in

Article I of the Section 177 Agreement) to be covered into the Fund to be available for future use.''; and

(3) section 103(j)(3) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(j)(3)) and section 103(h)(3) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(h)(3)) provided that ''the Fund Manager shall retain the funds returned by the Government of the Marshall Islands pursuant to paragraph (2) of this subsection, shall invest and manage such funds, and at the end of 15 years after the effective date of the Compact, shall make from the total amount so retained and the proceeds thereof annual disbursements sufficient to continue to make payments for the provision of health services as specified in paragraph (1) of this subsection to such extent as may be provided in contracts between the Government of the Marshall Islands and appropriate United States providers of such health services.''.

(g) RADIOLOGICAL HEALTH CARE PROGRAM.—Notwithstanding any other provision of law, on the request of the Government of the Republic of the Marshall Islands, the President (through an appropriate department or agency of the United States) shall continue to provide special medical care and logistical support for the remaining members of the population of Rongelap and Utrik who were exposed to radiation resulting from the 1954 United States thermonuclear ''Bravo'' test, pursuant to Public Law 95–134 (91 Stat. 1159) and Public Law 96–205 (94 Stat. 84).

(h) AGRICULTURAL AND FOOD PROGRAMS.—

(1) IN GENERAL.—Congress reaffirms that—

(A) section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(2)) and section 103(f)(2)(A) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(2)(A)) provided that notwithstanding ''any other provision of law, upon the request of the Government of the Marshall Islands, for the first fifteen years after the effective date of the Compact, the President (either through an appropriate department or agency of the United States or by contract with a United States firm or by a grant to the Government of the Republic of the Marshall Islands which may further contract only with a United States firm or a Republic of the Marshall Islands firm, the owners, officers and majority of the employees of which are citizens of the United States or the Republic of the Marshall Islands) shall provide technical and other assistance without reimbursement, to continue the planting and agricultural maintenance program on Enewetak; without reimbursement, to continue the food programs of the Bikini, Rongelap, Utrik, and Enewetak people described in section 1(d) of Article II of the Subsidiary Agreement for the Implementation of Section 177 of the Compact and for continued waterborne transportation of agricultural products to Enewetak including operations and maintenance of the vessel used for such purposes.'';

(B) section 103(h)(2) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(2)) and section 103(f)(2)(B) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(2)(B)) provided that ''The President shall ensure the assistance provided under these programs reflects the changes in the population since the inception of such programs.''; and

(C) section 103(h)(3) of the Compact of Free Association Act of 1985 (48 U.S.C. 1903(h)(3)) and section 103(f)(3) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(f)(3)) provided that ''payments under this subsection shall be provided to such extent or in such amounts as are necessary for services and other assistance provided pursuant to this subsection. It is the sense of Congress that after the periods of time specified in paragraphs (1) and (2) of this subsection, consideration will be given to such additional funding for these programs as may be necessary.''.

(2) PLANTING AND AGRICULTURAL MAINTENANCE PROGRAM.—The Secretary of the Interior may provide grants to the Government of the Republic of the Marshall Islands to carry out a planting and agricultural maintenance program on Bikini, Enewetak, Rongelap, and Utrik.

(3) FOOD PROGRAMS.—The Secretary of Agriculture may provide, without reimbursement, food programs to the people of the Republic of the Marshall Islands.

SEC. 4007. AGREEMENTS WITH AND OTHER PROVISIONS RELATED TO THE REPUBLIC OF PALAU.

(a) BILATERAL ECONOMIC CONSULTATIONS.—United States participation in the annual economic consultations referred to in Article 8 of the 2023 U.S.-Palau Compact Review Agreement shall be by officers or employees of the Federal Government.

(b) ECONOMIC ADVISORY GROUP.—

(1) QUALIFICATIONS.—A member of the Economic Advisory Group described in Article 7 of the 2023 U.S.-Palau Compact Review Agreement (referred to in this subsection as the ''Advisory Group'') who is appointed by the Secretary of the Interior shall be an individual who, by reason of knowledge, experience, or training, is especially qualified in private sector business development, economic development, or national development.

(2) FUNDS.—With respect to the Advisory Group, the Secretary of the Interior may use available funds for—

(A) the costs of the 2 members of the Advisory Group designated by the United States in accordance with Article 7 of the 2023 U.S.-Palau Compact Review Agreement;

(B) 50 percent of the costs of the 5th member of the Advisory Group designated by the Secretary of the Interior in accordance with the Article described in subparagraph (A); and

(C) the costs of—

(i) technical and administrative assistance for the Advisory Group; and

(ii) other support necessary for the Advisory Group to accomplish the purpose of the Advisory Group.

(3) REPORTS TO CONGRESS.—Not later than 90 days after the date on which the Advisory Group receives or completes any report required under the 2023 U.S.-Palau Compact Review Agreement, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(c) REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Government of the Republic of Palau completes any report required under the 2023 U.S.-Palau Compact Review Agreement, or any related subsidiary agreement, the Secretary of the Interior shall submit the report to the appropriate committees of Congress.

(2) NOTICE TO CONGRESS.—Not later than 90 days after the date on which the Government of the Republic of Palau submits a report required under the 2023 U.S.-Palau Compact Review Agreement, or any related subsidiary agreement, the Secretary of the Interior shall submit to the appropriate committees of Congress—

(A) if the report is submitted by the applicable deadline, written notice attesting that the report is complete and accurate; or

(B) if the report is not submitted by the applicable deadline, written notice that the report has not been timely submitted.

SEC. 4008. OVERSIGHT PROVISIONS.

(a) AUTHORITIES AND DUTIES OF THE COMPTROLLER GENERAL OF THE UNITED STATES.—

(1) IN GENERAL.—The Comptroller General of the United States (including any duly authorized representative of the Comptroller General of the United States) shall have the authorities necessary to carry out the responsibilities of the Comptroller General of the United States under—

(A) the 2023 Amended U.S.-FSM Compact and related subsidiary agreements, including the authorities and privileges described in section 102(b) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921a(b));

(B) the 2023 Amended U.S.-RMI Compact and related subsidiary agreements, including the authorities and privileges described in section 103(k) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921b(k)); and

(C) the 2023 U.S.-Palau Compact Review Agreement, related subsidiary agreements, and the authorities described in appendix D of the ''Agreement between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review'' signed by the United States and the Republic of Palau on September 3, 2010.

(2) REPORTS.—Not later than 18 months after the date of enactment of this Act, and every 4 years thereafter, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report with respect to the Freely Associated States, including addressing—

(A) the topics described in subparagraphs (A) through (E) of section 104(h)(1) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(h)(1)), except that for purposes of a report submitted under this paragraph, the report shall address those topics with respect to each of the Freely Associated States; and

(B) the effectiveness of administrative oversight by the United States of the Freely Associated States.

(b) SECRETARY OF THE INTERIOR OVERSIGHT AUTHORITY.—The Secretary of the Interior shall have the authority necessary to fulfill the responsibilities for monitoring and managing the funds appropriated to the Compact of Free Association account of the Department of the Interior by section 4011(a) to carry out—

(1) the 2023 Amended U.S.-FSM Compact;

(2) the 2023 Amended U.S.-RMI Compact;

(3) the 2023 U.S.-Palau Compact Review Agreement; and

(4) subsidiary agreements.

(c) POSTMASTER GENERAL OVERSIGHT AUTHORITY.—The Postmaster General shall have the authority necessary to fulfill the responsibilities for monitoring and managing the funds appropriated to the United States Postal Service under paragraph (1) of section 4011(b) and deposited in the Postal Service Fund under paragraph (2)(A) of that section to carry out—

(1) section 221(a)(2) of the 2023 Amended U.S.-FSM Compact;

(2) section 221(a)(2) of the 2023 Amended U.S.-RMI Compact;

(3) section 221(a)(2) of the U.S.-Palau Compact; and

(4) Article 6(a) of the 2023 U.S.-Palau Compact Review Agreement.

(d) INTERAGENCY GROUP ON FREELY ASSOCIATED STATES.—

(1) ESTABLISHMENT.—The President, in consultation with the Secretary of State, the Secretary of the Interior, and the Secretary of Defense, shall establish an Interagency Group on Freely Associated States (referred to in this subsection as the ''Interagency Group'').

(2) PURPOSE.—The purposes of the Interagency Group are—

(A) to coordinate development and implementation of executive branch policies, programs, services, and other activities in or relating to the Freely Associated States; and

(B) to provide policy guidance, recommendations, and oversight to Federal agencies, departments, and instrumentalities with respect to the implementation of—

(i) the 2023 Amended U.S.-FSM Compact;

(ii) the 2023 Amended U.S.-RMI Compact; and

(iii) the 2023 U.S.-Palau Compact Review Agreement.

(3) MEMBERSHIP.—The Interagency Group shall consist of—

(A) the Secretary of State, who shall serve as co-chair of the Interagency Group;

(B) the Secretary of the Interior, who shall serve as co-chair of the Interagency Group;

(C) the Secretary of Defense;

(D) the Secretary of the Treasury;

(E) the heads of relevant Federal agencies, departments, and instrumentalities carrying out obligations under—

(i) sections 131 and 132 of the 2003 Amended U.S.-FSM Compact and subsections (a) and (b) of section 221 and section 261 of the 2023 Amended U.S.-FSM Compact;

(ii) sections 131 and 132 of the 2003 Amended U.S.-RMI Compact and subsections (a) and (b) of section 221 and section 261 of the 2023 Amended U.S.-RMI Compact;

(iii) sections 131 and 132 and subsections (a) and (b) of section 221 of the U.S.-Palau Compact;

(iv) Article 6 of the 2023 U.S.-Palau Compact Review Agreement;

(v) any applicable subsidiary agreement; and

(vi) section 4009; and

(F) the head of any other Federal agency, department, or instrumentality that the Secretary of State or the Secretary of the Interior may designate.

(4) DUTIES OF SECRETARY OF STATE AND SECRETARY OF THE INTERIOR.—The Secretary of State (or a senior official designee of the Secretary of State) and the Secretary of the Interior (or a senior official designee of the Secretary of the Interior) shall—

(A) co-lead and preside at a meeting of the Interagency Group not less frequently than annually;

(B) determine, in consultation with the Secretary of Defense, the agenda for meetings of the Interagency Group; and

(C) facilitate and coordinate the work of the Interagency Group.

(5) DUTIES OF THE INTERAGENCY GROUP.—The Interagency Group shall—

(A) provide advice on the establishment or implementation of policies relating to the Freely Associated States to the President, acting through the Office of Intergovernmental Affairs, in the form of a written report not less frequently than annually;

(B) obtain information and advice relating to the Freely Associated States from the Presidents, other elected officials, and members of civil society of the Freely Associated States, including through the members of the Interagency Group (including senior official designees of the members) meeting not less frequently than annually with any Presidents of the Freely Associated States who elect to participate;

(C) at the request of the head of any Federal agency (or a senior official designee of the head of a Federal agency) who is a member of the Interagency Group, promptly review and provide advice on a policy or policy implementation action affecting 1 or more of the Freely Associated States proposed by the Federal agency, department, or instrumentality; and

(D) facilitate coordination of relevant policies, programs, initiatives, and activities involving 1 or more of the Freely Associated States, including ensuring coherence and avoiding duplication between programs, initiatives, and activities conducted pursuant to a Compact with a Freely Associated State and non-Compact programs, initiatives, and activities.

(6) REPORTS.—Not later than 1 year after the date of enactment of this Act and each year thereafter in which a Compact of Free Association with a Freely Associated State is in effect, the President shall submit to the majority leader and minority leader of the Senate, the Speaker and minority leader of the House of Representatives, and the appropriate committees of Congress a report that describes the activities and recommendations of the Interagency Group during the applicable year.

(e) FEDERAL AGENCY COORDINATION.—The head of any Federal agency providing programs and services to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau shall coordinate with the Secretary of the Interior and the Secretary of State regarding the provision of the programs and services.

(f) FOREIGN LOANS OR DEBT.—Congress reaffirms that—

(1) the foreign loans or debt of the Government of the Federated States of Micronesia, the Government of the Republic of the Marshall Islands, or the Government of the Republic of Palau shall not constitute an obligation of the United States; and

(2) the full faith and credit of the United States Government shall not be pledged for the payment and performance of any foreign loan or debt referred to in paragraph (1) without specific further authorization.

(g) COMPACT COMPILATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall submit a report to the appropriate committees of Congress that includes a compilation of the Compact of Free Association with the Federated State of Micronesia, the Compact of Free Association with the Republic of Palau, and the Compact of Free Association with Republic of the Marshall Islands.

(h) PUBLICATION; REVISION BY OFFICE OF THE LAW REVISION COUNSEL.—

(1) PUBLICATION.—In publishing this division in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of—

(A) the 2023 Agreement to Amend the U.S.-FSM Compact; and

(B) the 2023 Agreement to Amend the U.S.-RMI Compact.

(2) REVISION BY OFFICE OF THE LAW REVISION COUNSEL.—The Office of the Law Revision Counsel is directed to revise—

(A) the 2003 Amended U.S.-FSM Compact set forth in the note following section 1921 of title 48, United States Code, to reflect the amendments to the 2003 Amended U.S.-FSM Compact made by the 2023 Agreement to Amend the U.S.-FSM Compact; and

(B) the 2003 Amended U.S.-RMI Compact set forth in the note following section 1921 of title 48, United States Code, to reflect the amendments to the 2003 Amended U.S.-RMI Compact made by the 2023 Agreement to Amend the U.S.-RMI Compact.

SEC. 4009. UNITED STATES POLICY REGARDING THE FREELY ASSOCIATED STATES.

(a) AUTHORIZATION FOR VETERANS' SERVICES.—

(1) DEFINITION OF FREELY ASSOCIATED STATES.—In this subsection, the term ''Freely Associated States'' means—

(A) the Federated States of Micronesia, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note);

(B) the Republic of the Marshall Islands, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note); and

(C) the Republic of Palau, during such time as it is a party to the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Joint Resolution entitled ''Joint Resolution to approve the 'Compact of Free Association' between the United States and the Government of Palau, and for other purposes'' (Public Law 99–658; 48 U.S.C. 1931 note).

(2) HOSPITAL CARE, MEDICAL SERVICES, AND NURSING HOME CARE ABROAD.—Section 1724 of title 38, United States Code, is amended—

(A) in subsection (a), by striking ''subsections (b) and (c)'' and inserting ''subsections (b), (c), and (f)''; and

(B) by adding at the end the following:

''(f)(1)(A) The Secretary may furnish hospital care and medical services in the Freely Associated States, subject to agreements the Secretary shall enter into with the governments of the Freely Associated States as described in section 4009(a)(4)(A) of the Compact of Free Association Amendments Act of 2024, and subject to subparagraph (B), to a veteran who is otherwise eligible to receive hospital care and medical services.

''(B) The agreements described in subparagraph (A) shall incorporate, to the extent practicable, the applicable laws of the Freely Associated States and define the care and services that can be legally provided by the Secretary in the Freely Associated States.

''(2) In furnishing hospital care and medical services under paragraph (1), the Secretary may furnish hospital care and medical services through—

''(A) contracts or other agreements;

''(B) reimbursement; or

''(C) the direct provision of care by health care personnel of the Department.

''(3) In furnishing hospital care and medical services under paragraph (1), the Secretary may furnish hospital care and medical services for any condition regardless of whether the condition is connected to the service of the veteran in the Armed Forces.

''(4)(A) A veteran who has received hospital care or medical services in a country pursuant to this subsection shall remain eligible, to the extent determined advisable and practicable by the Secretary, for hospital care or medical services in that country regardless of whether the country continues to qualify as a Freely Associated State for purposes of this subsection.

''(B) If the Secretary determines it is no longer advisable or practicable to allow veterans described in subparagraph (A) to remain eligible for hospital care or medical services pursuant to such subparagraph, the Secretary shall—

''(i) provide direct notice of that determination to such veterans; and

''(ii) publish that determination and the reasons for that determination in the Federal Register.

''(5) In this subsection, the term 'Freely Associated States' means—

''(A) the Federated States of Micronesia, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note);

''(B) the Republic of the Marshall Islands, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note); and

''(C) the Republic of Palau, during such time as it is a party to the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Joint Resolution entitled 'Joint Resolution to approve the ''Compact of Free Association'' between the United States and the Government of Palau, and for other purposes' (Public Law 99–658; 48 U.S.C. 1931 note).''.

(3) BENEFICIARY TRAVEL.—Section 111 of title 38, United States Code, is amended by adding at the end the following:

''(h)(1) Notwithstanding any other provision of law, the Secretary may make payments to or for any person traveling in, to, or from the Freely Associated States for receipt of care or services authorized to be legally provided by the Secretary in the Freely Associated States under section 1724(f)(1) of this title.

''(2) A person who has received payment for travel in a country pursuant to this subsection shall remain eligible for payment for such travel in that country regardless of whether the country continues to qualify as a Freely Associated State for purposes of this subsection.

''(3) The Secretary shall prescribe regulations to carry out this subsection.

''(4) In this subsection, the term 'Freely Associated States' means—

''(A) the Federated States of Micronesia, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note);

''(B) the Republic of the Marshall Islands, during such time as it is a party to the Compact of Free Association set forth in section 201 of the Compact of Free Association Act of 1985 (Public Law 99–239; 48 U.S.C. 1901 note); and

''(C) the Republic of Palau, during such time as it is a party to the Compact of Free Association between the United States and the Government of Palau set forth in section 201 of Joint Resolution entitled 'Joint Resolution to approve the ''Compact of Free Association'' between the United States and the Government of Palau, and for other purposes' (Public Law 99–658; 48 U.S.C. 1931 note).''.

(4) LEGAL ISSUES.—

(A) AGREEMENTS TO FURNISH CARE AND SERVICES.—

(i) IN GENERAL.—Before delivering hospital care or medical services under subsection (f) of section 1724 of title 38, United States Code, as added by paragraph (2)(B), the Secretary of Veterans Affairs, in consultation with the Secretary of State, shall enter into agreements with the governments of the Freely Associated States to—

(I) facilitate the furnishing of health services, including telehealth, under the laws administered by the Secretary of Veterans Affairs to veterans in the Freely Associated States, such as by addressing—

(aa) licensure, certification, registration, and tort issues relating to health care personnel;

(bb) the scope of health services the Secretary may furnish, as well as the means for furnishing such services; and

(cc) matters relating to delivery of pharmaceutical products and medical surgical products, including delivery of such products through the Consolidated Mail Outpatient Pharmacy of the Department of Veterans Affairs, to the Freely Associated States;

(II) clarify the authority of the Secretary of Veterans Affairs to pay for tort claims as set forth under subparagraph (C); and

(III) clarify authority and responsibility on any other matters determined relevant by the Secretary of Veterans Affairs or the governments of the Freely Associated States.

(ii) SCOPE OF AGREEMENTS.—The agreements described in clause (i) shall incorporate, to the extent practicable, the applicable laws of the Freely Associated States and define the care and services that can be legally provided by the Secretary of Veterans Affairs in the Freely Associated States.

(iii) REPORT TO CONGRESS.—

(I) IN GENERAL.—Not later than 90 days after entering into an agreement described in clause (i), the Secretary of Veterans Affairs shall submit the agreement to the appropriate committees of Congress.

(II) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this clause, the term ''appropriate committees of Congress'' means—

(aa) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, and the Committee on Veterans' Affairs of the Senate; and

(bb) the Committee on Natural Resources, the Committee on Foreign Affairs, and the Committee on Veterans' Affairs of the House of Representatives.

(B) LICENSURE OF HEALTH CARE PROFESSIONALS PROVIDING TREATMENT VIA TELEMEDICINE IN THE FREELY ASSOCIATED STATES.—Section 1730C(a) of title 38, United States Code, is amended by striking ''any State'' and inserting ''any State or any of the Freely Associated States (as defined in section 1724(f) of this title)''.

(C) PAYMENT OF CLAIMS.—The Secretary of Veterans Affairs may pay tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in the Freely Associated States in connection with furnishing hospital care or medical services or providing medical consultation or medical advice to a veteran under the laws administered by the Secretary, including through a remote or telehealth program.

(5) OUTREACH AND ASSESSMENT OF OPTIONS.—During the 1-year period beginning on the date of enactment of this Act, the Secretary of Veterans Affairs shall, subject to the availability of appropriations—

(A) conduct robust outreach to, and engage with, each government of the Freely Associated States;

(B) assess options for the delivery of care through the use of authorities provided pursuant to the amendments made by this subsection; and

(C) increase staffing as necessary to conduct outreach under subparagraph (A).

(b) AUTHORIZATION OF EDUCATION PROGRAMS.—

(1) ELIGIBILITY.—For fiscal year 2024 and each fiscal year thereafter, the Government of the United States shall—

(A) continue to make available to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, grants for services to individuals eligible for such services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) to the extent that those services continue to be available to individuals in the United States;

(B) continue to make available to the Federated States of Micronesia and the Republic of the Marshall Islands and make available to the Republic of Palau, competitive grants under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.), and part D of the Individuals with Disabilities Education Act (20 U.S.C. 1450 et seq.), to the extent that those grants continue to be available to State and local governments in the United States;

(C) continue to make grants available to the Republic of Palau under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.), and the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(D) continue to make available to eligible institutions of higher education in the Republic of Palau and make available to eligible institutions of higher education in the Federated States of Micronesia and the Republic of the Marshall Islands and to students enrolled in those institutions of higher education, and to students who are citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau and enrolled in institutions of higher education in the United States and territories of the United States, grants under—

(i) subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.);

(ii) subpart 3 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070b et seq.); and

(iii) part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.);

(E) require, as a condition of eligibility for a public institution of higher education in any State (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) that is not a Freely Associated State to participate in or receive funds under any program under title IV of such Act (20 U.S.C. 1070 et seq.), that the institution charge students who are citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau tuition for attendance at a rate that is not greater than the rate charged for residents of the State in which such public institution of higher education is located; and

(F) continue to make available, to eligible institutions of higher education, secondary schools, and nonprofit organizations in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, competitive grants under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(2) OTHER FORMULA GRANTS.—Except as provided in paragraph (1), the Secretary of Education shall not make a grant under any formula grant program administered by the Department of Education to the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau.

(3) GRANTS TO THE FREELY ASSOCIATED STATES UNDER PART B OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.—Section 611(b)(1) of the Individuals with Disabilities Education Act (20 U.S.C. 1411(b)(1)) is amended by striking subparagraph (A) and inserting the following:

''(A) FUNDS RESERVED.—From the amount appropriated for any fiscal year under subsection (i), the Secretary shall reserve not more than 1 percent, which shall be used as follows:

''(i) To provide assistance to the outlying areas in accordance with their respective populations of individuals aged 3 through 21.

''(ii)(I) To provide each freely associated State a grant so that no freely associated State receives a lesser share of the total funds reserved for the freely associated State than the freely associated State received of those funds for fiscal year 2023.

''(II) Each freely associated State shall establish its eligibility under this subparagraph consistent with the requirements for a State under section 612.

''(III) The funds provided to each freely associated State under this part may be used to provide, to each infant or toddler with a disability (as defined in section 632), either a free appropriate public education, consistent with section 612, or early intervention services consistent with part C, notwithstanding the application and eligibility requirements of sections 634(2), 635, and 637.''.

(4) TECHNICAL AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

(A) by striking subparagraph (A) of section 1121(b)(1) (20 U.S.C. 6331(b)(1)) and inserting the following:

''(A) first reserve $1,000,000 for the Republic of Palau, subject to such terms and conditions as the Secretary may establish, except that Public Law 95–134, permitting the consolidation of grants, shall not apply; and''; and

(B) in section 8101 (20 U.S.C. 7801), by amending paragraph (36) to read as follows:

''(36) OUTLYING AREA.—The term 'outlying area'—

''(A) means American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands; and

''(B) for the purpose of any discretionary grant program under this Act, includes the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau, to the extent that any such grant program continues to be available to State and local governments in the United States.''.

(5) TECHNICAL AMENDMENT TO THE COMPACT OF FREE ASSOCIATION AMENDMENTS ACT OF 2003.—Section 105(f)(1)(B) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)) is amended by striking clause (ix).

(6) HEAD START PROGRAMS.—

(A) DEFINITIONS.—Section 637 of the Head Start Act (42 U.S.C. 9832) is amended, in the paragraph defining the term ''State'', by striking the second sentence and inserting ''The term 'State' includes the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.''.

(B) ALLOTMENT OF FUNDS.—Section 640(a)(2)(B) of the Head Start Act (42 U.S.C. 9835(a)(2)(B)) is amended—

(i) in clause (iv), by inserting ''the Republic of Palau,'' before ''and the Virgin Islands''; and

(ii) by amending clause (v) to read as follows:

''(v) if a base grant has been established through appropriations for the Federated States of Micronesia or the Republic of the Marshall Islands, to provide an amount for that jurisdiction (for Head Start agencies (including Early Head Start agencies) in the jurisdiction) that is equal to the amount provided for base grants for such jurisdiction under this subchapter for the prior fiscal year, by allotting to each agency described in this clause an amount equal to that agency's base grant for the prior fiscal year; and''.

(7) COORDINATION REQUIRED.—The Secretary of the Interior, in coordination with the Secretary of Education and the Secretary of Health and Human Services, as applicable, shall, to the maximum extent practicable, coordinate with the 3 United States appointees to the Joint Economic Management Committee described in section 4005(b)(1) and the 2 United States appointees to the Joint Economic Management and Financial Accountability Committee described in section 4006(d)(1) to avoid duplication of economic assistance for education provided under section 261(a)(1) of the 2023 Amended U.S.-FSM Compact or section 261(a)(1) of the 2023 Amended U.S.-RMI Compact of activities or services provided under—

(A) the Head Start Act (42 U.S.C. 9831 et seq.);

(B) subpart 3 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070b et seq.); or

(C) part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.).

(c) AUTHORIZATION OF DEPARTMENT OF DEFENSE PROGRAMS.—

(1) DEPARTMENT OF DEFENSE MEDICAL FACILITIES.—The Secretary of Defense shall make available, on a space available and reimbursable basis, the medical facilities of the Department of Defense for use by citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, who are properly referred to the facilities by government authorities responsible for provision of medical services in the Federated States of Micronesia, the Republic of the Marshall Islands, the Republic of Palau, and the affected jurisdictions (as defined in section 104(e)(2) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(e)(2))).

(2) PARTICIPATION BY SECONDARY SCHOOLS IN THE ARMED SERVICES VOCATIONAL APTITUDE BATTERY STUDENT TESTING PROGRAM.—It is the sense of Congress that the Department of Defense may extend the Armed Services Vocational Aptitude Battery (ASVAB) Student Testing Program and the ASVAB Career Exploration Program to selected secondary schools in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau to the extent such programs are available to Department of Defense dependent secondary schools established under section 2164 of title 10, United States Code, and located outside the United States.

(d) JUDICIAL TRAINING.—In addition to amounts provided under section 261(a)(4) of the 2023 Amended U.S.-FSM Compact and the 2023 Amended U.S.-RMI Compact and under subsections (a) and (b) of Article 1 of the 2023 U.S.-Palau Compact Review Agreement, for each of fiscal years 2024 through 2043, the Secretary of the Interior shall use the amounts made available to the Secretary of the Interior under section 4011(c) to train judges and officials of the judiciary in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, in cooperation with the Pacific Islands Committee of the judicial council of the ninth judicial circuit of the United States.

(e) ELIGIBILITY FOR THE REPUBLIC OF PALAU.—

(1) NATIONAL HEALTH SERVICE CORPS.—The Secretary of Health and Human Services shall make the services of the National Health Service Corps available to the residents of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau to the same extent, and for the same duration, as services are authorized to be provided to persons residing in any other areas within or outside the United States.

(2) ADDITIONAL PROGRAMS AND SERVICES.—The Republic of Palau shall be eligible for the programs and services made available to the Federated States of Micronesia and the Republic of the Marshall Islands under section 108(a) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921g(a)).

(3) PROGRAMS AND SERVICES OF CERTAIN AGENCIES.—In addition to the programs and services set forth in the operative Federal Programs and Services Agreement between the United States and the Republic of Palau, the programs and services of the following agencies shall be made available to the Republic of Palau:

(A) The Legal Services Corporation.

(B) The Public Health Service.

(C) The Rural Housing Service.

(f) COMPACT IMPACT FAIRNESS.—

(1) IN GENERAL.—Section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612) is amended—

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

''(N) EXCEPTION FOR CITIZENS OF FREELY ASSOCIATED STATES.—With respect to eligibility for benefits for any specified Federal program, paragraph (1) shall not apply to any individual who lawfully resides in the United States in accordance with section 141 of the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.''; and

(B) in subsection (b)(2)(G)—

(i) in the subparagraph heading, by striking ''MEDICAID EXCEPTION FOR'' and inserting ''EXCEPTION FOR''; and

(ii) by striking ''the designated Federal program defined in paragraph (3)(C) (relating to the Medicaid program)'' and inserting ''any designated Federal program''.

(2) EXCEPTION TO 5-YEAR WAIT REQUIREMENT.—Section 403(b)(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613(b)(3)) is amended by striking '', but only with respect to the designated Federal program defined in section 402(b)(3)(C)''.

(3) DEFINITION OF QUALIFIED ALIEN.—Section 431(b)(8) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(b)(8)) is amended by striking '', but only with respect to the designated Federal program defined in section 402(b)(3)(C) (relating to the Medicaid program)''.

(g) CONSULTATION WITH INTERNATIONAL FINANCIAL INSTITUTIONS.—The Secretary of the Treasury, in coordination with the Secretary of the Interior and the Secretary of State, shall consult with appropriate officials of the Asian Development Bank and relevant international financial institutions (as defined in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c))), as appropriate, with respect to overall economic conditions in, and the activities of other providers of assistance to, the Freely Associated States.

(h) CHIEF OF MISSION.—Section 105(b) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(b)) is amended by striking paragraph (5) and inserting the following:

''(5) Pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927), all United States Government executive branch employees in the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau fall under the authority of the respective applicable chief of mission, except for employees identified as excepted from the authority under Federal law or by Presidential directive.''.

(i) ESTABLISHMENT OF A UNIT FOR THE FREELY ASSOCIATED STATES IN THE BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS OF THE DEPARTMENT OF STATE AND INCREASING PERSONNEL FOCUSED ON OCEANIA.—

(1) DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) REQUIREMENTS.—The Secretary of State shall—

(A) assign additional full-time equivalent personnel to the Office of Australia, New Zealand, and Pacific Island Affairs of the Bureau of East Asian and Pacific Affairs of the Department of State, including to the unit established under subparagraph (B), as the Secretary of State determines to be appropriate, in accordance with paragraph (4)(A); and

(B) establish a unit in the Bureau of East Asian and Pacific Affairs of the Department of State to carry out the functions described in paragraph (3).

(3) FUNCTIONS OF UNIT.—The unit established under paragraph (2)(B) shall be responsible for the following:

(A) Managing the bilateral and regional relations with the Freely Associated States.

(B) Supporting the Secretary of State in leading negotiations relating to the Compacts of Free Association with the Freely Associated States.

(C) Coordinating, in consultation with the Department of the Interior, the Department of Defense, and other interagency partners as appropriate, implementation of the Compacts of Free Association with the Freely Associated States.

(4) FULL-TIME EQUIVALENT EMPLOYEES.—The Secretary of State shall—

(A) not later than 5 years after the date of enactment of this Act, assign to the Office of Australia, New Zealand, and Pacific Island Affairs of the Bureau of East Asian and Pacific Affairs, including to the unit established under paragraph (2)(B), not less than 4 additional full-time equivalent staff, who shall not be dual-hatted, including by considering—

(i) the use of existing flexible hiring authorities, including Domestic Employees Teleworking Overseas (DETOs); and

(ii) the realignment of existing personnel, including from the United States Mission in Australia, as appropriate;

(B) reduce the number of vacant foreign service positions in the Pacific Island region by establishing an incentive program within the Foreign Service for overseas positions related to the Pacific Island region; and

(C) report to the appropriate congressional committees on progress toward objectives outlined in this subsection beginning 1 year from the date of enactment of this Act and annually thereafter for 5 years.

(j) TECHNICAL ASSISTANCE.—Section 105 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d) is amended by striking subsection (j) and inserting the following:

''(j) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Technical assistance may be provided pursuant to section 224 of the 2023 Amended U.S.-FSM Compact, section 224 of the 2023 Amended U.S.-RMI Compact, or section 222 of the U.S.-Palau Compact (as those terms are defined in section 4003 of the Compact of Free Association Amendments Act of 2024) by Federal agencies and institutions of the Government of the United States to the extent the assistance shall be provided to States, territories, or units of local government.

''(2) HISTORIC PRESERVATION.—

''(A) IN GENERAL.—Any technical assistance authorized under paragraph (1) that is provided by the Forest Service, the Natural Resources Conservation Service, the United States Fish and Wildlife Service, the National Marine Fisheries Service, the United States Coast Guard, the Advisory Council on Historic Preservation, the Department of the Interior, or any other Federal agency providing assistance under division A of subtitle III of title 54, United States Code, may be provided on a nonreimbursable basis.

''(B) GRANTS.—During the period in which the 2023 Amended U.S.-FSM Compact (as so defined) and the 2023 Amended U.S.-RMI Compact (as so defined) are in force, the grant programs under division A of subtitle III of title 54, United States Code, shall continue to apply to the Federated States of Micronesia and the Republic of the Marshall Islands in the same manner and to the same extent as those programs applied prior to the approval of the U.S.-FSM Compact and U.S.-RMI Compact.

''(3) ADDITIONAL FUNDS.—Any funds provided pursuant to this subsection, subsections (c), (g), (h), (i), (k), (l), and (m), section 102(a), and subsections (a), (b), (f), (g), (h), and (j) of section 103 shall be in addition to, and not charged against, any amounts to be paid to the Federated States of Micronesia or the Republic of the Marshall Islands pursuant to—

''(A) the U.S.-FSM Compact;

''(B) the U.S.-RMI Compact; or

''(C) any related subsidiary agreement.''.

(k) CONTINUING TRUST TERRITORY AUTHORIZATION.—The authorization provided by the Act of June 30, 1954 (68 Stat. 330, chapter 423), shall remain available after the effective date of the 2023 Amended U.S.-FSM Compact and the 2023 Amended U.S.-RMI Compact with respect to the Federated States of Micronesia and the Republic of the Marshall Islands for transition purposes, including—

(1) completion of projects and fulfillment of commitments or obligations;

(2) termination of the Trust Territory Government and termination of the High Court;

(3) health and education as a result of exceptional circumstances;

(4) ex gratia contributions for the populations of Bikini, Enewetak, Rongelap, and Utrik; and

(5) technical assistance and training in financial management, program administration, and maintenance of infrastructure.

(l) TECHNICAL AMENDMENTS.—

(1) PUBLIC HEALTH SERVICE ACT DEFINITION.—Section 2(f) of the Public Health Service Act (42 U.S.C. 201(f)) is amended by striking ''and the Trust Territory of the Pacific Islands'' and inserting ''the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau''.

(2) COMPACT IMPACT AMENDMENTS.—Section 104(e) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921c(e)) is amended—

(A) in paragraph (4)—

(i) in subparagraph (A), by striking ''beginning in fiscal year 2003'' and inserting ''during the period of fiscal years 2003 through 2023''; and

(ii) in subparagraph (C), by striking ''after fiscal year 2003'' and inserting ''for the period of fiscal years 2004 through 2023'';

(B) by striking paragraph (5); and

(C) by redesignating paragraphs (6) through (10) as paragraphs (5) through (9), respectively.

SEC. 4010. ADDITIONAL AUTHORITIES.

(a) AGENCIES, DEPARTMENTS, AND INSTRUMENTALITIES.—

(1) IN GENERAL.—Appropriations to carry out the obligations, services, and programs described in paragraph (2) shall be made directly to the Federal agencies, departments, and instrumentalities carrying out the obligations, services and programs.

(2) OBLIGATIONS, SERVICES, AND PROGRAMS DESCRIBED.—The obligations, services, and programs referred to in paragraphs (1) and (3) are the obligations, services, and programs under—

(A) sections 131 and 132, paragraphs (1) and (3) through (6) of section 221(a), and section 221(b) of the 2023 Amended U.S.-FSM Compact;

(B) sections 131 and 132, paragraphs (1) and (3) through (6) of section 221(a), and section 221(b) of the 2023 Amended U.S.-RMI Compact;

(C) sections 131 and 132 and paragraphs (1), (3), and (4) of section 221(a) of the U.S.-Palau Compact;

(D) Article 6 of the 2023 U.S.-Palau Compact Review Agreement; and

(E) section 4009.

(3) AUTHORITY.—The heads of the Federal agencies, departments, and instrumentalities to which appropriations are made available under paragraph (1) as well as the Federal Deposit Insurance Corporation shall—

(A) have the authority to carry out any activities that are necessary to fulfill the obligations, services, and programs described in paragraph (2); and

(B) use available funds to carry out the activities under subparagraph (A).

(b) ADDITIONAL ASSISTANCE.—Any assistance provided pursuant to section 105(j) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(j)) (as amended by section 4009(j)) and sections 4005(a), 4006(a), 4007(b), and 4009 shall be in addition to and not charged against any amounts to be paid to the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau pursuant to—

(1) the 2023 Amended U.S.-FSM Compact;

(2) the 2023 Amended U.S.-RMI Compact;

(3) the 2023 U.S.-Palau Compact Review Agreement; or

(4) any related subsidiary agreement.

(c) REMAINING BALANCES.—Notwithstanding any other provision of law, including section 109 of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921h)—

(1) remaining balances appropriated to carry out sections 211, 212(b), 215, and 217 of the 2023 Amended U.S.-FSM Compact, shall be programmed pursuant to Article IX of the 2023 U.S.-FSM Fiscal Procedures Agreement; and

(2) remaining balances appropriated to carry out sections 211, 213(b), 216, and 218 of the 2023 Amended U.S.-RMI Compact, shall be programmed pursuant to Article XI of the 2023 U.S.-RMI Fiscal Procedures Agreement.

(d) GRANTS.—Notwithstanding any other provision of law—

(1) contributions under the 2023 Amended U.S.-FSM Compact, the 2023 U.S.-Palau Compact Review Agreement, and the 2023 Amended U.S.-RMI Compact may be provided as grants for purposes of implementation of the 2023 Amended U.S.-FSM Compact, the 2023 U.S.-Palau Compact Review Agreement, and the 2023 Amended U.S.-RMI Compact under the laws of the United States; and

(2) funds appropriated pursuant to section 4011 may be deposited in interest-bearing accounts and any interest earned may be retained in and form part of those accounts for use consistent with the purpose of the deposit.

(e) RULE OF CONSTRUCTION.—Except as specifically provided, nothing in this division or the amendments made by this division amends the following:

(1) Title I of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq.).

(2) Title I of Public Law 99–658 (48 U.S.C. 1931 et seq.).

(3) Title I of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921 et seq.).

(4) Section 1259C of the National Defense Authorization Act for Fiscal Year 2018 (48 U.S.C. 1931 note; Public Law 115–91).

(5) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018 (Public Law 115–141; 132 Stat. 635).

(f) CLARIFICATION RELATING TO APPROPRIATED FUNDS.—Notwithstanding section 109 of the Compacts of Free Association Amendments Act of 2003 (48 U.S.C. 1921h)—

(1) funds appropriated by that section and deposited into the RMI Compact Trust Fund shall be governed by the 2023 U.S.-RMI Trust Fund Agreement on entry into force of the 2023 U.S.-RMI Trust Fund Agreement;

(2) funds appropriated by that section and deposited into the FSM Compact Trust Fund shall be governed by the 2023 U.S.-FSM Trust Fund Agreement on entry into force of the 2023 U.S.-FSM Trust Fund Agreement;

(3) funds appropriated by that section and made available for fiscal year 2024 or any fiscal year thereafter as grants to carry out the purposes of section 211(b) of the 2003 U.S.-RMI Amended Compact shall be subject to the provisions of the 2023 U.S.-RMI Fiscal Procedures Agreement on entry into force of the 2023 U.S.-RMI Fiscal Procedures Agreement;

(4) funds appropriated by that section and made available for fiscal year 2024 or any fiscal year thereafter as grants to carry out the purposes of section 221 of the 2003 U.S.-RMI Amended Compact shall be subject to the provisions of the 2023 U.S.-RMI Fiscal Procedures Agreement on entry into force of the 2023 U.S.-RMI Fiscal Procedures Agreement, except as modified in the Federal Programs and Services Agreement in force between the United States and the Republic of the Marshall Islands; and

(5) funds appropriated by that section and made available for fiscal year 2024 or any fiscal year thereafter as grants to carry out the purposes of section 221 of the 2003 U.S.-FSM Amended Compact shall be subject to the provisions of the 2023 U.S.-FSM Fiscal Procedures Agreement on entry into force of the 2023 U.S.-FSM Fiscal Procedures Agreement, except as modified in the 2023 U.S.-FSM Federal Programs and Services Agreement.

SEC. 4011. COMPACT APPROPRIATIONS.

(a) FUNDING FOR ACTIVITIES OF THE SECRETARY OF THE INTERIOR.—For the period of fiscal years 2024 through 2043, there are appropriated to the Compact of Free Association account of the Department of the Interior, out of any funds in the Treasury not otherwise appropriated, to remain available until expended, the amounts described in and to carry out the purposes of—

(1) sections 261, 265, and 266 of the 2023 Amended U.S.-FSM Compact;

(2) sections 261, 265, and 266 of the 2023 Amended U.S.-RMI Compact; and

(3) Articles 1, 2, and 3 of the 2023 U.S.-Palau Compact Review Agreement.

(b) FUNDING FOR ACTIVITIES OF THE UNITED STATES POSTAL SERVICE.—

(1) APPROPRIATION.—There is appropriated to the United States Postal Service, out of any funds in the Treasury not otherwise appropriated for each of fiscal years 2024 through 2043, $31,700,000, to remain available until expended, to carry out the costs of the following provisions that are not otherwise funded:

(A) Section 221(a)(2) of the 2023 Amended U.S.-FSM Compact.

(B) Section 221(a)(2) of the 2023 Amended U.S.-RMI Compact.

(C) Section 221(a)(2) of the U.S.-Palau Compact.

(D) Article 6(a) of the 2023 U.S.-Palau Compact Review Agreement.

(2) DEPOSIT.—

(A) IN GENERAL.—The amounts appropriated to the United States Postal Service under paragraph (1) shall be deposited into the Postal Service Fund established under section 2003 of title 39, United States Code, to carry out the provisions described in that paragraph.

(B) REQUIREMENT.—Any amounts deposited into the Postal Service Fund under subparagraph (A) shall be the fiduciary, fiscal, and audit responsibility of the Postal Service.

(c) FUNDING FOR JUDICIAL TRAINING.—There is appropriated to the Secretary of the Interior to carry out section 4009(d) out of any funds in the Treasury not otherwise appropriated, $550,000 for each of fiscal years 2024 through 2043, to remain available until expended.

(d) TREATMENT OF PREVIOUSLY APPROPRIATED AMOUNTS.—The total amounts made available to the Government of the Federated States of Micronesia and the Government of the Republic of the Marshall Islands under subsection (a) shall be reduced by amounts made available to the Government of the Federated States of Micronesia and the Government of the Republic of the Marshall Islands, as applicable, under section 2101(a) of the Continuing Appropriations Act, 2024 and Other Extensions Act (Public Law 118–15; 137 Stat. 81) (as amended by section 101 of division B of the Further Continuing Appropriations and Other Extensions Act, 2024 (Public Law 118–22; 137 Stat. 114) and section 201 of the Further Additional Continuing Appropriations and Other Extensions Act, 2024 (Public Law 118–35; 138 Stat. 7)).

SEC. 4012. BUDGETARY EFFECTS.

(a) STATUTORY PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

(c) CLASSIFICATION OF BUDGETARY EFFECTS.—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)), the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act (2 U.S.C. 901);

(2) for purposes of an allocation to the Committee on Appropriations pursuant to section 302(a) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)); and

(3) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 932) as being included in an appropriation Act.

SA 1410. Mr. ROUNDS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end the following:

DIVISION C—OTHER MATTERS

SEC. 4001. MODIFICATIONS TO AUTHORITIES OF COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES RELATING TO AGRICULTURE AND NATIONAL SECURITY SENSITIVE SITES.

(a) AGRICULTURE-RELATED TRANSACTIONS.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended—

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

''(14) AGRICULTURE.—The term 'agriculture' has the meaning given that term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).'';

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

''(I) CONSIDERATION OF CERTAIN AGRICULTURAL LAND TRANSACTIONS.—

''(i) IN GENERAL.—Not later than 30 days after receiving notification from the Secretary of Agriculture of a reportable agricultural land transaction, the Committee shall determine—

''(I) whether the transaction is a covered transaction; and

''(II) if the Committee determines that the transaction is a covered transaction, whether to—

''(aa) request the submission of a notice under clause (i) of subparagraph (C) or a declaration under clause (v) of such subparagraph pursuant to the process established under subparagraph (H); or

''(bb) initiate a review pursuant to subparagraph (D).

''(ii) REPORTABLE AGRICULTURAL LAND TRANSACTION DEFINED.—In this subparagraph, the term 'reportable agricultural land transaction' means a transaction—

''(I) that the Secretary of Agriculture has reason to believe is a covered transaction;

''(II) that involves the acquisition of an interest in agricultural land by a foreign person, other than an excepted investor or an excepted real estate investor, as such terms are defined in regulations prescribed by the Committee; and

''(III) with respect to which a person is required to submit a report to the Secretary of Agriculture under section 2(a) of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3501(a)).''; and

(3) in subsection (k)(2)—

(A) by redesignating subparagraphs (H), (I), and (J) as subparagraphs (I), (J), and (K), respectively; and

(B) by inserting after subparagraph (G) the following:

''(H) The Secretary of Agriculture, with respect to any covered transaction related to the purchase of agricultural land or agricultural biotechnology or otherwise related to the agriculture industry in the United States.''.

(b) PROHIBITION WITH RESPECT TO PURCHASES AND LEASES OF AGRICULTURAL REAL ESTATE NEAR NATIONAL SECURITY SENSITIVE SITES.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565) is amended by adding at the end the following:

''(r) PROHIBITION WITH RESPECT TO PURCHASES AND LEASES OF AGRICULTURAL REAL ESTATE NEAR NATIONAL SECURITY SENSITIVE SITES.—

''(1) IN GENERAL.—If the Committee, in conducting a review under this section, determines that a transaction described in clause (i) or (ii) of subsection (a)(4)(B) would result in the purchase or lease by a covered foreign person of real estate described in paragraph (2), the President shall prohibit the transaction unless a party to the transaction voluntarily chooses to abandon the transaction.

''(2) REAL ESTATE DESCRIBED.—Subject to regulations prescribed by the Committee, real estate described in this paragraph is agricultural land (as defined in section 9 of the

Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3508)) in the United States that is in close proximity (subject to subsection (a)(4)(C)(ii)) to a United States military installation or another facility or property of the United States Government that is—

''(A) sensitive for reasons relating to national security for purposes of subsection (a)(4)(B)(ii)(II)(bb); and

''(B) identified in regulations prescribed by the Committee.

''(3) WAIVER.—The President may waive, on a case-by-case basis, the requirement to prohibit a transaction under paragraph (1) after the President determines and reports to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives that the waiver is in the national interest of the United States.

''(4) COVERED FOREIGN PERSON DEFINED.—

''(A) IN GENERAL.—In this subsection, subject to regulations prescribed by the Committee, the term 'covered foreign person'—

''(i) means any foreign person (including a foreign entity) that acts as an agent, representative, or employee of, or acts at the direction or control of, the government of a covered country; and

''(ii) does not include a United States citizen or an alien lawfully admitted for permanent residence to the United States.

''(B) COVERED COUNTRY DEFINED.—For purposes of subparagraph (A), the term 'covered country' means any of the following countries, if the country is determined to be a foreign adversary pursuant to section 7.4 of title 15, Code of Federal Regulations (or a successor regulation):

''(i) The People's Republic of China.

''(ii) The Russian Federation.

''(iii) The Islamic Republic of Iran.

''(iv) The Democratic People's Republic of Korea.''.

(c) SPENDING PLANS.—Not later than 60 days after the date of the enactment of this Act, each department or agency represented on the Committee on Foreign Investment in the United States shall submit to the chairperson of the Committee a copy of the most recent spending plan required under section 1721(b) of the Foreign Investment Risk Review Modernization Act of 2018 (50 U.S.C. 4565 note).

(d) REGULATIONS.—

(1) IN GENERAL.—The President shall direct, subject to section 553 of title 5, United States Code, the issuance of regulations to carry out the amendments made by this section.

(2) EFFECTIVE DATE.—The regulations prescribed under paragraph (1) shall take effect not later than one year after the date of the enactment of this Act.

(e) EFFECTIVE DATE; APPLICABILITY.—The amendments made by this section shall—

(1) take effect on the date that is 30 days after the effective date of the regulations under subsection (d)(2); and

(2) apply with respect to a covered transaction (as defined in section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565)) that is proposed, pending, or completed on or after the date described in paragraph (1).

(f) SUNSET.—The amendments made by this section, and any regulations prescribed to carry out those amendments, shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

SA 1411. Mr. RISCH submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—REBUILDING ECONOMIC PROSPERITY AND OPPORTUNITY FOR UKRAINIANS ACT

SEC. 4001. SHORT TITLE.

This division may be cited as the ''Rebuilding Economic Prosperity and Opportunity for Ukrainians Act'' or the ''REPO for Ukrainians Act''.

SEC. 4002. DEFINITIONS.

In this division:

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

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

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

(2) G7.—The term ''G7'' means the countries that are members of the informal Group of 7, including Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States.

(3) RUSSIAN SOVEREIGN ASSET.—The term ''Russian sovereign asset'' means funds and other property of—

(A) the Central Bank of the Russian Federation;

(B) the National Wealth Fund of the Russian Federation; or

(C) the Ministry of Finance of the Russian Federation.

(4) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

TITLE I—SEIZURE, TRANSFER, CONFISCATION, AND REPURPOSING OF RUSSIAN SOVEREIGN ASSETS

SEC. 4101. FINDINGS; SENSE OF CONGRESS.

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

(1) On February 20, 2014, the Government of the Russian Federation violated the sovereignty and territorial integrity of Ukraine by engaging in a pre-meditated and illegal invasion of Ukraine.

(2) On February 24, 2022, the Government of the Russian Federation violated the sovereignty and territorial integrity of Ukraine by engaging in a pre-meditated, second illegal invasion of Ukraine.

(3) The international community has condemned the illegal invasions of Ukraine by the Russian Federation, as well as the commission of war crimes by the Russian Federation, including through the deliberate targeting of civilians and civilian infrastructure, the commission of sexual violence, and the forced deportation of Ukrainian children.

(4) The leaders of the G7 have called the Russian Federation's ''unprovoked and completely unjustified attack on the democratic state of Ukraine'' a ''serious violation of international law and a grave breach of the United Nations Charter and all commitments Russia entered in the Helsinki Final Act and the Charter of Paris and its commitments in the Budapest Memorandum''.

(5) On March 2, 2022, the United Nations General Assembly adopted Resolution ES–11/1, entitled ''Aggression against Ukraine'', by a vote of 141 to 5. That resolution ''deplore[d] in the strongest terms the aggression by the Russian Federation against Ukraine in violation of Article 2(4) of the [United Nations] Charter'' and demanded that the Russian Federation ''immediately cease its use of force against Ukraine'' and ''immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine within its internationally recognized borders''.

(6) On March 16, 2022, the International Court of Justice issued provisional measures ordering the Russian Federation to ''immediately suspend the military operations that it commenced on 24 February 2022 in the territory of Ukraine''.

(7) The Russian Federation bears international legal responsibility for its aggression against Ukraine and, under international law, must cease its internationally wrongful acts. Because of this breach of the prohibition on aggression under international law, the United States is legally entitled to take countermeasures that are proportionate and aimed at inducing the Russian Federation to comply with its international obligations.

(8) On November 14, 2022, the United Nations General Assembly adopted a resolution—

(A) recognizing that the Russian Federation must bear the legal consequences of all of its internationally wrongful acts, including making reparation for the injury, including any damage, caused by such acts;

(B) recognizing the need for the establishment of an international mechanism for reparation for damage, loss, or injury caused by the Russian Federation in or against Ukraine; and

(C) recommending creation of an international register of such damage, loss, or injury.

(9) Under international law, a country that is responsible for an internationally wrongful act is under an obligation to make full reparation for the injury caused. The Russian Federation bears such an obligation to compensate Ukraine.

(10) Approximately $300,000,000,000 of Russian sovereign assets have been immobilized worldwide. Only a small fraction of those assets—1 to 2 percent, or between $4,000,000,000 and $5,000,000,000—are reportedly subject to the jurisdiction of the United States.

(11) The vast majority of immobilized Russian sovereign assets, approximately $190,000,000,000, are reportedly subject to the jurisdiction of Belgium. The Government of Belgium has publicly indicated that any action by that Government regarding those assets would be predicated on support by the G7.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, having committed an act of aggression, as recognized by the United Nations General Assembly on March 2, 2022, the Russian Federation is to be considered as an aggressor state. The internationally wrongful acts taken by the Russian Federation, including an act of aggression, present a unique situation justifying the establishment of a mechanism to compensate Ukraine and victims of aggression by the Russian Federation in Ukraine.

SEC. 4102. SENSE OF CONGRESS REGARDING IMPORTANCE OF THE RUSSIAN FEDERATION PROVIDING COMPENSATION TO UKRAINE.

It is the sense of Congress that—

(1) the Russian Federation bears responsibility for the financial burden of the reconstruction of Ukraine and for countless other costs associated with the illegal invasion of Ukraine by the Russian Federation that began on February 24, 2022;

(2) in the absence of a comprehensive peace agreement addressing the Russian Federation's obligation to compensate Ukraine for the cost of the Russian Federation's unlawful war against Ukraine, the amount of money the Russian Federation must pay Ukraine should be assessed by an international body or mechanism charged with determining compensation and providing assistance to Ukraine;

(3) the Russian Federation is on notice of its opportunity to comply with its international obligations, including compensation, or, by agreement with the government of independent Ukraine, authorize an international body or mechanism to address those outstanding obligations with authority to make binding decisions on parties that comply in good faith;

(4) the Russian Federation can, by negotiated agreement, participate in any international process to assess the full cost of the Russian Federation's unlawful war against Ukraine and make funds available to compensate for damage, loss, and injury arising from its internationally wrongful acts in Ukraine, and if it fails to do so, the United States and other countries should explore other avenues for ensuring compensation to Ukraine, including confiscation and repurposing of assets of the Russian Federation;

(5) the President should continue to lead robust engagement on all bilateral and multilateral aspects of the response by the United States to efforts by the Russian Federation to undermine the sovereignty and territorial integrity of Ukraine, including on any policy coordination and alignment regarding the disposition of Russian sovereign assets in the context of compensation; and

(6) any effort by the United States to confiscate and repurpose Russian sovereign assets should be undertaken alongside international allies and partners as part of a coordinated, multilateral effort, including with G7 countries, the European Union, Australia, and other countries in which Russian sovereign assets are located.

SEC. 4103. PROHIBITION ON LIFTING SANCTIONS ON IMMOBILIZED RUSSIAN SOVEREIGN ASSETS.

(a) IN GENERAL.—Notwithstanding any other provision of law, no Russian sovereign asset that is blocked or immobilized by the Department of the Treasury pursuant to sanctions imposed before the date described in section 4104(h) may be released or mobilized until the President certifies to the appropriate congressional committees in writing that—

(1) the Russian Federation has reached an agreement relating to the respective withdrawal of Russian forces and cessation of military hostilities that is accepted by the free and independent Government of Ukraine; and

(2)(A) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation; or

(B) the Russian Federation is participating in a bona fide international mechanism that, by agreement, will discharge the obligations of the Russian Federation to compensate Ukraine for all amounts determined to be owed to Ukraine.

(b) NOTIFICATION.—Not later than 30 days before the lifting of sanctions with respect to Russian sovereign assets as described in subsection (a), the President shall submit to the appropriate congressional committees—

(1) a written notification of the decision to lift the sanctions; and

(2) a justification in writing for lifting the sanctions.

(c) JOINT RESOLUTION OF DISAPPROVAL.—

(1) IN GENERAL.—Sanctions may not be lifted with respect to Russian sovereign assets as described in subsection (a) if, within 30 days of receipt of the notification and justification required under subsection (b), a joint resolution is enacted prohibiting the lifting of the sanctions.

(2) EXPEDITED PROCEDURES.—Any joint resolution described in paragraph (1) introduced in either House of Congress shall be considered in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765), except that any such resolution shall be subject to germane amendments. If such a joint resolution should be vetoed by the President, the time for debate in consideration of the veto message on such measure shall be limited to 20 hours in the Senate and in the House of Representatives shall be determined in accordance with the Rules of the House.

(d) COOPERATION ON PROHIBITION OF LIFTING SANCTIONS ON CERTAIN RUSSIAN SOVEREIGN ASSETS.—The President may take such action as may be necessary to seek to obtain and enter into an agreement between the United States, Ukraine, and other countries that have blocked or immobilized Russian sovereign assets to prohibit such assets from being released or mobilized until there is an agreement that addresses the Russian Federation's obligation to compensate Ukraine.

SEC. 4104. AUTHORITY TO SEIZE, CONFISCATE, TRANSFER, AND VEST RUSSIAN SOVEREIGN ASSETS.

(a) REPORTING ON RUSSIAN SOVEREIGN ASSETS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the date described in subsection (h), the President shall submit to the appropriate congressional committees a report detailing the status of Russian sovereign assets subject to the jurisdiction of the United States, including the information with respect to such assets required to be included with respect to property in the reports required by Directive 4.

(2) CONTINUATION IN EFFECT OF REPORTING REQUIREMENTS.—Any requirement to submit reports under Directive 4 shall remain in effect until the date described in subsection (h).

(3) FORM.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) DIRECTIVE 4 DEFINED.—In this subsection, the term ''Directive 4'' means Directive 4 issued by the Office of Foreign Assets Control under Executive Order 14024 (50 U.S.C. 1701 note; relating to blocking property with respect to specified harmful foreign activities of the Government of the Russian Federation), as in effect on the date of the enactment of this Act.

(b) SEIZURE, TRANSFER, VESTING, AND CONFISCATION.—

(1) IN GENERAL.—On and after the date that is 30 days after the President submits to the appropriate congressional committees the certification described in subsection (c), the President may seize, confiscate, transfer, or vest any Russian sovereign assets, in whole or in part, and including any interest or interests in such assets, subject to the jurisdiction of the United States.

(2) VESTING.—For funds confiscated under paragraph (1), all right, title, and interest in Russian sovereign assets shall vest in the Government of the United States.

(3) LIQUIDATION AND DEPOSIT.—The President may—

(A) deposit any funds seized, transferred, or confiscated under paragraph (1) into the Ukraine Support Fund established under subsection (d);

(B) liquidate or sell any other property seized, transferred, or confiscated under paragraph (1) and deposit the funds resulting from such liquidation or sale into the Ukraine Support Fund; and

(C) make all such funds available for the purposes described in subsection (e).

(4) METHOD OF SEIZURE, TRANSFER, OR CONFISCATION.—The President may seize, transfer, or confiscate Russian sovereign assets under paragraph (1) through instructions or licenses or in such other manner as the President determines appropriate.

(c) CERTIFICATION.—The certification described in this subsection, with respect to Russian sovereign assets, is a certification that—

(1) seizing, confiscating, or transferring the Russian sovereign assets for the benefit of Ukraine is in the national interests of the United States;

(2) either—

(A) the Russian Federation has not ceased its unlawful aggression against Ukraine; or

(B) the Russian Federation has not provided full compensation to Ukraine for harms resulting from Russian aggression; and

(3) the President has meaningfully coordinated with G7 leaders to take multilateral action with regard to any seizure, confiscation, or transfer of Russian sovereign assets for the benefit of Ukraine.

(d) ESTABLISHMENT OF THE UKRAINE SUPPORT FUND.—

(1) IN GENERAL.—The President shall establish an account, to be known as the ''Ukraine Support Fund'', to consist of funds deposited into the account under subsection (b).

(2) USE OF FUNDS.—The funds in the account established under paragraph (1) shall be available to be used only as specified in subsection (e).

(3) SUPPLEMENT NOT SUPPLANT.—Amounts in the account established under paragraph (1) shall supplement and not supplant other amounts made available to provide assistance to Ukraine.

(e) USE OF ASSETS.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), funds in the Ukraine Support Fund shall be available to the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, to provide assistance to Ukraine to address damage resulting from the unlawful invasion by the Russian Federation that began on February 24, 2022, including through contributions to an international body or mechanism charged with determining compensation and providing assistance to Ukraine.

(2) COORDINATION WITH FOREIGN ASSISTANCE FUNDS.—

(A) IN GENERAL.—Funds in the Ukraine Support Fund may be transferred to, and merged with, funds made available to carry out any provision of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to carry out the purposes of this section, except that funds from the Ukraine Support Fund shall remain available until expended. Any funds transferred pursuant to this subparagraph may be considered foreign assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities in that Act.

(B) USE FOR DIRECT LOANS.—Notwithstanding section 504(b) of the Congressional Budget Act of 1974 (2 U.S.C. 661c(b)), funds in the Ukraine Support Fund may be made available, subject to such terms and conditions as the Secretary of State deems necessary, for the principal for direct loans for Ukraine and costs, as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a), of such loans.

(3) NOTIFICATION.—

(A) IN GENERAL.—The Secretary of State shall notify the appropriate congressional committees not fewer than 15 days before providing any funds from the Ukraine Support Fund to the Government of Ukraine or to any other person or international organization for the purposes described in paragraph (1), other than funds authorized to be provided as assistance under section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292).

(B) ELEMENTS.—A notification under subparagraph (A) with respect to the provision of funds to the Government of Ukraine shall specify—

(i) the amount of funds to be provided;

(ii) the purpose for which such funds are provided; and

(iii) the recipient.

(4) PROHIBITION OF PROVISION OF FUNDS TO THE RUSSIAN FEDERATION OR SANCTIONED PERSONS.—Notwithstanding any other provision of law, funds from the Ukraine Support Fund may not under any circumstances be provided to—

(A) the Government of the Russian Federation;

(B) a foreign person with respect to which the United States has imposed sanctions;

(C) a foreign person owned or controlled by—

(i) the Government of the Russian Federation;

(ii) a Russian person with respect to which the United States has imposed sanctions; or

(D) any person in which the Government of the Russian Federation or a person described in subparagraph (B) has a direct or indirect interest; or

(E) any person that may act in the interest of the Government of the Russian Federation.

(f) JUDICIAL REVIEW.—

(1) EXCLUSIVENESS OF REMEDY.—Notwithstanding any other provision of law, any action taken under this section shall not be subject to judicial review, except as provided in this subsection.

(2) LIMITATIONS FOR FILING CLAIMS.—A claim may only be brought with respect to an action under this section—

(A) that alleges that the action will deny rights under the Constitution of the United States; and

(B) if the claim is brought not later than 60 days after the date of such action.

(3) JURISDICTION.—

(A) IN GENERAL.—A claim under paragraph (2) of this subsection shall be barred unless a complaint is filed prior to the expiration of such time limits in the United States District Court for the District of Columbia.

(B) APPEAL.—An appeal of an order of the United States District Court for the District of Columbia issued pursuant to a claim brought under this subsection shall be taken by a notice of appeal filed with the United States Court of Appeals for the District of Columbia Circuit not later than 10 days after the date on which the order is entered.

(C) EXPEDITED CONSIDERATION.—It shall be the duty of the United States District Court for the District of Columbia and the United States Court of Appeals for the District of Columbia Circuit to advance on the docket and to expedite to the greatest possible extent the disposition of any claim brought under this subsection.

(g) EXCEPTION FOR UNITED STATES OBLIGATIONS UNDER INTERNATIONAL AGREEMENTS.—The authorities provided by this section may not be exercised in a manner inconsistent with the obligations of the United States under—

(1) the Convention on Diplomatic Relations, done at Vienna April 18, 1961, and entered into force April 24, 1964 (23 UST 3227);

(2) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force on March 19, 1967 (21 UST 77);

(3) the Agreement Regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947 (TIAS 1676); or

(4) any other international agreement—

(A) governing the use of force or establishing rights under international humanitarian law; and

(B) to which the United States is a state party on the day before the date of the enactment of this Act.

(h) SUNSET.—The authority to seize, transfer, confiscate, or vest Russian sovereign assets under this section shall terminate on the earlier of—

(1) the date that is 6 years after the date of the enactment of this Act; or

(2) the date that is 120 days after the date on which the President determines and certifies to the appropriate congressional committees that—

(A) the Russian Federation has reached an agreement relating to the respective withdrawal of Russian forces and cessation of military hostilities that is accepted by the free and independent Government of Ukraine; and

(B)(i) full compensation has been made to Ukraine for harms resulting from the invasion of Ukraine by the Russian Federation;

(ii) the Russian Federation is participating in a bona fide international mechanism that, by agreement, addresses the obligations of the Russian Federation to compensate Ukraine; or

(iii) the Russian Federation's obligation to compensate Ukraine for the damage caused by the Russian Federation's aggression has been resolved pursuant to an agreement between the Russian Federation and the Government of Ukraine.

SEC. 4105. INTERNATIONAL MECHANISM TO USE RUSSIAN SOVEREIGN ASSETS TO PROVIDE FOR THE RECONSTRUCTION OF UKRAINE.

(a) IN GENERAL.—The President shall take steps the President determines are appropriate to coordinate with the G7, the European Union, Australia, and other partners and allies of the United States regarding the disposition of immobilized Russian sovereign assets, such as by seeking to establish a coordinated international compensation mechanism with foreign partners, including Ukraine, the G7, the European Union, Australia, and other partners and allies of the United States, which may include the establishment of an international fund, to be known as the ''Common Ukraine Fund'', that uses assets in the Ukraine Support Fund established under section 4104(d) and contributions from foreign partners to allow for compensation for Ukraine, including by—

(1) supporting a register of damage to serve as a record of evidence and for assessment of the full costs of damages to Ukraine resulting from the invasion of Ukraine by the Russian Federation that began on February 24, 2022;

(2) establishing a mechanism for compensating Ukraine for damages resulting from that invasion;

(3) ensuring distribution of those assets or the proceeds of those assets based on determinations under that mechanism; and

(4) taking such other actions as may be necessary to carry out this section.

(b) AUTHORIZATION FOR DEPOSIT.—Upon the President reaching an agreement or arrangement to establish a common international compensation mechanism pursuant to subsection (a), the Secretary of State may transfer funds from the Ukraine Support Fund established under section 4104(d) to a fund or mechanism established consistent with subsection (a).

(c) NOTIFICATIONS.—

(1) AGREEMENT OR ARRANGEMENT.—The President shall notify the appropriate congressional committees not later than 30 days before entering into any new bilateral or multilateral agreement or arrangement under subsection (a).

(2) TRANSFER.—The President shall notify the appropriate congressional committees not later than 30 days before any transfer from the Ukraine Support Fund to a fund established consistent with subsection (a).

(d) GOOD GOVERNANCE.—The Secretary of State, in consultation with the Secretary of the Treasury, shall—

(1) seek to ensure that any fund or mechanism established consistent with subsection (a) operates in accordance with established international accounting principles;

(2) seek to ensure that any such fund or mechanism is—

(A) staffed, operated, and administered in accordance with established accounting rules and governance procedures, including a mechanism for the governance and operation of the fund or mechanism;

(B) operated transparently as to all funds transfers, filings, and decisions; and

(C) audited on a regular basis by an independent auditor, in accordance with internationally accepted accounting and auditing standards;

(3) seek to ensure that any audits of any such fund or mechanism are made available to the public; and

(4) ensure that any audits of any such fund or mechanism are reviewed and reported on by the Government Accountability Office to the appropriate congressional committees and the public.

(e) LIMITATION ON TRANSFER OF FUNDS.—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) unless the President certifies to the appropriate congressional committees that—

(1) the institution housing the fund or mechanism has a plan to ensure transparency and accountability for all funds transferred to and from the Common Ukraine Fund; and

(2) the President has transmitted the plan required under paragraph (1) to the appropriate congressional committees in writing.

(f) JOINT RESOLUTION OF DISAPPROVAL.—No funds may be transferred from the Ukraine Support Fund to a fund or mechanism established consistent with subsection (a) if, within 30 days of receipt of the notification required under subsection (c)(2), a joint resolution is enacted prohibiting the transfer.

(g) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than every 90 days thereafter, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) An accounting of funds in any fund or mechanism established consistent with subsection (a).

(2) Any information regarding the disposition of any such fund or mechanism that has been transmitted to the President by the institution housing the fund or mechanism during the period covered by the report.

(3) A description of United States multilateral and bilateral diplomatic engagement with allies and partners of the United States that also have immobilized Russian sovereign assets to allow for compensation for Ukraine during the period covered by the report.

(4) An outline of steps taken to carry out this section during the period covered by the report.

SEC. 4106. REPORT ON USE OF RUSSIAN SOVEREIGN ASSETS.

Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, shall submit to the appropriate congressional committees a report that contains—

(1) the amount and source of Russian sovereign assets seized, transferred, or confiscated pursuant to subsection (b)(1) of section 4104;

(2) the amount and source of funds transferred into the Ukraine Support Fund under subsection (b)(3) of that section; and

(3) a detailed description and accounting of how such funds were used to meet the purposes described in subsection (e) of that section.

SEC. 4107. REPORT ON IMMOBILIZED ASSETS OF THE CENTRAL BANK OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Treasury, in consultation with the Board of Governors of the Federal Reserve, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the National Credit Union Administration, the Securities and Exchange Commission, and the Commodity Futures Trading Commission, shall submit to the appropriate congressional committees a report that includes—

(1) the best available accounting of the location, value, and denomination of blocked and immobilized assets of the Central Bank of the Russian Federation, as well as any additional assets of that bank held outside of the Russian Federation;

(2) with respect to blocked and immobilized assets of the Central Bank of the Russian Federation—

(A) a break down of those assets by the country or jurisdiction in which such assets are located;

(B) an estimate of the value and denomination of the assets held in each such country or jurisdiction; and

(C) an identification of whether those assets are securities, deposits, or other assets;

(3) an estimate, to the extent feasible, of—

(A) the total income received from those assets since the dates that the assets were blocked or immobilized; and

(B) the approximate amounts of those assets that are securities and have matured or expired; and

(4) an assessment of—

(A) what may have happened to the securities described in paragraph (3)(B); and

(B) how the funds from maturing securities have been reinvested and the associated income flows.

(b) ADDRESSING UNCERTAINTY.—In preparing the report required by subsection (a), the Secretary shall—

(1) where exact figures are uncertain, provide approximate ranges for those figures; and

(2) identify areas of uncertainty or gaps in accounting, including areas where the Central Bank of the Russian Federation may have additional assets outside of the Russian Federation.

(c) COORDINATION WITH ALLIES.—The Secretary shall work with the G7 and other allies of the United States to obtain the information necessary to ensure that the report submitted under subsection (a) is comprehensive. A joint report by the Secretary and such allies shall satisfy the requirements of this subsection.

(d) FORM.—

(1) IN GENERAL.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(2) FOCUS ON PUBLIC AVAILABILITY OF INFORMATION.—In preparing the report required by subsection (a), the Secretary shall maximize the amount of information that is included in the unclassified portion of the report.

SEC. 4108. ASSESSMENT BY SECRETARY OF STATE AND ADMINISTRATOR OF UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT ON RECONSTRUCTION AND REBUILDING NEEDS OF UKRAINE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of the Treasury and Administrator of the United States Agency for International Development, shall submit to the appropriate congressional committees an assessment of the most pressing needs of Ukraine for reconstruction, rebuilding, security assistance, and humanitarian aid.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) An estimate of the rebuilding and reconstruction needs of Ukraine, as of the date of the assessment, resulting from the unlawful invasion of Ukraine by the Russian Federation, including—

(A) a description of the sources and methods for the estimate; and

(B) an identification of the locations or regions in Ukraine with the most pressing needs.

(2) An estimate of the humanitarian needs, as of the date of the assessment, of the people of Ukraine, including Ukrainians residing inside the internationally recognized borders of Ukraine or outside those borders, resulting from the unlawful invasion of Ukraine by the Russian Federation.

(3) An assessment of the extent to which the needs described in paragraphs (1) and (2) have been met or funded, by any source, as of the date of the assessment.

(4) A plan to engage in robust multilateral and bilateral diplomacy to ensure that allies and partners of the United States, particularly in the European Union as Ukraine seeks accession, increase their commitment to Ukraine's reconstruction.

(5) An identification of which such needs should be prioritized, including any assessment or request by the Government of Ukraine with respect to the prioritization of such needs.

SEC. 4109. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements under this title shall not include the authority or a requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

TITLE II—MULTILATERAL COORDINATION AND COUNTERING MALIGN ACTIVITIES OF THE RUSSIAN FEDERATION

SEC. 4201. STATEMENT OF POLICY REGARDING MULTILATERAL COORDINATION WITH RESPECT TO THE RUSSIAN FEDERATION.

(a) IN GENERAL.—In response to the Russian Federation's unprovoked and illegal invasion of Ukraine, it is the policy of the United States that—

(1) the United States, along with the European Union, the G7, Australia, and other willing allies and partners of the United States, should continue to lead a coordinated international sanctions regime to freeze sovereign assets of the Russian Federation;

(2) the Secretary of State should continue to engage in interagency and multilateral coordination with agencies of the European Union, the G7, Australia, and other allies and partners of the United States on efforts related to countering the Russian Federation, including efforts related to the confiscation and repurposing of Russian sovereign assets, as well as to ensure the ongoing implementation and enforcement of sanctions with respect to the Russian Federation in response to its invasion of Ukraine;

(3) the Secretary of State, in consultation with the Secretary of the Treasury, should, to the extent practicable and consistent with relevant United States law, continue to lead and coordinate with the European Union, the G7, Australia, and other allies and partners of the United States with respect to enforcement of sanctions imposed with respect to the Russian Federation;

(4) the United States should continue to provide relevant technical assistance, implementation guidance, and support relating to enforcement and implementation of sanctions imposed with respect to the Russian Federation;

(5) where appropriate, the Secretary of State, in consultation with the Secretary of the Treasury, should continue to seek private sector input regarding sanctions policy with respect to the Russian Federation and the implementation of and compliance with such sanctions imposed with respect to the Russian Federation; and

(6) the Secretary of State, in coordination with the Secretary of the Treasury, should continue robust diplomatic engagement with allies and partners of the United States, including the European Union, the G7, and Australia, to encourage such allies and partners to continue to take appropriate actions against the Russian Federation, including the imposition of sanctions.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $15,000,000 for each of fiscal years 2025, 2026, and 2027, to carry out this section.

(2) SUPPLEMENT NOT SUPPLANT.—The amounts authorized to be appropriated by paragraph (1) shall supplement and not supplant other amounts authorized to be appropriated for the Department of State.

SEC. 4202. INFORMATION ON VOTING PRACTICES IN THE UNITED NATIONS WITH RESPECT TO THE INVASION OF UKRAINE BY THE RUSSIAN FEDERATION.

Section 406(b) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2414a(b)), is amended—

(1) in paragraph (4), by striking ''Assembly on'' and all that follows through ''opposed by the United States;'' and inserting the following: ''Assembly on—

''(A) resolutions specifically related to Israel that are opposed by the United States; and

''(B) resolutions specifically related to the invasion of Ukraine by the Russian Federation;'';

(2) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(3) by redesignating paragraph (6) as paragraph (7); and

(4) by inserting after paragraph (5) the following:

''(6) an analysis and discussion, prepared in consultation with the Secretary of State, of the extent to which member countries supported United States policy objectives in the Security Council and the General Assembly with respect to the invasion of Ukraine by the Russian Federation; and''.

SEC. 4203. EXPANSION OF FORFEITED PROPERTY AVAILABLE TO REMEDIATE HARMS TO UKRAINE FROM RUSSIAN AGGRESSION.

(a) IN GENERAL.—Section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023 (division M of Public Law 117–328; 136 Stat. 5200) is amended—

(1) in subsection (a), by inserting ''from any forfeiture fund'' after ''The Attorney General may transfer''; and

(2) in subsection (c)—

(A) in paragraph (2), by striking ''which property belonged'' and all that follows and inserting the following: ''which property—

''(A) belonged to, was possessed by, or was controlled by a person the property or interests in property of which were blocked pursuant to any covered legal authority;

''(B) was involved in an act in violation of, or a conspiracy or scheme to violate or cause a violation of—

''(i) any covered legal authority; or

''(ii) any restriction on the export, reexport, or in-country transfer of items imposed by the United States under the Export Administration Regulations, or any restriction on the export, reexport, or retransfer of defense articles under the International Traffic in Arms Regulations under subchapter M of chapter I of title 22, Code of Federal Regulations, with respect to—

''(I) the Russian Federation, Belarus, the Crimea region of Ukraine, or the so-called Donetsk and Luhansk People's Republic regions of Ukraine;

''(II) any person in any such country or region on a restricted parties list; or

''(III) any person located in any other country that has been added to a restricted parties list in connection with the malign conduct of the Russian Federation in Ukraine, including the annexation of the Crimea region of Ukraine in March 2014 and the invasion beginning in February 2022 of Ukraine, as substantially enabled by Belarus; or

''(C) was involved in any related conspiracy, scheme, or other Federal offense arising from the actions of, or doing business with or acting on behalf of, the Russian Federation, Belarus, or the Crimea region of Ukraine, or the so-called Donetsk and Luhansk People's Republic regions of Ukraine.''; and

(B) by adding at the end the following:

''(3) The term 'covered legal authority' means any license, order, regulation, or prohibition imposed by the United States under the authority provided by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law, with respect to—

''(A) the Russian Federation;

''(B) the national emergency—

''(i) declared in Executive Order 13660 (50 U.S.C. 1701 note; relating to blocking property of certain persons contributing to the situation in Ukraine);

''(ii) expanded by—

''(I) Executive Order 13661 (50 U.S.C. 1701 note; relating to blocking property of additional persons contributing to the situation in Ukraine); and

''(II) Executive Order 13662 (50 U.S.C. 1701 note; relating to blocking property of additional persons contributing to the situation in Ukraine); and

''(iii) relied on for additional steps taken in Executive Order 13685 (50 U.S.C. 1701 note; relating to blocking property of certain persons and prohibiting certain transactions with respect to the Crimea region of Ukraine);

''(C) the national emergency, as it relates to the Russian Federation—

''(i) declared in Executive Order 13694 (50 U.S.C. 1701 note; relating to blocking the property of certain persons engaging in significant malicious cyber-enabled activities); and

''(ii) relied on for additional steps taken in Executive Order 13757 (50 U.S.C. 1701 note; relating to taking additional steps to address the national emergency with respect to significant malicious cyber-enabled activities);

''(D) the national emergency—

''(i) declared in Executive Order 14024 (50 U.S.C. 1701 note; relating to blocking property with respect to specified harmful foreign activities of the Government of the Russian Federation);

''(ii) expanded by Executive Order 14066 (50 U.S.C. 1701 note; relating to prohibiting certain imports and new investments with respect to continued Russian Federation efforts to undermine the sovereignty and territorial integrity of Ukraine); and

''(iii) relied on for additional steps taken in—

''(I) Executive Order 14039 (22 U.S.C. 9526 note; relating to blocking property with respect to certain Russian energy export pipelines);

''(II) Executive Order 14068 (50 U.S.C. 1701 note; relating to prohibiting certain imports, exports, and new investment with respect to continued Russian Federation aggression); and

''(III) Executive Order 14071 (50 U.S.C. 1701 note; relating to prohibiting new investment in and certain services to the Russian Federation in response to continued Russian Federation aggression); and

''(iv) which may be expanded or relied on in future Executive orders; or

''(E) actions or policies that undermine the democratic processes and institutions in Ukraine or threaten the peace, security, stability, sovereignty, or territorial integrity of Ukraine.

''(4) The term 'Export Administration Regulations' has the meaning given that term in section 1742 of the Export Control Reform Act of 2018 (50 U.S.C. 4801).

''(5) The term 'restricted parties list' means any of the following lists maintained by the Bureau of Industry and Security:

''(A) The Entity List set forth in Supplement No. 4 to part 744 of the Export Administration Regulations.

''(B) The Denied Persons List maintained pursuant to section 764.3(a)(2) of the Export Administration Regulations.

''(C) The Unverified List set forth in Supplement No. 6 to part 744 of the Export Administration Regulations.''.

(b) SEMIANNUAL REPORTS.—Such section is further amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

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

''(c) Not later than 180 days after the date of the enactment of the Rebuilding Economic Prosperity and Opportunity for Ukrainians Act, and every 180 days thereafter, the Secretary of State, in consultation with the Attorney General and the Secretary of the Treasury, shall submit to the appropriate congressional committees a report on progress made in remediating the harms of Russian aggression toward Ukraine as a result of transfers made under subsection (a).''.

(c) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General, in consultation with the Secretary of the Treasury and the Secretary of State, shall submit to the appropriate congressional committees a plan for using the authority provided by section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023, as amended by this section.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term by section 1708 of the Additional Ukraine Supplemental Appropriations Act, 2023, as amended by this section.

SEC. 4204. EXTENSION.

Section 5(a) of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (Public Law 115–441; 132 Stat. 5587) is amended, in the matter preceding paragraph (1), by striking ''six years'' and inserting ''12 years''.

SEC. 4205. RECOGNITION OF RUSSIAN ACTIONS IN UKRAINE AS A GENOCIDE.

(a) FINDINGS.—Congress finds the following:

(1) The Russian Federation's illegal, premeditated, unprovoked, and brutal war against Ukraine includes extensive, systematic, and flagrant atrocities against the people of Ukraine.

(2) Article II of the Convention on the Prevention and Punishment of the Crime of Genocide (in this section referred to as the ''Genocide Convention''), adopted and opened for signature in 1948 and entered into force in 1951, defines genocide as ''any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group''.

(3) On October 3, 2018, the Senate unanimously agreed to Senate Resolution 435, 115th Congress, which commemorated the 85th anniversary of the Holodomor and ''recognize[d] the findings of the Commission on the Ukraine Famine as submitted to Congress on April 22, 1988, including that 'Joseph Stalin and those around him committed genocide against the Ukrainians in 1932–1933' ''.

(4) Substantial and significant evidence documents widespread, systematic actions against the Ukrainian people committed by Russian forces under the direction of political leadership of the Russian Federation that meet one or more of the criteria under article II of the Genocide Convention, including—

(A) killing members of the Ukrainian people in mass atrocities through deliberate and regularized murders of fleeing civilians and civilians in passing as well as purposeful targeting of homes, schools, hospitals, shelters, and other residential and civilian areas;

(B) causing serious bodily or mental harm to members of the Ukrainian people by launching indiscriminate attacks against civilians and civilian areas, conducting willful strikes on humanitarian evacuation corridors, and employing widespread and systematic sexual violence against Ukrainian civilians, including women, children, and men;

(C) deliberately inflicting upon the Ukrainian people conditions of life calculated to bring about their physical destruction in whole or in part, including displacement due to annihilated villages, towns, and cities left devoid of food, water, shelter, electricity, and other basic necessities, starvation caused by the destruction of farmlands and agricultural equipment, the placing of Russian landmines across thousands of acres of useable fields, and blocking the delivery of humanitarian food aid;

(D) imposing measures intended to prevent births among the Ukrainian people, demonstrated by the Russian military's expansive and direct targeting of maternity hospitals and other medical facilities and systematic attacks against residential and civilian areas as well as humanitarian corridors intended to deprive Ukrainians of safe

havens within their own country and the material conditions conducive to childrearing; and

(E) forcibly mass transferring millions of Ukrainian civilians, hundreds of thousands of whom are children, to the Russian Federation or territories controlled by the Russian Federation.

(5) The intent of the Russian Federation and those acting on its behalf in favor of those heinous crimes against humanity has been demonstrated through frequent pronouncements and other forms of official communication denying Ukrainian nationhood, including President Putin's ahistorical claims that Ukraine is part of a ''single whole'' Russian nation with ''no historical basis'' for being an independent country.

(6) Some Russian soldiers and brigades accused of committing war crimes in Bucha, Ukraine, and elsewhere were rewarded with medals by President Putin.

(7) The Russian state-owned media outlet RIA Novosti published the article ''What Should Russia do with Ukraine'', which outlines ''de-Nazification'' as meaning ''de-Ukrainianization'' or the destruction of Ukraine and rejection of the ''ethnic component'' of Ukraine.

(8) Article I of the Genocide Convention confirms ''that genocide, whether committed in time of peace or in time of war, is a crime under international law which [the Contracting Parties] undertake to prevent and to punish''.

(9) Although additional documentation and analysis of atrocities committed by the Russian Federation in Ukraine may be needed to punish those responsible, the substantial and significant documentation already undertaken, combined with statements showing intent, compel urgent action to prevent future acts of genocide.

(10) The Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) authorizes the President to impose economic sanctions on, and deny entry into the United States to, foreign individuals identified as engaging in gross violations of internationally recognized human rights.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) those acting on behalf of the Russian Federation should be condemned for committing acts of genocide against the Ukrainian people;

(2) the United States, in cooperation with allies in the North Atlantic Treaty Organization and the European Union, should undertake measures to support the Government of Ukraine to prevent acts of Russian genocide against the Ukrainian people;

(3) tribunals and international criminal investigations should be supported to hold Russian political leaders and military personnel to account for a war of aggression, war crimes, crimes against humanity, and genocide; and

(4) the President should use the authorities under the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 10101 et seq.) to impose economic sanctions on those responsible for, or complicit in, genocide in Ukraine by the Russian Federation and those acting on its behalf.

SA 1412. Mr. ROUNDS submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CLARIFICATION OF ASYLUM ELIGIBILITY.

(a) IN GENERAL.—Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''or who arrives in the United States (whether or not at a designated port of arrival and including'' and inserting ''and has arrived in the United States at a port of entry (including''; and

(B) in paragraph (2), by amending subparagraph (A) to read as follows:

''(A) SAFE THIRD COUNTRY.—Paragraph (1) shall not apply to an alien if the Attorney General or the Secretary of Homeland Security determines that—

''(i) the alien may be removed to a country (other than the country of the alien's nationality or, in the case of an alien having no nationality, the country of the alien's last habitual residence) in which the alien's life or freedom would not be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion, and where the alien would have access to a full and fair procedure for determining a claim to asylum or equivalent temporary protection, unless the Attorney General or the Secretary, on a case-by-case basis, finds that it is in the public interest for the alien to receive asylum in the United States; or

''(ii) the alien entered, attempted to enter, or arrived in the United States after transiting through at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States, unless—

''(I) the alien demonstrates that he or she applied for protection from persecution or torture in at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence through which the alien transited en route to the United States, and the alien received a final judgment denying the alien protection in each country;

''(II) the alien demonstrates that he or she was a victim of a severe form of trafficking in which a commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such act was under the age of 18 years; or in which the trafficking included the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and was unable to apply for protection from persecution in each country through which the alien transited en route to the United States as a result of such severe form of trafficking; or

''(III) the only countries through which the alien transited en route to the United States were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.''; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting ''(in accordance with the rules set forth in this section), and is eligible to apply for asylum under subsection (a)'' before the semicolon at the end; and

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

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determines that—

''(i) the alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(ii) the alien has been convicted of any felony under Federal, State, tribal, or local law;

''(iii) the alien has been convicted of any misdemeanor offense under Federal, State, tribal, or local law involving—

''(I) the unlawful possession or use of an identification document, authentication feature, or false identification document (as such terms are defined in the jurisdiction where the conviction occurred), unless the alien can establish that the conviction resulted from circumstances showing that—

''(aa) the document or feature was presented before boarding a common carrier;

''(bb) the document or feature related to the alien's eligibility to enter the United States;

''(cc) the alien used the document or feature to depart a country wherein the alien has claimed a fear of persecution; and

''(dd) the alien claimed a fear of persecution without delay upon presenting himself or herself to an immigration officer upon arrival at a United States port of entry;

''(II) the unlawful receipt of a Federal public benefit (as defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c))), from a Federal entity, or the unlawful receipt of similar public benefits from a State, tribal, or local entity; or

''(III) possession or trafficking of a controlled substance or controlled substance paraphernalia, as those phrases are defined under the law of the jurisdiction where the conviction occurred, other than a single offense involving possession for one's own use of 30 grams or less of marijuana (as marijuana is defined under the law of the jurisdiction where the conviction occurred);

''(iv) the alien has been convicted of an offense arising under paragraph (1)(A) or (2) of section 274(a), or under section 276;

''(v) the alien has been convicted of a Federal, State, tribal, or local crime that the Attorney General or Secretary of Homeland Security knows, or has reason to believe, was committed in support, promotion, or furtherance of the activity of a criminal street gang (as defined under the law of the jurisdiction where the conviction occurred or in section 521(a) of title 18, United States Code);

''(vi) the alien has been convicted of an offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law, in which such intoxicated or impaired driving was a cause of serious bodily injury or death of another person;

''(vii) the alien has been convicted of more than one offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law;

''(viii) the alien has been convicted of a crime—

''(I) that involves conduct amounting to a crime of stalking;

''(II) of child abuse, child neglect, or child abandonment; or

''(III) that involves conduct amounting to a domestic assault or battery offense, including—

''(aa) a misdemeanor crime of domestic violence, as described in section 921(a)(33) of title 18, United States Code;

''(bb) a crime of domestic violence, as described in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)); or

''(cc) any crime based on conduct in which the alien harassed, coerced, intimidated, voluntarily or recklessly used (or threatened to use) force or violence against, or inflicted physical injury or physical pain, however slight, upon a person—

''(AA) who is a current or former spouse of the alien;

''(BB) with whom the alien shares a child;

''(CC) who is cohabitating with, or who has cohabitated with, the alien as a spouse;

''(DD) who is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(EE) who is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(ix) the alien has engaged in acts of battery or extreme cruelty upon a person and the person—

''(I) is a current or former spouse of the alien;

''(II) shares a child with the alien;

''(III) cohabitates or has cohabitated with the alien as a spouse;

''(IV) is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(V) is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(x) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States;

''(xi) there are serious reasons for believing that the alien has committed a serious nonpolitical crime outside the United States prior to the arrival of the alien in the United States;

''(xii) there are reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiii) the alien is described in subclause (I), (II), (III), (IV), or (VI) of section 212(a)(3)(B)(i) or section 237(a)(4)(B) (relating to terrorist activity), unless, in the case only of an alien inadmissible under subclause (IV) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the Secretary's or the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiv) the alien was firmly resettled in another country prior to arriving in the United States; or

''(xv) there are reasonable grounds for concluding the alien could avoid persecution by relocating to another part of the alien's country of nationality or, in the case of an alien having no nationality, another part of the alien's country of last habitual residence.

''(B) SPECIAL RULES.—

''(i) PARTICULARLY SERIOUS CRIME; SERIOUS NONPOLITICAL CRIME OUTSIDE THE UNITED STATES.—

''(I) IN GENERAL.—For purposes of subparagraph (A)(x), the Attorney General or Secretary of Homeland Security, in their discretion, may determine that a conviction constitutes a particularly serious crime based on—

''(aa) the nature of the conviction;

''(bb) the type of sentence imposed; or

''(cc) the circumstances and underlying facts of the conviction.

''(II) DETERMINATION.—In making a determination under subclause (I), the Attorney General or Secretary of Homeland Security may consider all reliable information and is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) TREATMENT OF FELONIES.—In making a determination under subclause (I), an alien who has been convicted of a felony (as defined under this section) or an aggravated felony (as defined under section 101(a)(43)), shall be considered to have been convicted of a particularly serious crime.

''(IV) INTERPOL RED NOTICE.—In making a determination under subparagraph (A)(xi), an Interpol Red Notice may constitute reliable evidence that the alien has committed a serious nonpolitical crime outside the United States.

''(ii) CRIMES AND EXCEPTIONS.—

''(I) DRIVING WHILE INTOXICATED OR IMPAIRED.—A finding under subparagraph (A)(vi) does not require the Attorney General or Secretary of Homeland Security to find the first conviction for driving while intoxicated or impaired (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense. The Attorney General or Secretary of Homeland Security need only make a factual determination that the alien previously was convicted for driving while intoxicated or impaired as those terms are defined under the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs).

''(II) STALKING AND OTHER CRIMES.—In making a determination under subparagraph (A)(viii), including determining the existence of a domestic relationship between the alien and the victim, the underlying conduct of the crime may be considered, and the Attorney General or Secretary of Homeland Security is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) BATTERY OR EXTREME CRUELTY.—In making a determination under subparagraph (A)(ix), the phrase 'battery or extreme cruelty' includes—

''(aa) any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury;

''(bb) psychological or sexual abuse or exploitation, including rape, molestation, incest, or forced prostitution, shall be considered acts of violence; and

''(cc) other abusive acts, including acts that, in and of themselves, may not initially appear violent, but that are a part of an overall pattern of violence.

''(IV) EXCEPTION FOR VICTIMS OF DOMESTIC VIOLENCE.—An alien who was convicted of an offense described in clause (viii) or (ix) of subparagraph (A) is not ineligible for asylum on that basis if the alien satisfies the criteria under section 237(a)(7)(A).

''(C) SPECIFIC CIRCUMSTANCES.—Paragraph (1) shall not apply to an alien whose claim is based on—

''(i) personal animus or retribution, including personal animus in which the alleged persecutor has not targeted, or manifested an animus against, other members of an alleged particular social group in addition to the member who has raised the claim at issue;

''(ii) the applicant's generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations absent expressive behavior in furtherance of a discrete cause against such organizations related to control of a State or expressive behavior that is antithetical to the State or a legal unit of the State;

''(iii) the applicant's resistance to recruitment or coercion by guerrilla, criminal, gang, terrorist, or other non-state organizations;

''(iv) the targeting of the applicant for criminal activity for financial gain based on wealth or affluence or perceptions of wealth or affluence;

''(v) the applicant's criminal activity; or

''(vi) the applicant's perceived, past or present, gang affiliation.

''(D) DEFINITIONS AND CLARIFICATIONS.—

''(i) DEFINITIONS.—In this paragraph:

''(I) FELONY.—The term 'felony' means—

''(aa) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime punishable by more than one year of imprisonment.

''(II) MISDEMEANOR.—The term 'misdemeanor' means—

''(aa) any crime defined as a misdemeanor by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime not punishable by more than one year of imprisonment.

''(ii) CLARIFICATIONS.—

''(I) CONSTRUCTION.—For purposes of this paragraph, whether any activity or conviction also may constitute a basis for removal is immaterial to a determination of asylum eligibility.

''(II) ATTEMPT, CONSPIRACY, OR SOLICITATION.—For purposes of this paragraph, all references to a criminal offense or criminal conviction shall be deemed to include any attempt, conspiracy, or solicitation to commit the offense or any other inchoate form of the offense.

''(III) EFFECT OF CERTAIN ORDERS.—

''(aa) IN GENERAL.—No order vacating a conviction, modifying a sentence, clarifying a sentence, or otherwise altering a conviction or sentence shall have any effect under this paragraph unless the Attorney General or Secretary of Homeland Security determines that—

''(AA) the court issuing the order had jurisdiction and authority to do so; and

''(BB) the order was not entered for rehabilitative purposes or for purposes of ameliorating the immigration consequences of the conviction or sentence.

''(bb) AMELIORATING IMMIGRATION CONSEQUENCES.—For purposes of item (aa)(BB), the order shall be presumed to be for the purpose of ameliorating immigration consequences if—

''(AA) the order was entered after the initiation of any proceeding to remove the alien from the United States; or

''(BB) the alien moved for the order more than one year after the date of the original order of conviction or sentencing, whichever is later.

''(cc) AUTHORITY OF IMMIGRATION JUDGE.—An immigration judge is not limited to consideration only of material included in any order vacating a conviction, modifying a sentence, or clarifying a sentence to determine whether such order should be given any effect under this paragraph, but may consider such additional information as the immigration judge determines appropriate.

''(E) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security or the Attorney

General may by regulation establish additional limitations and conditions, consistent with this section, under which an alien shall be ineligible for asylum under paragraph (1).

''(F) NO JUDICIAL REVIEW.—There shall be no judicial review of a determination of the Secretary of Homeland Security or the Attorney General under subparagraph (A)(xiii).''.

(b) CREDIBLE FEAR INTERVIEWS.—Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''there is a significant possibility'' and all that follows, and inserting '', taking into account the credibility of the statements made by the alien in support of the alien's claim, as determined pursuant to section 208(b)(1)(B)(iii), and such other facts as are known to the officer, the alien more likely than not could establish eligibility for asylum under section 208, and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true.''.

SA 1413. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ____—REINS ACT

SEC. ___01. SHORT TITLE.

This division may be cited as the ''Regulations from the Executive in Need of Scrutiny Act of 2024''.

SEC. ___02. PURPOSE.

The purpose of this division is to increase accountability for and transparency in the Federal regulatory process. Section 1 of article I of the United States Constitution grants all legislative powers to Congress. Over time, Congress has excessively delegated its constitutional charge while failing to conduct appropriate oversight and retain accountability for the content of the laws it passes. By requiring a vote in Congress, the REINS Act will result in more carefully drafted and detailed legislation, an improved regulatory process, and a legislative branch that is truly accountable to the American people for the laws imposed upon them.

SEC. ___03. CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.

Chapter 8 of title 5, United States Code, is amended to read as follows:

''CHAPTER 8—CONGRESSIONAL REVIEW OF AGENCY RULEMAKING

''§ 801. Congressional review

''(a)(1)(A) Before a rule may take effect, the Federal agency promulgating such rule shall publish in the Federal Register a list of information on which the rule is based, including data, scientific and economic studies, and cost-benefit analyses, and identify how the public can access such information online, and shall submit to each House of the Congress and to the Comptroller General a report containing—

''(i) a copy of the rule;

''(ii) a concise general statement relating to the rule;

''(iii) a classification of the rule as a major or nonmajor rule, including an explanation of the classification specifically addressing each criteria for a major rule contained within subparagraphs (A) through (C) of section 804(2);

''(iv) a list of any other related regulatory actions intended to implement the same statutory provision or regulatory objective as well as the individual and aggregate economic effects of those actions; and

''(v) the proposed effective date of the rule.

''(B) On the date of the submission of the report under subparagraph (A), the Federal agency promulgating the rule shall submit to the Comptroller General and make available to each House of Congress—

''(i) a complete copy of the cost-benefit analysis of the rule, if any, including an analysis of any jobs added or lost, differentiating between public and private sector jobs;

''(ii) the agency's actions pursuant to sections 603, 604, 605, 607, and 609 of this title;

''(iii) the agency's actions pursuant to sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995; and

''(iv) any other relevant information or requirements under any other Act and any relevant Executive orders.

''(C) Upon receipt of a report submitted under subparagraph (A), each House shall provide copies of the report to the chairman and ranking member of each standing committee with jurisdiction under the rules of the House of Representatives or the Senate to report a bill to amend the provision of law under which the rule is issued.

''(2)(A) The Comptroller General shall provide a report on each major rule to the committees of jurisdiction by the end of 15 calendar days after the submission or publication date. The report of the Comptroller General shall include an assessment of the agency's compliance with procedural steps required by paragraph (1)(B) and an assessment of whether the major rule imposes any new limits or mandates on private-sector activity.

''(B) Federal agencies shall cooperate with the Comptroller General by providing information relevant to the Comptroller General's report under subparagraph (A).

''(3) A major rule relating to a report submitted under paragraph (1) shall take effect upon enactment of a joint resolution of approval described in section 802 or as provided for in the rule following enactment of a joint resolution of approval described in section 802, whichever is later.

''(4) A nonmajor rule shall take effect as provided by section 803 after submission to Congress under paragraph (1).

''(5) If a joint resolution of approval relating to a major rule is not enacted within the period provided in subsection (b)(2), then a joint resolution of approval relating to the same rule may not be considered under this chapter in the same Congress by either the House of Representatives or the Senate.

''(b)(1) A major rule shall not take effect unless the Congress enacts a joint resolution of approval described under section 802.

''(2) If a joint resolution described in subsection (a) is not enacted into law by the end of 70 session days or legislative days, as applicable, beginning on the date on which the report referred to in subsection (a)(1)(A) is received by Congress (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), then the rule described in that resolution shall be deemed not to be approved and such rule shall not take effect.

''(c)(1) Notwithstanding any other provision of this section (except subject to paragraph (3)), a major rule may take effect for one 90-calendar-day period if the President makes a determination under paragraph (2) and submits written notice of such determination to the Congress.

''(2) Paragraph (1) applies to a determination made by the President by Executive order that the major rule should take effect because such rule is—

''(A) necessary because of an imminent threat to health or safety or other emergency;

''(B) necessary for the enforcement of criminal laws;

''(C) necessary for national security; or

''(D) issued pursuant to any statute implementing an international trade agreement.

''(3) An exercise by the President of the authority under this subsection shall have no effect on the procedures under section 802.

''(d)(1) In addition to the opportunity for review otherwise provided under this chapter, in the case of any rule for which a report was submitted in accordance with subsection (a)(1)(A) during the period beginning on the date occurring—

''(A) in the case of the Senate, 60 session days; or

''(B) in the case of the House of Representatives, 60 legislative days,

before the date the Congress is scheduled to adjourn a session of Congress through the date on which the same or succeeding Congress first convenes its next session, sections 802 and 803 shall apply to such rule in the succeeding session of Congress.

''(2)(A) In applying sections 802 and 803 for purposes of such additional review, a rule described under paragraph (1) shall be treated as though—

''(i) such rule were published in the Federal Register on—

''(I) in the case of the Senate, the 15th session day; or

''(II) in the case of the House of Representatives, the 15th legislative day,

after the succeeding session of Congress first convenes; and

''(ii) a report on such rule were submitted to Congress under subsection (a)(1) on such date.

''(B) Nothing in this paragraph shall be construed to affect the requirement under subsection (a)(1) that a report shall be submitted to Congress before a rule can take effect.

''(3) A rule described under paragraph (1) shall take effect as otherwise provided by law (including other subsections of this section).

''§ 802. Congressional approval procedure for major rules

''(a)(1) For purposes of this section, the term 'joint resolution' means only a joint resolution addressing a report classifying a rule as major pursuant to section 801(a)(1)(A)(iii) that—

''(A) bears no preamble;

''(B) bears the following title (with blanks filled as appropriate): 'Approving the rule submitted by _____ relating to _____.';

''(C) includes after its resolving clause only the following (with blanks filled as appropriate): 'That Congress approves the rule submitted by _____ relating to _____.'; and

''(D) is introduced pursuant to paragraph (2).

''(2) After a House of Congress receives a report classifying a rule as major pursuant

to section 801(a)(1)(A)(iii), the majority leader of that House (or his or her respective designee) shall introduce (by request, if appropriate) a joint resolution described in paragraph (1)—

''(A) in the case of the House of Representatives, within 3 legislative days; and

''(B) in the case of the Senate, within 3 session days.

''(3) A joint resolution described in paragraph (1) shall not be subject to amendment at any stage of proceeding.

''(b) A joint resolution described in subsection (a) shall be referred in each House of Congress to the committees having jurisdiction over the provision of law under which the rule is issued.

''(c) In the Senate, if the committee or committees to which a joint resolution described in subsection (a) has been referred have not reported it at the end of 15 session days after its introduction, such committee or committees shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar. A vote on final passage of the resolution shall be taken on or before the close of the 15th session day after the resolution is reported by the committee or committees to which it was referred, or after such committee or committees have been discharged from further consideration of the resolution.

''(d)(1) In the Senate, when the committee or committees to which a joint resolution is referred have reported, or when a committee or committees are discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the House of Representatives, if any committee to which a joint resolution described in subsection (a) has been referred has not reported it to the House at the end of 15 legislative days after its introduction, such committee shall be discharged from further consideration of the joint resolution, and it shall be placed on the appropriate calendar. On the second and fourth Thursdays of each month it shall be in order at any time for the Speaker to recognize a Member who favors passage of a joint resolution that has appeared on the calendar for at least 5 legislative days to call up that joint resolution for immediate consideration in the House without intervention of any point of order. When so called up a joint resolution shall be considered as read and shall be debatable for 1 hour equally divided and controlled by the proponent and an opponent, and the previous question shall be considered as ordered to its passage without intervening motion. It shall not be in order to reconsider the vote on passage. If a vote on final passage of the joint resolution has not been taken by the third Thursday on which the Speaker may recognize a Member under this subsection, such vote shall be taken on that day.

''(f)(1) If, before passing a joint resolution described in subsection (a), one House receives from the other a joint resolution having the same text, then—

''(A) the joint resolution of the other House shall not be referred to a committee; and

''(B) the procedure in the receiving House shall be the same as if no joint resolution had been received from the other House until the vote on passage, when the joint resolution received from the other House shall supplant the joint resolution of the receiving House.

''(2) This subsection shall not apply to the House of Representatives if the joint resolution received from the Senate is a revenue measure.

''(g) If either House has not taken a vote on final passage of the joint resolution by the last day of the period described in section 801(b)(2), then such vote shall be taken on that day.

''(h) This section and section 803 are enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such are deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution described in subsection (a) and superseding other rules only where explicitly so; and

''(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

''§ 803. Congressional disapproval procedure for nonmajor rules

''(a) For purposes of this section, the term 'joint resolution' means only a joint resolution introduced in the period beginning on the date on which the report referred to in section 801(a)(1)(A) is received by Congress and ending 60 days thereafter (excluding days either House of Congress is adjourned for more than 3 days during a session of Congress), the matter after the resolving clause of which is as follows: 'That Congress disapproves the nonmajor rule submitted by the _____ relating to _____, and such rule shall have no force or effect.' (The blank spaces being appropriately filled in).

''(b) A joint resolution described in subsection (a) shall be referred to the committees in each House of Congress with jurisdiction.

''(c) In the Senate, if the committee to which is referred a joint resolution described in subsection (a) has not reported such joint resolution (or an identical joint resolution) at the end of 15 session days after the date of introduction of the joint resolution, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Members of the Senate, and such joint resolution shall be placed on the calendar.

''(d)(1) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under subsection (c)) from further consideration of a joint resolution described in subsection (a), it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

''(2) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion to further limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(3) In the Senate, immediately following the conclusion of the debate on a joint resolution described in subsection (a), and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

''(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution described in subsection (a) shall be decided without debate.

''(e) In the Senate, the procedure specified in subsection (c) or (d) shall not apply to the consideration of a joint resolution respecting a nonmajor rule—

''(1) after the expiration of the 60 session days beginning with the applicable submission or publication date; or

''(2) if the report under section 801(a)(1)(A) was submitted during the period referred to in section 801(d)(1), after the expiration of the 60 session days beginning on the 15th session day after the succeeding session of Congress first convenes.

''(f) If, before the passage by one House of a joint resolution of that House described in subsection (a), that House receives from the other House a joint resolution described in subsection (a), then the following procedures shall apply:

''(1) The joint resolution of the other House shall not be referred to a committee.

''(2) With respect to a joint resolution described in subsection (a) of the House receiving the joint resolution—

''(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(B) the vote on final passage shall be on the joint resolution of the other House.

''§ 804. Definitions

''For purposes of this chapter:

''(1) The term 'Federal agency' means any agency as that term is defined in section 551(1).

''(2) The term 'major rule' means any rule, including an interim final rule, that the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget finds has resulted in or is likely to result in—

''(A) an annual effect on the economy of $100 million or more;

''(B) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

''(C) significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

''(3) The term 'nonmajor rule' means any rule that is not a major rule.

''(4) The term 'rule' has the meaning given such term in section 551, except that such term does not include—

''(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefore, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

''(B) any rule relating to agency management or personnel; or

''(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of nonagency parties.

''(5) The term 'submission or publication date', except as otherwise provided in this chapter, means—

''(A) in the case of a major rule, the date on which the Congress receives the report submitted under section 801(a)(1); and

''(B) in the case of a nonmajor rule, the later of—

''(i) the date on which the Congress receives the report submitted under section 801(a)(1); and

''(ii) the date on which the nonmajor rule is published in the Federal Register, if so published.

''§ 805. Judicial review

''(a) No determination, finding, action, or omission under this chapter shall be subject to judicial review.

''(b) Notwithstanding subsection (a), a court may determine whether a Federal agency has completed the necessary requirements under this chapter for a rule to take effect.

''(c) The enactment of a joint resolution of approval under section 802 shall not be interpreted to serve as a grant or modification of statutory authority by Congress for the promulgation of a rule, shall not extinguish or affect any claim, whether substantive or procedural, against any alleged defect in a rule, and shall not form part of the record before the court in any judicial proceeding concerning a rule except for purposes of determining whether or not the rule is in effect.

''§ 806. Exemption for monetary policy

''Nothing in this chapter shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.

''§ 807. Effective date of certain rules

''Notwithstanding section 801—

''(1) any rule that establishes, modifies, opens, closes, or conducts a regulatory program for a commercial, recreational, or subsistence activity related to hunting, fishing, or camping; or

''(2) any rule other than a major rule which an agency for good cause finds (and incorporates the finding and a brief statement of reasons therefore in the rule issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest,

shall take effect at such time as the Federal agency promulgating the rule determines.''.

SEC. ____04. BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.

Section 257(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907(b)(2)) is amended by adding at the end the following new subparagraph:

''(E) BUDGETARY EFFECTS OF RULES SUBJECT TO SECTION 802 OF TITLE 5, UNITED STATES CODE.—Any rule subject to the congressional approval procedure set forth in section 802 of title 5, United States Code, affecting budget authority, outlays, or receipts shall be assumed to be effective unless it is not approved in accordance with such section.''.

SEC. ____05. GOVERNMENT ACCOUNTABILITY OFFICE STUDY OF RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to determine, as of the date of the enactment of this Act—

(1) how many rules (as such term is defined in section 804 of title 5, United States Code) were in effect;

(2) how many major rules (as such term is defined in section 804 of title 5, United States Code) were in effect; and

(3) the total estimated economic cost imposed by all such rules.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress that contains the findings of the study conducted under subsection (a).

SA 1414. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DEFINITION OF FOOD; WAIVER OF ELIGIBILITY OF CERTAIN FOOD.

(a) DEFINITION OF FOOD.—Section 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended—

(1) in paragraph (1), by striking ''home consumption'' and inserting ''home consumption, subject to section 11(y),''; and

(2) by inserting '', any nonalcoholic beverage that is not water, cow's milk, a milk-substitute beverage (such as almond milk, soy milk, and coconut milk), or 100 percent juice, snack and dessert food items (as described in the supplemental guidance document of the Food and Nutrition Service, effective as of March 5, 2018, entitled 'Accessory Foods List'),'' before ''tobacco''.

(b) WAIVER OF ELIGIBILITY OF CERTAIN FOOD.—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended by adding at the end the following:

''(y) WAIVER OF ELIGIBILITY OF CERTAIN FOOD.—The Secretary shall permit a State agency, on request of the State agency, to prohibit the use of benefits to purchase food that the applicable State nutrition agency determines to be unhealthy food.''.

SA 1415. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 61, between lines 12 and 13, insert the following:

SEC. 709. UKRAINE AID OVERSIGHT.

(a) SHORT TITLE.—This section may be cited as the ''Ukraine Aid Oversight Act''.

(b) PURPOSES.—The purposes of this section are—

(1) to provide for the independent and objective conduct and supervision of audits and investigations relating to the programs and operations funded with amounts appropriated or otherwise made available to Ukraine for military, economic, and humanitarian aid;

(2) to provide for the independent and objective leadership and coordination of, and recommendations concerning, policies designed—

(A) to promote economic efficiency and effectiveness in the administration of the programs and operations described in paragraph (1); and

(B) to prevent and detect waste, fraud, and abuse in such programs and operations; and

(3) to provide for an independent and objective means of keeping the Secretary of State, the Secretary of Defense, and the heads of other relevant Federal agencies fully and currently informed about—

(A) problems and deficiencies relating to the administration of the programs and operations described in paragraph (1); and

(B) the necessity for, and the progress toward implementing, corrective action related to such programs.

(c) DEFINITIONS.—In this section:

(1) AMOUNTS APPROPRIATED OR OTHERWISE MADE AVAILABLE FOR THE MILITARY, ECONOMIC, OR HUMANITARIAN AID FOR UKRAINE.—The term ''amounts appropriated or otherwise made available for military, economic, or humanitarian aid for Ukraine'' means amounts appropriated or otherwise made available for any fiscal year—

(A) for the Ukraine Security Assistance Initiative;

(B) for Foreign Military Financing funding for Ukraine;

(C) under titles III and VI of the Ukraine Supplemental Appropriations Act (division N of Public Law 117–103);

(D) under the Additional Ukraine Supplemental Appropriations Act, 2022 (Public Law 117–128); and

(E) for military, economic, or humanitarian aid for Ukraine under any other provision of law.

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

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Armed Services of the Senate;

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

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

(E) the Committee on Appropriations of the House of Representatives;

(F) the Committee on Armed Services of the House of Representatives;

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

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

(3) OFFICE.—The term ''Office'' means the Office of the Special Inspector General for

Afghanistan Reconstruction and Ukraine Aid renamed under section 4(a).

(4) SPECIAL INSPECTOR GENERAL.—The term ''Special Inspector General'' means the Special Inspector General for Afghanistan Reconstruction and Ukraine Aid renamed under section 4(b).

(d) OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION AND UKRAINE AID.—

(1) EXPANSION AND RENAMING OF OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION.—Beginning on the date of the enactment of this Act, the Office of the Special Inspector General for Afghanistan Reconstruction—

(A) shall be referred to as the ''Office of the Special Inspector General for Afghanistan Reconstruction and Ukraine Aid''; and

(B) shall carry out the purposes described in subsection (b).

(2) RENAMING OF SPECIAL INSPECTOR GENERAL.—Beginning on the date of the enactment of this Act, the Special Inspector General for Afghanistan Reconstruction shall be referred to as the ''Special Inspector General for Afghanistan Reconstruction and Ukraine Aid''.

(3) COMPENSATION.—The annual rate of basic pay of the Special Inspector General shall be 3 percent higher than the annual rate of basic pay provided for positions at level III of the Executive Schedule under section 5314 of title 5, United States Code.

(4) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Special Inspector General is not an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(5) REMOVAL.—The Special Inspector General shall be removable from office in accordance with section 403(b) of title 5, United States Code.

(6) APPOINTMENT.—If the Special Inspector General is removed from office or otherwise leaves such office, the President shall appoint a new Special Inspector General.

(e) ASSISTANT INSPECTORS GENERAL.—The Special Inspector General shall be assisted by—

(1) the Assistant Inspector General for Auditing appointed pursuant to section 1229(d)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), who shall supervise the performance of auditing activities relating to programs and operations supported by amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine; and

(2) the Assistant Inspector General for Investigations appointed pursuant to section 1229(d)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181), who shall supervise the performance of investigative activities relating to the programs and operations described in paragraph (1).

(f) SUPERVISION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Special Inspector General shall report directly to, and be under the general supervision of, the Secretary of State and the Secretary of Defense.

(2) INDEPENDENCE TO CONDUCT INVESTIGATIONS AND AUDITS.—No officer of the Department of Defense, the Department of State, the United States Agency for International Development, or any other relevant Federal agency may prevent or prohibit the Special Inspector General from—

(A) initiating, carrying out, or completing any audit or investigation related to amounts appropriated or otherwise made available for the military, economic, and humanitarian aid to Ukraine; or

(B) issuing any subpoena during the course of any such audit or investigation.

(g) DUTIES.—

(1) OVERSIGHT OF MILITARY, ECONOMIC, AND HUMANITARIAN AID TO UKRAINE PROVIDED AFTER FEBRUARY 24, 2022.—In addition to any duties previously carried out as the Special Inspector General for Afghanistan Reconstruction, the Special Inspector General shall conduct, supervise, and coordinate audits and investigations of the treatment, handling, and expenditure of amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine, and of the programs, operations, and contracts carried out utilizing such funds, including—

(A) the oversight and accounting of the obligation and expenditure of such funds;

(B) the monitoring and review of activities funded by such funds;

(C) the monitoring and review of contracts funded by such funds;

(D) the monitoring and review of the transfer of such funds and associated information between and among departments, agencies, and entities of the United States and private and nongovernmental entities;

(E) the maintenance of records regarding the use of such funds to facilitate future audits and investigations of the use of such funds;

(F) the monitoring and review of the effectiveness of United States coordination with the Government of Ukraine, major recipients of Ukrainian refugees, partners in the region, and other donor countries;

(G) the investigation of overpayments (such as duplicate payments or duplicate billing) and any potential unethical or illegal actions of Federal employees, contractors, or affiliated entities; and

(H) the referral of reports compiled as a result of such investigations, as necessary, to the Department of Justice to ensure further investigations, prosecutions, recovery of funds, or other remedies.

(2) OTHER DUTIES RELATED TO OVERSIGHT.—The Special Inspector General shall establish, maintain, and oversee such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duties described in paragraph (1).

(3) CONSULTATION.—The Special Inspector General shall consult with the appropriate congressional committees before engaging in auditing activities outside of Ukraine.

(4) DUTIES AND RESPONSIBILITIES UNDER INSPECTOR GENERAL ACT OF 1978.—In addition to the duties specified in paragraphs (1) and (2), the Special Inspector General shall have the duties and responsibilities of inspectors general under chapter 4 of title 5, United States Code.

(5) COORDINATION OF EFFORTS.—In carrying out the duties, responsibilities, and authorities of the Special Inspector General under this Act, the Special Inspector General shall coordinate with, and receive cooperation from—

(A) the Inspector General of the Department of Defense;

(B) the Inspector General of the Department of State;

(C) the Inspector General of the United States Agency for International Development; and

(D) the Inspector General of any other relevant Federal agency.

(h) POWERS AND AUTHORITIES.—

(1) AUTHORITIES UNDER CHAPTER 4 OF TITLE 5, UNITED STATES CODE.—

(A) IN GENERAL.—In carrying out the duties specified in subsection (g), the Special Inspector General shall have the authorities provided under section 406 of title 5, United States Code, including the authorities under paragraph (5) of such subsection.

(B) RETENTION OF CERTAIN AUTHORITIES.—The Special Inspector General—

(i) shall retain all of the duties, powers, and authorities provided to the Special Inspector General for Afghanistan Reconstruction under section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181); and

(ii) may utilize such powers and authorities as are, in the judgment of the Special Inspector General, necessary to carry out the duties under this section.

(2) AUDIT STANDARDS.—The Special Inspector General shall carry out the duties specified in subsection (g)(1) in accordance with section 404(b)(1) of title 5, United States Code.

(i) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) PERSONNEL.—

(A) IN GENERAL.—The Special Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Special Inspector General under this section, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(B) ADDITIONAL AUTHORITIES.—

(i) IN GENERAL.—Subject to clause (ii), the Inspector General may exercise the authorities under subsections (b) through (i) of section 3161 of title 5, United States Code, without regard to subsection (a) of such section.

(ii) PERIODS OF APPOINTMENTS.—In exercising the employment authorities under subsection (b) of section 3161 of title 5, United States Code, as authorized under clause (i)—

(I) paragraph (2) of such subsection (relating to periods of appointments) shall not apply; and

(II) no period of appointment may extend beyond the date on which the Office terminates pursuant subsection (m).

(iii) ACQUISITION OF COMPETITIVE STATUS.—An employee shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications if the employee—

(I) completes at least 12 months of continuous service after the date of the enactment of this Act; or

(II) is employed on the date on which the Office terminates pursuant to subsection (m).

(2) EMPLOYMENT OF EXPERTS AND CONSULTANTS.—The Special Inspector General may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule under section 5332 of such title.

(3) CONTRACTING AUTHORITY.—To the extent and in such amounts as may be provided in advance by appropriations Acts, the Special Inspector General may—

(A) enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons; and

(B) make such payments as may be necessary to carry out the duties of the Special Inspector General.

(4) RESOURCES.—The Secretary of State or the Secretary of Defense, as appropriate, shall provide the Special Inspector General with—

(A) appropriate and adequate office space at appropriate locations of the Department of State or the Department of Defense, as appropriate, in Ukraine or in European partner countries;

(B) such equipment, office supplies, and communications facilities and services as may be necessary for the operation of such offices; and

(C) necessary maintenance services for such offices and the equipment and facilities located in such offices.

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—Upon the request of the Special Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of such entity, to the extent practicable and not in contravention of any existing law, shall furnish such information or assistance to the Special Inspector General or an authorized designee.

(B) REPORTING OF REFUSED ASSISTANCE.—Whenever information or assistance requested by the Special Inspector General is, in the judgment of the Special Inspector General, unreasonably refused or not provided, the Special Inspector General shall immediately report the circumstances to—

(i) the Secretary of State or the Secretary of Defense, as appropriate; and

(ii) the appropriate congressional committees.

(j) REPORTS.—

(1) QUARTERLY REPORTS.—Not later than 30 days after the end of each quarter of each fiscal year, the Special Inspector General shall submit a report to the appropriate congressional committees, the Secretary of State, and the Secretary of Defense that—

(A) summarizes, for the applicable quarter, and to the extent possible, for the period from the end of such quarter to the date on which the report is submitted, the activities during such period of the Special Inspector General and the activities under programs and operations funded with amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine; and

(B) includes, for applicable quarter, a detailed statement of all obligations, expenditures, and revenues associated with military, economic, and humanitarian activities in Ukraine, including—

(i) obligations and expenditures of appropriated funds;

(ii) a project-by-project and program-by-program accounting of the costs incurred to date for military, economic, and humanitarian aid to Ukraine, including an estimate of the costs to be incurred by the Department of Defense, the Department of State, the United States Agency for International Development, and other relevant Federal agencies to complete each project and each program;

(iii) revenues attributable to, or consisting of, funds provided by foreign nations or international organizations to programs and projects funded by any Federal department or agency and any obligations or expenditures of such revenues;

(iv) revenues attributable to, or consisting of, foreign assets seized or frozen that contribute to programs and projects funded by any Federal department or agency and any obligations or expenditures of such revenues;

(v) operating expenses of entities receiving amounts appropriated or otherwise made available for military, economic, and humanitarian aid to Ukraine; and

(vi) for any contract, grant, agreement, or other funding mechanism described in paragraph (2)—

(I) the dollar amount of the contract, grant, agreement, or other funding mechanism;

(II) a brief description of the scope of the contract, grant, agreement, or other funding mechanism;

(III) a description of how the Federal department or agency involved in the contract, grant, agreement, or other funding mechanism identified, and solicited offers from, potential individuals or entities to perform the contract, grant, agreement, or other funding mechanism, including a list of the potential individuals or entities that were issued solicitations for the offers; and

(IV) the justification and approval documents on which the determination to use procedures other than procedures that provide for full and open competition was based.

(2) COVERED CONTRACTS, GRANTS, AGREEMENTS, AND FUNDING MECHANISMS.—A contract, grant, agreement, or other funding mechanism described in this paragraph is any major contract, grant, agreement, or other funding mechanism that is entered into by any Federal department or agency that involves the use of amounts appropriated or otherwise made available for the military, economic, or humanitarian aid to Ukraine with any public or private sector entity—

(A) to build or rebuild the physical infrastructure of Ukraine;

(B) to establish or reestablish a political or societal institution of Ukraine;

(C) to provide products or services to the people of Ukraine; or

(D) to provide security assistance to Ukraine.

(3) PUBLIC AVAILABILITY.—The Special Inspector General shall publish each report submitted pursuant to paragraph (1) on a publicly accessible internet website in English, Ukrainian, and Russian.

(4) FORM.—Each report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex if the Special Inspector General determines that a classified annex is necessary.

(5) SUBMISSION OF COMMENTS TO CONGRESS.—During the 30-day period beginning on the date on which a report is received pursuant to paragraph (1), the Secretary of State and the Secretary of Defense may submit comments to the appropriate congressional committees, in unclassified form, regarding any matters covered by the report that the Secretary of State or the Secretary of Defense considers appropriate. Such comments may include a classified annex if the Secretary of State or the Secretary of Defense considers such annex to be necessary.

(6) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to authorize the public disclosure of information that is—

(A) specifically prohibited from disclosure by any other provision of law;

(B) specifically required by Executive order to be protected from disclosure in the interest of defense or national security or in the conduct of foreign affairs; or

(C) a part of an ongoing criminal investigation.

(k) TRANSPARENCY.—

(1) REPORT.—Except as provided in paragraph (3), not later than 60 days after receiving a report pursuant to subsection (j)(1), the Secretary of State and the Secretary of Defense shall jointly make copies of the report available to the public upon request and at a reasonable cost.

(2) COMMENTS.—Except as provided in paragraph (3), not later than 60 days after submitting comments to Congress pursuant to subsection (j)(5), the Secretary of State and the Secretary of Defense shall jointly make copies of such comments available to the public upon request and at a reasonable cost.

(3) WAIVER.—

(A) AUTHORITY.—The President may waive the requirements under paragraph (1) or (2) with respect to availability to the public of any element in a report submitted pursuant to subsection (j)(1) or any comments submitted to Congress pursuant to subsection (j)(5) if the President determines that such waiver is justified for national security reasons.

(B) NOTICE OF WAIVER.—The President shall publish a notice of each waiver made under subparagraph (A) in the Federal Register not later than the date of the submission to the appropriate congressional committees of a report required under subsection (j)(1) or any comments submitted pursuant to subsection (j)(5). Each such report and comments shall specify—

(i) whether a waiver was made pursuant to subparagraph (A); and

(ii) which elements in the report or the comments were affected by such waiver.

(l) USE OF PREVIOUSLY APPROPRIATED FUNDS.—Amounts appropriated before the date of the enactment of this Act for the Office of the Special Inspector General for Afghanistan Reconstruction may be used to carry out the duties described in subsection (g).

(m) TERMINATION.—

(1) IN GENERAL.—The Office shall terminate on September 30, 2027.

(2) FINAL REPORT.—Before the termination date referred to in paragraph (1), the Special Inspector General shall prepare and submit to the appropriate congressional committees a final forensic audit report on programs and operations funded with amounts appropriated or otherwise made available for the military, economic, and humanitarian aid to Ukraine.

SA 1416. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1417. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 4 and all that follows through page 39, line 8.

SA 1418. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, strike lines 9 through 19.

SA 1419. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 4 through 21.

SA 1420. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 39, line 25, strike ''$375,000,000'' and all that follows through ''Armed Forces of Ukraine: *Provided further*'' on page 40, line 9, and insert ''$75,000,000, to remain available until September 30, 2025: *Provided*''.

SA 1421. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION _____—FREE SPEECH PROTECTION

SEC. _____01. SHORT TITLE.

This division may be cited as the ''Free Speech Protection Act''.

SEC. _____02. DEFINITIONS.

In this division:

(1) COVERED INFORMATION.—The term ''covered information'' means information relating to—

(A) a phone call;

(B) any type of digital communication, including a post on a covered platform, an e-mail, a text, and a direct message;

(C) a photo;

(D) shopping and commerce history;

(E) location data, including a driving route and ride hailing information;

(F) an IP address;

(G) metadata;

(H) search history;

(I) the name, age, or demographic information of a user of a covered platform; and

(J) a calendar item.

(2) COVERED PLATFORM.—The term ''covered platform'' means—

(A) an interactive computer service, as that term is defined in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f)); and

(B) any platform through which a media organization disseminates information, without regard to whether the organization disseminates that information—

(i) through broadcast or print;

(ii) online; or

(iii) through any other channel.

(3) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(4) EMPLOYEE.—

(A) IN GENERAL.—Except where otherwise expressly provided, the term ''employee''—

(i) means an employee of an Executive agency; and

(ii) includes—

(I) an individual, other than an employee of an Executive agency, working under a contract with an Executive agency; and

(II) the President and the Vice President.

(B) RULE OF CONSTRUCTION.—With respect to an individual described in subparagraph (A)(ii)(I), solely for the purposes of this division, the Executive agency that has entered into the contract under which the employee is working shall be construed to be the Executive agency employing the employee.

(5) EXECUTIVE AGENCY.—The term ''Executive agency''—

(A) has the meaning given the term in section 105 of title 5, United States Code; and

(B) includes the Executive Office of the President.

(6) PROVIDER.—The term ''provider'' means a provider of a covered platform.

SEC. _____03. FINDINGS.

Congress finds the following:

(1) The First Amendment to the Constitution of the United States guarantees—

(A) freedoms concerning religion, expression, assembly, and petition of the government;

(B) the freedom of expression by prohibiting the government from restricting the press or the right of an individual to speak freely; and

(C) the right of an individual to assemble peaceably and to petition the government.

(2) Freedom of speech is an essential element of liberty that restrains tyranny and empowers individuals.

(3) Writing in support of a Bill of Rights, Thomas Jefferson stated that ''[t]here are rights which it is useless to surrender to the government, and which yet, governments have always been fond to invade. These are the rights of thinking and publishing our thoughts by speaking or writing.''.

(4) The Supreme Court of the United States (referred to in this section as the ''Court'') has upheld the right to speak free from governmental interference as a fundamental right.

(5) The Court, in Palko v. Connecticut, 302 U.S. 319 (1937), wrote that freedom of thought and speech ''is the matrix, the indispensable condition, of nearly every other form of freedom''.

(6) In Turner Broadcasting System, Inc. v. Federal Communications Commission, 512 U.S. 622 (1994), the Court stated the following: ''At the heart of the First Amendment lies the principle that each person should decide for himself or herself the ideas and beliefs deserving of expression, consideration, and adherence. Our political system and cultural life rest upon this ideal. Government action that stifles speech on account of its message, or that requires the utterance of a particular message favored by the Government, contravenes this essential right . . . [and poses] the inherent risk that Government seeks not to advance a legitimate regulatory goal, but to suppress unpopular ideas or manipulate the public debate through coercion rather than persuasion. These restrictions 'rais[e] the specter that the Government may effectively drive certain ideas or viewpoints from the marketplace.' For these reasons, the First Amendment, subject only to narrow and well-understood exceptions, does not countenance government control over the content of messages expressed by private individuals.''.

(7) In R.A.V. v. City of St. Paul, 505 U.S. 377 (1992), the Court explained that the First Amendment to the Constitution of the United States ''generally prevents government from proscribing speech, or even expressive conduct, because of disapproval of the ideas expressed. Content-based restrictions are presumptively invalid.''.

(8) The case of Brandenburg v. Ohio, 395 U.S. 444 (1969), stands for the proposition that speech can be suppressed only if the speech is intended, and is likely to produce, imminent lawless action.

(9) Justice William Brennan, in his majority opinion for the Court in Texas v. Johnson, 491 U.S. 397 (1989), asserted that ''[i]f there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable.''.

(10) Justice Neil Gorsuch, in his majority opinion for the Court in 303 Creative LLC v. Elenis, _____ U.S. _____ (2023), stated, ''The First Amendment envisions the United States as a rich and complex place where all persons are free to think and speak as they wish, not as the government demands.''.

(11) As evidenced in disclosures from various social media companies, Federal officials in recent years have sought to censor legal speech on platforms operated by those companies by using the power of their offices to influence what opinions, views, and other content that users of those platforms may disseminate.

(12) White House officials and officials of Executive agencies sought to silence narratives on social media platforms on issues relating to the COVID–19 pandemic.

(13) The Centers for Disease Control and Prevention engaged with officials at Facebook and Twitter to request that certain posts be flagged as ''disinformation'' and held regular meetings with those companies to share instances of what government officials determined to be ''misinformation'' about the COVID–19 pandemic that had been spread on the platforms operated by those companies.

(14) In the midst of the 2020 election cycle, the Federal Bureau of Investigation communicated with high-level technology company executives and suggested that a New York Post story regarding the contents of Hunter Biden's laptop were part of a ''hack and leak'' operation.

(15) On April 27, 2022, the Department of Homeland Security announced the creation of a Disinformation Governance Board (referred to in this paragraph as the ''Board''). The Director of the Board, Nina Jankowicz, sought to establish an ''analytic exchange'' with ''industry partners''. In congressional testimony, Secretary of Homeland Security Alejandro Mayorkas provided misleading testimony about the actions of the Board.

(16) Since 2020, 2 nonprofit organizations affiliated with the Global Disinformation Index (referred to in this paragraph as ''GDI'') have received a total of $330,000 in grants from Federal agencies. GDI maintains a list of ''global news publications rated high risk for disinformation''. Major advertising companies seek guidance from this purported ''nonpartisan'' group to determine where advertising money should be spent. Despite the self-proclaimed ''nonpartisan'' nature of the list, GDI includes a host of reputable media outlets, such as Reason, RealClearPolitics, and the New York Post.

SEC. _____04. EMPLOYEE PROHIBITIONS.

(a) PROHIBITIONS.—

(1) IN GENERAL.—An employee acting under official authority or influence may not—

(A) use any form of communication (without regard to whether the communication is visible to members of the public) to direct, coerce, compel, or encourage a provider to take, suggest or imply that a provider should take, or request that a provider take any action to censor speech that is protected by the Constitution of the United States, including by—

(i) removing that speech from the applicable covered platform;

(ii) suppressing that speech on the applicable covered platform;

(iii) removing or suspending a particular user (or a class of users) from the applicable covered platform or otherwise limiting the access of a particular user (or a class of users) to the covered platform;

(iv) labeling that speech as disinformation, misinformation, or false, or by making any similar characterization with respect to the speech; or

(v) otherwise blocking, banning, deleting, deprioritizing, demonetizing, deboosting, limiting the reach of, or restricting access to the speech;

(B) direct or encourage a provider to share with an Executive agency covered information containing data or information regarding a particular topic, or a user or group of users on the applicable covered platform, including any covered information shared or stored by users on the covered platform;

(C) work, directly or indirectly, with any private or public entity or person to take an action that is prohibited under subparagraph (A) or (B); or

(D) on behalf of the Executive agency employing the employee—

(i) enter into a partnership with a provider to monitor any content disseminated on the applicable covered platform; or

(ii) solicit, accept, or enter into a contract or other agreement (including a no-cost agreement) for free advertising or another promotion on a covered platform.

(2) EXCEPTION.—Notwithstanding subparagraph (B) of paragraph (1), the prohibition under that subparagraph shall not apply with respect to an action by an Executive agency or employee pursuant to a warrant that is issued by—

(A) a court of the United States of competent jurisdiction in accordance with the procedures described in rule 41 of the Federal Rules of Criminal Procedure; or

(B) a State court of competent jurisdiction.

(3) EMPLOYEE DISCIPLINE.—

(A) IN GENERAL.—Notwithstanding any provision of title 5, United States Code, and subject to subparagraph (B), the head of an Executive agency employing an employee who violates any provision of paragraph (1) (or, in the case of the head of an Executive agency who violates any provision of paragraph (1), the President) shall impose on that employee—

(i) disciplinary action consisting of removal, reduction in grade, suspension, or debarment from employment with the United States;

(ii) a civil penalty in an amount that is not less than $10,000;

(iii) ineligibility for any annuity under chapter 83 or 84 of title 5, United States Code; and

(iv) permanent revocation of any applicable security clearance held by the employee.

(B) SPECIFIC CONTRACTOR DISCIPLINE.—In the case of an employee described in section _____02(4)(A)(ii)(I) who violates any provision of paragraph (1), in addition to any discipline that may be applicable under subparagraph (A) of this paragraph, that employee shall be barred from working under any contract with the Federal Government.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—A person, the account, content, speech, or other information of which has been affected in violation of this section, may bring a civil action in the United States District Court for the District of Columbia for reasonable attorneys' fees, injunctive relief, and actual damages against—

(A) the applicable Executive agency; and

(B) the employee of the applicable Executive agency who committed the violation.

(2) PRESUMPTION OF LIABILITY.—In a civil action brought under paragraph (1), there shall be a rebuttable presumption against the applicable Executive agency or employee if the person bringing the action demonstrates that the applicable employee communicated with a provider on a matter relating to—

(A) covered information with respect to that person; or

(B) a statement made by that person on the applicable covered platform.

SEC. _____05. REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, and not less frequently than once every 90 days thereafter, the head of each Executive agency shall submit to the Director and the chair and ranking member of the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Oversight and Accountability of the House of Representatives, and the Committee on the Judiciary of the House of Representatives a report that discloses, for the period covered by the report, each communication between a representative of a provider and an employee of that Executive agency—

(1) including any such communication that constitutes a violation of section _____04(a)(1); and

(2) not including any such communication that relates to combating child pornography or exploitation, human trafficking, or the illegal transporting or transacting in controlled substances.

(b) CONTENTS.—Each report submitted under subsection (a) shall include, with respect to a communication described in that subsection—

(1) the name and professional title of each employee and each representative of a provider engaged in the communication; and

(2) if the communication constitutes a violation of section _____04(a)(1)—

(A) a detailed explanation of the nature of the violation; and

(B) the date of the violation.

(c) PUBLICATION.—

(1) IN GENERAL.—Not later than 5 days after the date on which the Director receives a report under subsection (a), the Director shall—

(A) collect the report and assign the report a unique tracking number; and

(B) publish on a publicly accessible and searchable website the contents of the report and the tracking number for the report.

(2) SUBJECT OF REPORT.—With respect to a report submitted pursuant to subsection (a) of which an individual is a subject, not later than the end of the business day following the business day on which the report is submitted, the Director shall make a reasonable effort to contact any person or entity directly affected by a violation of this division described in the report to inform that person of the report.

SEC. _____06. CYBERSECURITY INFRASTRUCTURE AND SECURITY AGENCY REPORT.

Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the Director and the chair and ranking member of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Accountability of the House of Representatives a report that discloses any action of an employee of the Cybersecurity and Infrastructure Security Agency that—

(1) occurred between November 16, 2018, and the date of enactment of this Act; and

(2) would have been in violation of section _____04(a)(1).

SEC. _____07. TERMINATION OF DISINFORMATION GOVERNANCE BOARD.

(a) TERMINATION.—The Disinformation Governance Board established by the Department of Homeland Security, if in existence on the date of enactment of this Act, is terminated.

(b) PROHIBITION AGAINST FEDERAL FUNDING.—No Federal funds may be used to establish or support the activities of any other entity that is substantially similar to the Disinformation Governance Board terminated pursuant to subsection (a).

SEC. _____08. PROHIBITION ON MISINFORMATION AND DISINFORMATION GRANTS.

The head of an Executive agency may not award a grant relating to programming on misinformation or disinformation.

SEC. _____09. GRANT TERMS.

(a) CERTIFICATION.—The recipient of a grant awarded by an Executive agency on or after the date of enactment of this Act shall certify to the head of the Executive agency that the recipient or a subgrantee of the recipient, during the term of the grant, will not designate any creator of news content, regardless of medium, as a source of misinformation or disinformation.

(b) PUBLICATION.—Not later than 10 days after the date on which an Executive agency awards a grant, the head of the Executive agency shall publish the certification received under subsection (a) with respect to the grant on Grants.gov, or any successor website.

(c) PENALTY.—Upon a determination by the head of an Executive agency that a recipient or subgrantee of a recipient has violated the certification of the recipient under subsection (a), the recipient or subgrantee, respectively, shall—

(1) repay the grant associated with the certification; and

(2) be ineligible to receive a grant from the Executive agency.

SEC. _____10. PRESIDENTIAL WAR POWERS UNDER THE COMMUNICATIONS ACT OF 1934.

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

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

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

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

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

(2) by striking ''Act;'' and all that follows through the period at the end and inserting the following: ''Act.''.

SEC. _____11. APPLICABILITY OF FOIA.

(a) DEFINITION.—In this section, the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(b) APPLICABILITY.—Notwithstanding any provision of section 552 of title 5, United States Code, any request made to an agency pursuant to that section for records relating to communication between an employee and a representative of a provider—

(1) shall be granted by the agency without regard to any exemption under subsection (b) of that section, except the agency may not release any identifying information of a user of a covered platform without express written consent granted by the user to the agency; and

(2) may not be granted by the agency if the communication occurred pursuant to a warrant described in section _____04(a)(2).

SA 1422. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 8 and all that follows through page 41, line 19.

Beginning on page 47, strike line 14 and all that follows through page 49, line 2.

On page 51, strike lines 5 through 9.

SA 1423. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, line 25, strike ''$34,230,780,000'' and insert ''$30,082,320,000''.

On page 7, line 4, strike ''$13,772,460,000'' and insert ''$9,624,000,000''.

Beginning on page 30, strike line 16 and all that follows through page 31, line 21, and insert the following:

U.S. CUSTOMS AND BORDER PROTECTION

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of U.S. Customs and Border Protection for procurement, construction, and improvements, $25,000,000,000, which shall remain available until expended for the construction of a physical barrier along the southern border of the United States: *Provided,* That the amounts made available under this heading are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Beginning on page 32, strike line 4 and all that follows through page 33, line 5.

On page 36, line 18, strike ''$39,000,000'' and insert ''$19,500,000''.

On page 37, line 12, strike ''$5,655,000,000'' and insert ''$2,827,000,000''.

Beginning on page 37, strike line 21 and all that follows through page 39, line 19.

On page 39, line 25, strike ''$375,000,000'' and insert ''$75,000,000''.

On page 40, strike line 2 and all that follows through ''*Provided further,*'' on line 9.

Beginning on page 40, strike line 20 and all that follows through page 41, line 9.

On page 41, line 23, strike ''$7,100,000,000'' and insert ''$5,500,000,000''.

On page 42, beginning on line 20, strike ''Provided further,'' and all that follows through ''related expenses:'' on line 23.

On page 44, strike lines 1 through 13.

SA 1424. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 604.

SA 1425. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. None of the amounts appropriated or otherwise made available by this Act for assistance to Ukraine may be obligated or expended after September 30, 2024.

SA 1426. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 37, strike lines 10 through 20.

SA 1427. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 24 of the amendment, strike lines 2 through 12.

SA 1428. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 32, strike line 1 and all that follows through page 33, line 14.

SA 1429. Mr. HAWLEY submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION C—RADIATION EXPOSURE COMPENSATION ACT

TITLE I—MANHATTAN PROJECT WASTE

SEC. 4001. SHORT TITLE.

(a) SHORT TITLE.—This title may be cited as the ''Radiation Exposure Compensation Expansion Act''.

SEC. 4002. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

The Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting after section 5 the following:

''SEC. 5A. CLAIMS RELATING TO MANHATTAN PROJECT WASTE.

''(a) IN GENERAL.—A claimant shall receive compensation for a claim made under this Act, as described in subsection (b) or (c), if—

''(1) a claim for compensation is filed with the Attorney General—

''(A) by an individual described in paragraph (2); or

''(B) on behalf of that individual by an authorized agent of that individual, if the individual is deceased or incapacitated, such as—

''(i) an executor of estate of that individual; or

''(ii) a legal guardian or conservator of that individual;

''(2) that individual, or if applicable, an authorized agent of that individual, demonstrates that the individual—

''(A) was physically present in an affected area for a period of at least 2 years after January 1, 1949; and

''(B) contracted a specified disease after such period of physical presence;

''(3) the Attorney General certifies that the identity of that individual, and if applicable, the authorized agent of that individual, is not fraudulent or otherwise misrepresented; and

''(4) the Attorney General determines that the claimant has satisfied the applicable requirements of this Act.

''(b) LOSSES AVAILABLE TO LIVING AFFECTED INDIVIDUALS.—

''(1) IN GENERAL.—In the event of a claim qualifying for compensation under subsection (a) that is submitted to the Attorney General to be eligible for compensation under this section at a time when the individual described in subsection (a)(2) is living, the amount of compensation under this section shall be in an amount that is the greater of $50,000 or the total amount of compensation for which the individual is eligible under paragraph (2).

''(2) LOSSES DUE TO MEDICAL EXPENSES.—A claimant described in paragraph (1) shall be eligible to receive, upon submission of contemporaneous written medical records, reports, or billing statements created by or at the direction of a licensed medical professional who provided contemporaneous medical care to the claimant, additional compensation in the amount of all documented out-of-pocket medical expenses incurred as a result of the specified disease suffered by that claimant, such as any medical expenses not covered, paid for, or reimbursed through—

''(A) any public or private health insurance;

''(B) any employee health insurance;

''(C) any workers' compensation program; or

''(D) any other public, private, or employee health program or benefit.

''(c) PAYMENTS TO BENEFICIARIES OF DECEASED INDIVIDUALS.—In the event that an individual described in subsection (a)(2) who qualifies for compensation under subsection (a) is deceased at the time of submission of the claim—

''(1) a surviving spouse may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the amount of $25,000; or

''(2) in the event that there is no surviving spouse, the surviving children, minor or otherwise, of the deceased individual may, upon submission of a claim and records sufficient to satisfy the requirements of subsection (a) with respect to the deceased individual, receive compensation in the total amount of $25,000, paid in equal shares to each surviving child.

''(d) AFFECTED AREA.—For purposes of this section, the term 'affected area' means—

''(1) in the State of Missouri, the ZIP Codes of 63031, 63033, 63034, 63042, 63045, 63074, 63114, 63135, 63138, 63044, 63121, 63140, 63145, 63147, 63102, 63304, 63134, 63043, 63341, 63368, and 63367;

''(2) in the State of Tennessee, the ZIP Codes of 37732, 37755, 37756, 37841, 37847, 37852, 37872, 37892, 37714, 37715, 37729, 37757, 37762, 37766, 37769, 37819, 37847, 37870, 37719, 37726, 37733, 37748, 37770, 37829, 37845, 37849, 37931, 37779, 37807, 37866, 37709, 37721, 37754, 37764, 37806, 37853, 37871, 37901, 37902, 37909, 37912, 37914, 37915, 37916, 37917, 37918, 37919, 37920, 37921, 37922, 37923, 37924, 37927, 37928, 37929, 37930, 37932, 37933, 37934, 37938, 37939, 37940, 37950, 37995, 37996, 37997, 37998, 37337, 37367, 37723, 37854, 38555, 38557, 38558, 38571, 38572, 38574, 38578, 38583, 37763, 37771, 37774, 37830, 37840, 37846, 37874, 37321, 37332, 37338, 37381, 37742, 37772, 37846, 37322, 37336, and 37880;

''(3) in the State of Alaska, the ZIP Codes of 99546 and 99547; and

''(4) in the State of Kentucky, the ZIP Codes of 42001, 42003, and 42086.

''(e) SPECIFIED DISEASE.—For purposes of this section, the term 'specified disease' means any of the following:

''(1) Any leukemia, other than chronic lymphocytic leukemia, provided that the initial exposure occurred after the age of 20 and the onset of the disease was at least 2 years after first exposure.

''(2) Any of the following diseases, provided that the onset was at least 2 years after the initial exposure:

''(A) Multiple myeloma.

''(B) Lymphoma, other than Hodgkin's disease.

''(C) Primary cancer of the—

''(i) thyroid;

''(ii) male or female breast;

''(iii) esophagus;

''(iv) stomach;

''(v) pharynx;

''(vi) small intestine;

''(vii) pancreas;

''(viii) bile ducts;

''(ix) gall bladder;

''(x) salivary gland;

''(xi) urinary bladder;

''(xii) brain;

''(xiii) colon;

''(xiv) ovary;

''(xv) liver, except if cirrhosis or hepatitis B is indicated; or

''(xvi) lung.

''(f) PHYSICAL PRESENCE.—

''(1) IN GENERAL.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless demonstrated by submission of—

''(A) contemporaneous written residential documentation and at least 1 additional employer-issued or government-issued document or record that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area; or

''(B) other documentation determined by the Attorney General to demonstrate that the claimant, for at least 2 years after January 1, 1949, was physically present in an affected area.

''(2) TYPES OF PHYSICAL PRESENCE.—For purposes of determining physical presence under this section, a claimant shall be considered to have been physically present in an affected area if—

''(A) the claimant's primary residence was in the affected area;

''(B) the claimant's place of employment was in the affected area; or

''(C) the claimant attended school in the affected area.

''(g) DISEASE CONTRACTION IN AFFECTED AREAS.—For purposes of this section, the Attorney General shall not determine that a claimant has satisfied the requirements of subsection (a) unless the claimant submits—

''(1) written medical records or reports created by or at the direction of a licensed medical professional, created contemporaneously with the provision of medical care to the claimant, that the claimant, after a period of physical presence in an affected area, contracted a specified disease; or

''(2) other documentation determined by the Attorney General to demonstrate that the claimant contracted a specified disease after a period of physical presence in an affected area.''.

SEC. 4003. COOPERATIVE AGREEMENT.

(a) IN GENERAL.—Not later than September 30, 2024, the Secretary of Energy, acting through the Director of the Office of Legacy Management, shall award to an eligible association a cooperative agreement to support the safeguarding of human and ecological health at the Amchitka, Alaska, Site.

(b) REQUIREMENTS.—A cooperative agreement awarded under subsection (a)—

(1) may be used to fund—

(A) research and development that will improve and focus long-term surveillance and monitoring of the site;

(B) workforce development at the site; and

(C) such other activities as the Secretary considers appropriate; and

(2) shall require that the eligible association—

(A) engage in stakeholder engagement; and

(B) to the greatest extent practicable, incorporate Indigenous knowledge and the participation of local Indian Tribes in research and development and workforce development activities.

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE ASSOCIATION.—The term ''eligible association'' means an association of 2 or more of the following:

(A) An institution of higher education (as that term is defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) located in the State of Alaska.

(B) An agency of the State of Alaska.

(C) A local Indian Tribe.

(D) An organization—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code; and

(ii) located in the State of Alaska.

(2) LOCAL INDIAN TRIBE.—The term ''local Indian Tribe'' means an Indian tribe (as that term is defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) that is located in the Aleut Region of the State of Alaska.

TITLE II—COMPENSATION FOR WORKERS INVOLVED IN URANIUM MINING

SEC. 4101. SHORT TITLE.

This title may be cited as the ''Radiation Exposure Compensation Act Amendments of 2024''.

SEC. 4102. REFERENCES.

Except as otherwise specifically provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note).

SEC. 4103. EXTENSION OF FUND.

Section 3(d) is amended—

(1) by striking the first sentence and inserting ''The Fund shall terminate 19 years after the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024.''; and

(2) by striking ''2-year'' and inserting ''19-year''.

SEC. 4104. CLAIMS RELATING TO ATMOSPHERIC TESTING.

(a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(B) in subclause (II)—

(i) by striking ''in the affected area'' and inserting ''in an affected area''; and

(ii) by striking ''or'' after the semicolon;

(C) by redesignating subclause (III) as subclause (V); and

(D) by inserting after subclause (II) the following:

''(III) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(IV) was physically present in an affected area—

''(aa) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(bb) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''; and

(2) in clause (ii)(I), by striking ''physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)'' and inserting ''physical presence described in subclause (I), (II), (III), or (IV) of clause (i) or onsite participation described in clause (i)(V)''.

(b) AMOUNTS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1) is amended—

(1) in subparagraph (A), by striking ''an amount'' and inserting ''the amount''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) AMOUNT.—If the conditions described in subparagraph (C) are met, an individual who is described in subparagraph (A) shall receive $150,000.''.

(c) CONDITIONS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1)(C) is amended—

(1) by striking clause (i); and

(2) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively.

(d) SPECIFIED DISEASES CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS AT THE NEVADA SITE AND IN THE PACIFIC.—Section 4(a)(2) is amended—

(1) in subparagraph (A)—

(A) by striking ''in the affected area'' and inserting ''in an affected area'';

(B) by striking ''2 years'' and inserting ''1 year''; and

(C) by striking ''October 31, 1958'' and inserting ''November 6, 1962'';

(2) in subparagraph (B)—

(A) by striking ''in the affected area'' and inserting ''in an affected area''; and

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

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following:

''(C) was physically present in an affected area for a period of at least 1 year during the period beginning on September 24, 1944, and ending on November 6, 1962;

''(D) was physically present in an affected area—

''(i) for a period of at least 1 year during the period beginning on July 1, 1946, and ending on November 6, 1962; or

''(ii) for the period beginning on April 25, 1962, and ending on November 6, 1962; or''.

(e) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED DISEASES.—Section 4(a)(2) is amended in the matter following subparagraph (E) (as redesignated by subsection (d) of this section) by striking ''$50,000 (in the case of an individual described in subparagraph (A) or (B)) or $75,000 (in the case of an individual described in subparagraph (C)),'' and inserting ''$150,000''.

(f) MEDICAL BENEFITS.—Section 4(a) is amended by adding at the end the following:

''(5) MEDICAL BENEFITS.—An individual receiving a payment under this section shall be eligible to receive medical benefits in the same manner and to the same extent as an individual eligible to receive medical benefits under section 3629 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t).''.

(g) DOWNWIND STATES.—Section 4(b)(1) is amended to read as follows:

''(1) 'affected area' means—

''(A) except as provided under subparagraphs (B) and (C), Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Guam;

''(B) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or subsection (a)(2)(C), only New Mexico; and

''(C) with respect to a claim by an individual under subsection (a)(1)(A)(i)(IV) or subsection (a)(2)(D), only Guam.''.

(h) CHRONIC LYMPHOCYTIC LEUKEMIA AS A SPECIFIED DISEASE.—Section 4(b)(2) is amended by striking ''other than chronic lymphocytic leukemia'' and inserting ''including chronic lymphocytic leukemia''.

SEC. 4105. CLAIMS RELATING TO URANIUM MINING.

(a) EMPLOYEES OF MINES AND MILLS.—Section 5(a)(1)(A)(i) is amended—

(1) by inserting ''(I)'' after ''(i)'';

(2) by striking ''December 31, 1971; and'' and inserting ''December 31, 1990; or''; and

(3) by adding at the end the following:

''(II) was employed as a core driller in a State referred to in subclause (I) during the period described in such subclause; and''.

(b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended by inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury'' after ''nonmalignant respiratory disease''.

(c) MILLERS, CORE DRILLERS, AND ORE TRANSPORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

(1) by inserting '', core driller,'' after ''was a miller'';

(2) by inserting '', or was involved in remediation efforts at such a uranium mine or uranium mill,'' after ''ore transporter'';

(3) by inserting ''(I)'' after ''clause (i)''; and

(4) by striking all that follows ''nonmalignant respiratory disease'' and inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury; or''.

(d) COMBINED WORK HISTORIES.—Section 5(a)(1)(A)(ii) is further amended—

(1) by striking ''or'' at the end of subclause (I); and

(2) by adding at the end the following:

''(III)(aa) does not meet the conditions of subclause (I) or (II);

''(bb) worked, during the period described in clause (i)(I), in two or more of the following positions: miner, miller, core driller, and ore transporter;

''(cc) meets the requirements of paragraph (4) or (5), or both; and

''(dd) submits written medical documentation that the individual developed lung cancer or a nonmalignant respiratory disease or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury after exposure to radiation through work in one or more of the positions referred to in item (bb);''.

(e) DATES OF OPERATION OF URANIUM MINE.—Section 5(a)(2)(A) is amended by striking ''December 31, 1971'' and inserting ''December 31, 1990''.

(f) SPECIAL RULES RELATING TO COMBINED WORK HISTORIES.—Section 5(a) is amended by adding at the end the following:

''(4) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST ONE YEAR OF EXPERIENCE.—An individual meets the requirements of this paragraph if the individual worked in one or more of the positions referred to in paragraph (1)(A)(ii)(III)(bb) for a period of at least one year during the period described in paragraph (1)(A)(i)(I).

''(5) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR MINERS.—An individual meets the requirements of this paragraph if the individual, during the period described in paragraph (1)(A)(i)(I), worked as a miner and was exposed to such number of working level months that the Attorney General determines, when combined with the exposure of such individual to radiation through work as a miller, core driller, or ore transporter during the period described in paragraph (1)(A)(i)(I), results in such individual being exposed to a total level of radiation that is greater or equal to the level of exposure of an individual described in paragraph (4).''.

(g) DEFINITION OF CORE DRILLER.—Section 5(b) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the term 'core driller' means any individual employed to engage in the act or process of obtaining cylindrical rock samples of uranium or vanadium by means of a borehole drilling machine for the purpose of mining uranium or vanadium.''.

SEC. 4106. EXPANSION OF USE OF AFFIDAVITS IN DETERMINATION OF CLAIMS; REGULATIONS.

(a) AFFIDAVITS.—Section 6(b) is amended by adding at the end the following:

''(3) AFFIDAVITS.—

''(A) EMPLOYMENT HISTORY.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate the employment history of an individual as a miner, miller, core driller, or ore transporter if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the employment history of the individual;

''(ii) attests to the employment history of the individual;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(B) PHYSICAL PRESENCE IN AFFECTED AREA.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's physical presence in an affected area during a period described in section 4(a)(1)(A)(i) or section 4(a)(2) if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's presence in an affected area during that time period;

''(ii) attests to the individual's presence in an affected area during that period;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(C) PARTICIPATION AT TESTING SITE.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's participation onsite in a test involving the atmospheric detonation of a nuclear device if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(ii) attests to the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 6 is amended—

(1) in subsection (b)(2)(C), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)'';

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(ii) in clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(B) in subparagraph (B), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)''; and

(3) in subsection (e), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''.

(c) REGULATIONS.—

(1) IN GENERAL.—Section 6(k) is amended by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, the Attorney General shall issue revised regulations to carry out this Act.''.

(2) CONSIDERATIONS IN REVISIONS.—In issuing revised regulations under section 6(k) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note), as amended under paragraph (1), the Attorney General shall ensure that procedures with respect to the submission and processing of claims under such Act take into account and make allowances for the law, tradition, and

customs of Indian tribes, including by accepting as a record of proof of physical presence for a claimant a grazing permit, a homesite lease, a record of being a holder of a post office box, a letter from an elected leader of an Indian tribe, or a record of any recognized tribal association or organization.

SEC. 4107. LIMITATION ON CLAIMS.

(a) EXTENSION OF FILING TIME.—Section 8(a) is amended—

(1) by striking ''2 years'' and inserting ''19 years''; and

(2) by striking ''2022'' and inserting ''2023''.

(b) RESUBMITTAL OF CLAIMS.—Section 8(b) is amended to read as follows:

''(b) RESUBMITTAL OF CLAIMS.—

''(1) DENIED CLAIMS.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who has been denied compensation under this Act may resubmit a claim for consideration by the Attorney General in accordance with this Act not more than three times. Any resubmittal made before the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2024 shall not be applied to the limitation under the preceding sentence.

''(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

''(A) IN GENERAL.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024, any claimant who received compensation under this Act may submit a request to the Attorney General for additional compensation and benefits. Such request shall contain—

''(i) the claimant's name, social security number, and date of birth;

''(ii) the amount of award received under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024;

''(iii) any additional benefits and compensation sought through such request; and

''(iv) any additional information required by the Attorney General.

''(B) ADDITIONAL COMPENSATION.—If the claimant received compensation under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024 and submits a request under subparagraph (A), the Attorney General shall—

''(i) pay the claimant the amount that is equal to any excess of—

''(I) the amount the claimant is eligible to receive under this Act (as amended by the Radiation Exposure Compensation Act Amendments of 2024); minus

''(II) the aggregate amount paid to the claimant under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2024; and

''(ii) in any case in which the claimant was compensated under section 4, provide the claimant with medical benefits under section 4(a)(5).''.

SEC. 4108. GRANT PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF URANIUM MINING AND MILLING.

(a) DEFINITIONS.—In this section—

(1) the term ''institution of higher education'' has the meaning given under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

(2) the term ''program'' means the grant program established under subsection (b); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary shall establish a grant program relating to the epidemiological impacts of uranium mining and milling. Grants awarded under the program shall be used for the study of the epidemiological impacts of uranium mining and milling among non-occupationally exposed individuals, including family members of uranium miners and millers.

(c) ADMINISTRATION.—The Secretary shall administer the program through the National Institute of Environmental Health Sciences.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or nonprofit private entity shall be eligible to apply for a grant. To apply for a grant an eligible institution or entity shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2024 through 2026.

SEC. 4109. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) COVERED EMPLOYEES WITH CANCER.—Section 3621(9) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384l(9)) is amended by striking subparagraph (A) and inserting the following:

''(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if—

''(i) that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee); or

''(ii) that individual—

''(I) contracted that specified cancer after beginning employment in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, or any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act; and

''(II) was employed in a uranium mine or uranium mill described under subclause (I) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) at any time during the period beginning on January 1, 1942, and ending on December 31, 1990.''.

(b) MEMBERS OF SPECIAL EXPOSURE COHORT.—Section 3626 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384q) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees—

''(A) at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received; and

''(B) employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, who likely were exposed to radiation at that mine or mill but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.''; and

(2) by striking subsection (b) and inserting the following:

''(b) DESIGNATION OF ADDITIONAL MEMBERS.—

''(1) Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility, or at an atomic weapons employer facility, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

''(2) Subject to the provisions of section 3621(14)(C), the members of a class of employees employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.''.

SA 1430. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 39, strike lines 9 through 19.

SA 1431. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care

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

On page 38, strike lines 4 through 21.

SA 1432. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 602.

SA 1433. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION ON USE OF PRESIDENTIAL DRAWDOWN AUTHORITY WHEN REMAINING VALUE EXCEEDS AMOUNTS AVAILABLE FOR STOCKPILE REPLENISHMENT.

Section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) is amended by adding at the end the following new sentence: ''Whenever the remaining value of the authority provided by this paragraph exceeds the amounts available to the Secretary of Defense for the replenishment of stockpiles, the President may not use such authority.''.

SA 1434. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. CONGRESSIONAL APPROVAL FOR PRESIDENTIAL DRAWDOWN AUTHORITY IN EXCESS OF FISCAL YEAR LIMITATION.

Section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)) is amended—

(1) in paragraph (1), in the undesignated matter following subparagraph (B), by inserting '', except as provided in paragraph (6)'' after ''fiscal year''; and

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

''(6)(A) The President may use the authority provided by paragraph (1) when the aggregate value of the use of such authority would exceed $100,000,000 in a fiscal year if—

''(i) the President submits to Congress—

''(I) a request for authorization to use such authority resulting in an aggregate value that exceeds $100,000,000; and

''(II) a report that an unforeseen emergency exists, in accordance with paragraph (1); and

''(ii) after the submission of such request and report, there is enacted a joint resolution or other provision of law approving the authorization requested.

''(B)(i) Each request submitted under subparagraph (A)(i) may only request authorization for the use of the authority provided by paragraph (1) for one intended recipient country.

''(ii) A resolution described in subparagraph (A)(ii) may only approve a request for authorization for the use of the authority provided by paragraph (1) for one intended recipient country.

''(C)(i) Any resolution described in subparagraph (A)(ii) may be considered by Congress using the expedited procedures set forth in this subparagraph.

''(ii) For purposes of this subparagraph, the term 'resolution' means only a joint resolution of the two Houses of Congress—

''(I) the title of which is as follows: 'A joint resolution approving the use of the special authority provided by section 506(a)(1) of the Foreign Assistance Act of 1961 in excess of the fiscal year limitation.';

''(II) which does not have a preamble; and

''(III) the sole matter after the resolving clause of which is as follows: 'The proposed use of the special authority provided by section 506(a)(1) of the Foreign Assistance Act of 1961 in excess of the fiscal year limitation, to respond to the unforeseen emergency in _____, which was received by Congress on _____(Transmittal number), is authorized', with the name of the intended recipient country and transmittal number inserted.

''(iii) A resolution described in clause (ii) that is introduced in the Senate shall be referred to the Committee on Foreign Relations of the Senate. A resolution described in clause (ii) that is introduced in the House of Representatives shall be referred to the Committee on Foreign Affairs of the House of Representatives.

''(iv) If the committee to which a resolution described in clause (ii) is referred has not reported such resolution (or an identical resolution) by the end of 10 calendar days beginning on the date of introduction, such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

''(v)(I) On or after the third calendar day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under clause (iv)) from further consideration of, such a resolution, it is in order for any Member of the respective House to move to proceed to the consideration of the resolution. All points of order against the resolution (and against consideration of the resolution) are waived. The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

''(II) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

''(III) Immediately following the conclusion of the debate on the resolution and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

''(IV) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution shall be decided without debate.

''(vi)(I) If, before passage by one House of a resolution of that House described in clause (ii), that House receives from the other House a resolution described in clause (ii), then the following procedures shall apply:

''(aa) The resolution of the other House shall not be referred to a committee.

''(bb) The consideration as described in clause (v) in that House shall be the same as if no resolution had been received from the other House, but the vote on final passage shall be on the resolution of the other House.

''(II) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

''(III) This subparagraph is enacted by Congress—

''(aa) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in clause (ii), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(bb) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.''.

SA 1435. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 603.

SA 1436. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United

States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, strike lines 10 through 19.

SA 1437. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 22 and all that follows through page 40, line 19.

SA 1438. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 22 and all that follows through page 39, line 8.

SA 1439. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 21 and all that follows through page 38, line 3.

SA 1440. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 104.

SA 1441. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Effective January 1, 2026, the following laws are hereby repealed:

(1) The Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498; 50 U.S.C. 1541 note).

(2) The Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note).

SA 1442. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act for assistance to Ukraine may be obligated or expended until 90 days after the President has initiated peace negotiations between the Governments of Ukraine and the Russian Federation.

SA 1443. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available for Ukraine under this Act may be made available for reconstruction activities, including multi-year reconstruction projects.

SA 1444. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the amounts appropriated or otherwise made available by this Act may be made available to facilitate the use of military force against Iran, including any deployments to forward operating bases in Iraq and Syria, absent express authorization from Congress.

SA 1445. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, line 15, insert ‘‘, salaries, or welfare programs’’ after ‘‘pensions’’.

SA 1446. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, line 15, insert ‘‘or salaries’’ after ‘‘pensions’’.

SA 1447. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—EMERGENCY WAR FUNDING REFORM

SEC. ____1. SHORT TITLE.

This title may be cited as the ‘‘Restraining Emergency War Spending Act’’.

SEC. ____2. DEFINITION OF EMERGENCY WAR FUNDING.

For purposes of determining eligible costs for emergency war funding, the term ‘‘emergency war funding’’ means—

(1) a contingency operation (as defined in section 101(a) of title 10, United States Code) conducted by the Department of Defense that—

(A) is conducted in a foreign country;

(B) has geographical limits;

(C) is not longer than 60 days; and

(D) provides only—

(i) replacement of ground equipment lost or damaged in conflict;

(ii) equipment modifications;

(iii) munitions;

(iv) replacement of aircraft lost or damaged in conflict;

(v) military construction for short-term temporary facilities;

(vi) direct war operations; and

(vii) fuel;

(2) the training, equipment, and sustainment activities for foreign military forces by the United States;

(3) the provision of defense articles over $100,000,000 to a single recipient nation or allied group of nations; or

(4) assistance provided for the reconstruction of a nation or group of nations in or immediately post-active conflict.

SEC. ___3. POINT OF ORDER AGAINST FUNDING FOR CONTINGENCY OPERATIONS THAT DOES NOT MEET THE REQUIREMENTS FOR EMERGENCY WAR FUNDING.

(a) IN GENERAL.—Title IV of the Congressional Budget Act of 1974 (2 U.S.C. 651 et seq.) is amended by adding at the end the following:

"PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS LEGISLATION

"SEC. 441. POINT OF ORDER AGAINST FUNDING FOR CONTINGENCY OPERATIONS THAT DOES NOT MEET THE REQUIREMENTS FOR EMERGENCY WAR FUNDING.

''(a) DEFINITIONS.—In this section—

''(1) the term 'contingency operation' has the meaning given that term in section 101 of title 10, United States Code; and

''(2) the term 'emergency war funding' has the meaning given that term in section ___2 of the Restraining Emergency War Spending Act.

''(b) POINT OF ORDER.—

''(1) IN GENERAL.—In the Senate, it shall not be in order to consider a provision in a bill, joint resolution, motion, amendment, amendment between the Houses, or conference report that provides new budget authority for a contingency operation, unless the provision of new budget authority meets the requirements to constitute emergency war funding.

''(2) POINT OF ORDER SUSTAINED.—If a point of order is made by a Senator against a provision described in paragraph (1), and the point of order is sustained by the Chair, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

''(c) FORM OF THE POINT OF ORDER.—A point of order under subsection (b)(1) may be raised by a Senator as provided in section 313(e).

''(d) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill or joint resolution, upon a point of order being made by any Senator pursuant to subsection (b)(1), and such point of order being sustained, such material contained in such conference report or House amendment shall be stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

''(e) SUPERMAJORITY WAIVER AND APPEAL.—

''(1) WAIVER.—Subsection (b)(1) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

''(2) APPEALS.—Debate on appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (b)(1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Congressional Budget Act of 1974 is amended by inserting after the item relating to section 428 the following:

''PART C—ADDITIONAL LIMITATIONS ON BUDGETARY AND APPROPRIATIONS LEGISLATION

''Sec. 441. Point of order against funding for contingency operations that does not meet the requirements for emergency war funding.''.

SA 1448. Mr. LEE submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Amend section 614 to read as follows:

SEC. 614. None of the funds appropriated or otherwise made available by this division and division B of this Act, and prior Acts making appropriations for the Department of State, foreign operations, and related programs, may be made available for assessed or voluntary contributions, grants, or other payments to the United Nations Relief and Works Agency or to any other organ, specialized agency, commission, or other formally affiliated body of the United Nations that provides funding or otherwise operates in Gaza, notwithstanding any other provision of law.

SA 1449. Mr. LEE (for himself and Mr. BRAUN) submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

In division A, strike section 704 and insert the following:

SEC. 704. REPORT WITH UKRAINE STRATEGY.

(a) IN GENERAL.—Only 2 percent of the amounts appropriated or otherwise made available by this Act for assistance to Ukraine may be obligated or expended until the President, in coordination with the Secretary of Defense and the Secretary of State, develops and submits to Congress a comprehensive report that contains a strategy for United States involvement in Ukraine.

(b) ELEMENTS.—The report required by subsection (a) shall—

(1) define the United States national interests at stake with respect to the conflict between the Russian Federation and Ukraine;

(2) identify specific objectives the President believes must be achieved in Ukraine in order to protect the United States national interests defined in paragraph (1), and for each objective—

(A) an estimate of the amount of time required to achieve the objective, with an explanation;

(B) benchmarks to be used by the President to determine whether an objective has been met, is in the progress of being met, or cannot be met in the time estimated to be required in subparagraph (A); and

(C) estimates of the amount of resources, including United States personnel, materiel, and funding, required to achieve the objective;

(3) list the expected contribution for security assistance made by European member countries of the North Atlantic Treaty Organization within the next fiscal year; and

(4) provide an assessment of the impact of the Russian Federation's dominance of the natural gas market in Europe on the ability to resolve the ongoing conflict with Ukraine.

(c) REQUIREMENTS FOR STRATEGY.—The strategy included in the report required under subsection (a)—

(1) shall be designed to achieve a cease-fire in which the Russian Federation and Ukraine agree to abide by the terms and conditions of such cease-fire; and

(2) may not be contingent on United States involvement of funding of Ukrainian reconstruction.

(d) FORM.—The report required by subsection (a)—

(1) shall be submitted in an unclassified form; and

(2) shall include a classified annex if necessary to provide the most holistic picture of information to Congress as required under this section.

(e) CONGRESS DEFINED.—In this section, the term ''Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(3) any Member of Congress upon request.

SA 1450. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 22 and all that follows through page 40, line 19.

SA 1451. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished

through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 38, strike line 4 and all that follows through page 40, line 19, and insert the following:

INTERNATIONAL SECURITY ASSISTANCE

DEPARTMENT OF STATE

SA 1452. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

DIVISION ___—SECURING THE BORDER

SEC. _001. SHORT TITLE.

This division may be cited as the ''Secure the Border Act of 2024''.

TITLE I—BORDER SECURITY

SEC. _101. DEFINITIONS.

In this division:

(1) CBP.—The term ''CBP'' means U.S. Customs and Border Protection.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of U.S. Customs and Border Protection.

(3) DEPARTMENT.—The term ''Department'' means the Department of Homeland Security.

(4) OPERATIONAL CONTROL.—The term ''operational control'' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(6) SITUATIONAL AWARENESS.—The term ''situational awareness'' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

(7) UNMANNED AIRCRAFT SYSTEM.—The term ''unmanned aircraft system'' has the meaning given such term in section 44801 of title 49, United States Code.

SEC. _102. BORDER WALL CONSTRUCTION.

(a) IN GENERAL.—

(1) IMMEDIATE RESUMPTION OF BORDER WALL CONSTRUCTION.—Not later than seven days after the date of the enactment of this Act, the Secretary shall resume all activities related to the construction of the border wall along the border between the United States and Mexico that were underway or being planned for prior to January 20, 2021.

(2) USE OF FUNDS.—To carry out this section, the Secretary shall expend all unexpired funds appropriated or explicitly obligated for the construction of the border wall that were appropriated or obligated, as the case may be, for use beginning on October 1, 2019.

(3) USE OF MATERIALS.—Any unused materials purchased before the date of the enactment of this Act for construction of the border wall may be used for activities related to the construction of the border wall in accordance with paragraph (1).

(b) PLAN TO COMPLETE TACTICAL INFRASTRUCTURE AND TECHNOLOGY.—Not later than 90 days after the date of the enactment of this Act and annually thereafter until construction of the border wall has been completed, the Secretary shall submit to the appropriate congressional committees an implementation plan, including annual benchmarks for the construction of 200 miles of such wall and associated cost estimates for satisfying all requirements of the construction of the border wall, including installation and deployment of tactical infrastructure, technology, and other elements as identified by the Department prior to January 20, 2021, through the expenditure of funds appropriated or explicitly obligated, as the case may be, for use, as well as any future funds appropriated or otherwise made available by Congress.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) TACTICAL INFRASTRUCTURE.—The term ''tactical infrastructure'' includes boat ramps, access gates, checkpoints, lighting, and roads associated with a border wall.

(3) TECHNOLOGY.—The term ''technology'' includes border surveillance and detection technology, including linear ground detection systems, associated with a border wall.

SEC. _103. STRENGTHENING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.

Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Division C of Public Law 104–208; 8 U.S.C. 1103 note) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—The Secretary of Homeland Security shall take such actions as may be necessary (including the removal of obstacles to detection of illegal entrants) to design, test, construct, install, deploy, integrate, and operate physical barriers, tactical infrastructure, and technology in the vicinity of the southwest border to achieve situational awareness and operational control of the southwest border and deter, impede, and detect unlawful activity.'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''FENCING AND ROAD IMPROVEMENTS'' and inserting ''PHYSICAL BARRIERS'';

(B) in paragraph (1)—

(i) in the heading, by striking ''FENCING'' and inserting ''BARRIERS'';

(ii) by amending subparagraph (A) to read as follows:

''(A) REINFORCED BARRIERS.—In carrying out this section, the Secretary of Homeland Security shall construct a border wall, including physical barriers, tactical infrastructure, and technology, along not fewer than 900 miles of the southwest border until situational awareness and operational control of the southwest border is achieved.'';

(iii) by amending subparagraph (B) to read as follows:

''(B) PHYSICAL BARRIERS AND TACTICAL INFRASTRUCTURE.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective physical barriers, tactical infrastructure, and technology available for achieving situational awareness and operational control of the southwest border.'';

(iv) in subparagraph (C)—

(I) by amending clause (i) to read as follows:

''(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of the Interior, the Secretary of Agriculture, appropriate representatives of State, Tribal, and local governments, and appropriate private property owners in the United States to minimize the impact on natural resources, commerce, and sites of historical or cultural significance for the communities and residents located near the sites at which physical barriers, tactical infrastructure, and technology are to be constructed. Such consultation may not delay such construction for longer than seven days.''; and

(II) in clause (ii)—

(aa) in subclause (I), by striking ''or'' after the semicolon at the end;

(bb) by amending subclause (II) to read as follows:

''(II) delay the transfer to the United States of the possession of property or affect the validity of any property acquisition by the United States by purchase or eminent domain, or to otherwise affect the eminent domain laws of the United States or of any State; or''; and

(cc) by adding at the end the following new subclause:

''(III) create any right or liability for any party.''; and

(v) by striking subparagraph (D);

(C) in paragraph (2)—

(i) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(ii) by striking ''this subsection'' and inserting ''this section''; and

(iii) by striking ''construction of fences'' and inserting ''the construction of physical barriers, tactical infrastructure, and technology'';

(D) by amending paragraph (3) to read as follows:

''(3) AGENT SAFETY.—In carrying out this section, the Secretary of Homeland Security, when designing, testing, constructing, installing, deploying, integrating, and operating physical barriers, tactical infrastructure, or technology, shall incorporate such safety features into such design, test, construction, installation, deployment, integration, or operation of such physical barriers, tactical infrastructure, or technology, as the case may be, that the Secretary determines are necessary to maximize the safety and effectiveness of officers and agents of the Department of Homeland Security or of any other Federal agency deployed in the vicinity of such physical barriers, tactical infrastructure, or technology.''; and

(E) in paragraph (4), by striking ''this subsection'' and inserting ''this section'';

(3) in subsection (c)—

(A) by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall waive all legal requirements necessary to ensure the expeditious design, testing, construction, installation, deployment, integration, operation, and maintenance of the physical barriers, tactical infrastructure, and technology under this section. The Secretary shall ensure the maintenance and effectiveness of such physical barriers, tactical infrastructure, or technology. Any such action by the Secretary shall be effective upon publication in the Federal Register.'';

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) NOTIFICATION.—Not later than seven days after the date on which the Secretary of Homeland Security exercises a waiver pursuant to paragraph (1), the Secretary shall notify the Committee on Homeland Security of

the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of such waiver.''; and

(4) by adding at the end the following new subsections:

''(e) TECHNOLOGY.—In carrying out this section, the Secretary of Homeland Security shall deploy along the southwest border the most practical and effective technology available for achieving situational awareness and operational control.

''(f) DEFINITIONS.—In this section:

''(1) ADVANCED UNATTENDED SURVEILLANCE SENSORS.—The term 'advanced unattended surveillance sensors' means sensors that utilize an onboard computer to analyze detections in an effort to discern between vehicles, humans, and animals, and ultimately filter false positives prior to transmission.

''(2) OPERATIONAL CONTROL.—The term 'operational control' has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (Public Law 109–367; 8 U.S.C. 1701 note).

''(3) PHYSICAL BARRIERS.—The term 'physical barriers' includes reinforced fencing, the border wall, and levee walls.

''(4) SITUATIONAL AWARENESS.—The term 'situational awareness' has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

''(5) TACTICAL INFRASTRUCTURE.—The term 'tactical infrastructure' includes boat ramps, access gates, checkpoints, lighting, and roads.

''(6) TECHNOLOGY.—The term 'technology' includes border surveillance and detection technology, including the following:

''(A) Tower-based surveillance technology.

''(B) Deployable, lighter-than-air ground surveillance equipment.

''(C) Vehicle and Dismount Exploitation Radars (VADER).

''(D) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology.

''(E) Advanced unattended surveillance sensors.

''(F) Mobile vehicle-mounted and manportable surveillance capabilities.

''(G) Unmanned aircraft systems.

''(H) Tunnel detection systems and other seismic technology.

''(I) Fiber-optic cable.

''(J) Other border detection, communication, and surveillance technology.

''(7) UNMANNED AIRCRAFT SYSTEM.—The term 'unmanned aircraft system' has the meaning given such term in section 44801 of title 49, United States Code.''.

SEC. __104. BORDER AND PORT SECURITY TECHNOLOGY INVESTMENT PLAN.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commissioner, in consultation with covered officials and border and port security technology stakeholders, shall submit to the appropriate congressional committees a strategic 5-year technology investment plan (in this section referred to as the ''plan''). The plan may include a classified annex, if appropriate.

(b) CONTENTS OF PLAN.—The plan shall include the following:

(1) An analysis of security risks at and between ports of entry along the northern and southern borders of the United States.

(2) An identification of capability gaps with respect to security at and between such ports of entry to be mitigated in order to—

(A) prevent terrorists and instruments of terror from entering the United States;

(B) combat and reduce cross-border criminal activity, including—

(i) the transport of illegal goods, such as illicit drugs; and

(ii) human smuggling and human trafficking; and

(C) facilitate the flow of legal trade across the southwest border.

(3) An analysis of current and forecast trends relating to the number of aliens who—

(A) unlawfully entered the United States by crossing the northern or southern border of the United States; or

(B) are unlawfully present in the United States.

(4) A description of security-related technology acquisitions, to be listed in order of priority, to address the security risks and capability gaps analyzed and identified pursuant to paragraphs (1) and (2), respectively.

(5) A description of each planned security-related technology program, including objectives, goals, and timelines for each such program.

(6) An identification of each deployed security-related technology that is at or near the end of the life cycle of such technology.

(7) A description of the test, evaluation, modeling, and simulation capabilities, including target methodologies, rationales, and timelines, necessary to support the acquisition of security-related technologies pursuant to paragraph (4).

(8) An identification and assessment of ways to increase opportunities for communication and collaboration with the private sector, small and disadvantaged businesses, intragovernment entities, university centers of excellence, and Federal laboratories to ensure CBP is able to engage with the market for security-related technologies that are available to satisfy its mission needs before engaging in an acquisition of a security-related technology.

(9) An assessment of the management of planned security-related technology programs by the acquisition workforce of CBP.

(10) An identification of ways to leverage already-existing acquisition expertise within the Federal Government.

(11) A description of the security resources, including information security resources, required to protect security-related technology from physical or cyber theft, diversion, sabotage, or attack.

(12) A description of initiatives to—

(A) streamline the acquisition process of CBP; and

(B) provide to the private sector greater predictability and transparency with respect to such process, including information relating to the timeline for testing and evaluation of security-related technology.

(13) An assessment of the privacy and security impact on border communities of security-related technology.

(14) In the case of a new acquisition leading to the removal of equipment from a port of entry along the northern or southern border of the United States, a strategy to consult with the private sector and community stakeholders affected by such removal.

(15) A strategy to consult with the private sector and community stakeholders with respect to security impacts at a port of entry described in paragraph (14).

(16) An identification of recent technological advancements in the following:

(A) Manned aircraft sensor, communication, and common operating picture technology.

(B) Unmanned aerial systems and related technology, including counter-unmanned aerial system technology.

(C) Surveillance technology, including the following:

(i) Mobile surveillance vehicles.

(ii) Associated electronics, including cameras, sensor technology, and radar.

(iii) Tower-based surveillance technology.

(iv) Advanced unattended surveillance sensors.

(v) Deployable, lighter-than-air, ground surveillance equipment.

(D) Nonintrusive inspection technology, including non-x-ray devices utilizing muon tomography and other advanced detection technology.

(E) Tunnel detection technology.

(F) Communications equipment, including the following:

(i) Radios.

(ii) Long-term evolution broadband.

(iii) Miniature satellites.

(c) LEVERAGING THE PRIVATE SECTOR.—To the extent practicable, the plan shall—

(1) leverage emerging technological capabilities, and research and development trends, within the public and private sectors;

(2) incorporate input from the private sector, including from border and port security stakeholders, through requests for information, industry day events, and other innovative means consistent with the Federal Acquisition Regulation; and

(3) identify security-related technologies that are in development or deployed, with or without adaptation, that may satisfy the mission needs of CBP.

(d) FORM.—To the extent practicable, the plan shall be published in unclassified form on the website of the Department.

(e) DISCLOSURE.—The plan shall include an identification of individuals not employed by the Federal Government, and their professional affiliations, who contributed to the development of the plan.

(f) UPDATE AND REPORT.—Not later than the date that is two years after the date on which the plan is submitted to the appropriate congressional committees pursuant to subsection (a) and biennially thereafter for ten years, the Commissioner shall submit to the appropriate congressional committees—

(1) an update of the plan, if appropriate; and

(2) a report that includes—

(A) the extent to which each security-related technology acquired by CBP since the initial submission of the plan or most recent update of the plan, as the case may be, is consistent with the planned technology programs and projects described pursuant to subsection (b)(5); and

(B) the type of contract and the reason for acquiring each such security-related technology.

(g) DEFINITIONS.—In this section:

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

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

(B) the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate.

(2) COVERED OFFICIALS.—The term ''covered officials'' means—

(A) the Under Secretary for Management of the Department;

(B) the Under Secretary for Science and Technology of the Department; and

(C) the Chief Information Officer of the Department.

(3) UNLAWFULLY PRESENT.—The term ''unlawfully present'' has the meaning provided such term in section 212(a)(9)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(9)(B)(ii)).

SEC. __105. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

"SEC. 437. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

''(a) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term 'major acquisition program' means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of at least $100,000,000 (based on fiscal year 2023 constant dollars) over its lifecycle cost.

''(b) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

''(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

''(2) document that each such program is satisfying cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(3) have a plan for satisfying program implementation objectives by managing contractor performance.

''(c) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring management of border security technology acquisition programs under this section.

''(d) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a plan for testing, evaluating, and using independent verification and validation of resources relating to the proposed acquisition of border security technology. Under such plan, the proposed acquisition of new border security technologies shall be evaluated through a series of assessments, processes, and audits to ensure—

''(1) compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

''(2) the effective use of taxpayer dollars.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 436 the following new item:

''Sec. 437. Border security technology program management.''.

(c) PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out section 437 of the Homeland Security Act of 2002, as added by subsection (a).

SEC. __106. U.S. CUSTOMS AND BORDER PROTECTION TECHNOLOGY UPGRADES.

(a) SECURE COMMUNICATIONS.—The Commissioner shall ensure that each CBP officer or agent, as appropriate, is equipped with a secure radio or other two-way communication device that allows each such officer or agent to communicate—

(1) between ports of entry and inspection stations; and

(2) with other Federal, State, Tribal, and local law enforcement entities.

(b) BORDER SECURITY DEPLOYMENT PROGRAM.—

(1) EXPANSION.—Not later than September 30, 2025, the Commissioner shall—

(A) fully implement the Border Security Deployment Program of CBP; and

(B) expand the integrated surveillance and intrusion detection system at land ports of entry along the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $33,000,000 for fiscal years 2024 and 2025 to carry out paragraph (1).

(c) UPGRADE OF LICENSE PLATE READERS AT PORTS OF ENTRY.—

(1) UPGRADE.—Not later than two years after the date of the enactment of this Act, the Commissioner shall upgrade all existing license plate readers in need of upgrade, as determined by the Commissioner, on the northern and southern borders of the United States.

(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated $125,000,000 for fiscal years 2023 and 2024 to carry out paragraph (1).

SEC. __107. U.S. CUSTOMS AND BORDER PROTECTION PERSONNEL.

(a) RETENTION BONUS.—To carry out this section, there is authorized to be appropriated up to $100,000,000 to the Commissioner to provide a retention bonus to any front-line U.S. Border Patrol law enforcement agent—

(1) whose position is equal to or below level GS-12 of the General Schedule;

(2) who has five years or more of service with the U.S. Border Patrol; and

(3) who commits to two years of additional service with the U.S. Border Patrol upon acceptance of such bonus.

(b) BORDER PATROL AGENTS.—Not later than September 30, 2025, the Commissioner shall hire, train, and assign a sufficient number of Border Patrol agents to maintain an active duty presence of not fewer than 22,000 full-time equivalent Border Patrol agents, who may not perform the duties of processing coordinators.

(c) PROHIBITION AGAINST ALIEN TRAVEL.—No personnel or equipment of Air and Marine Operations may be used for the transportation of non-detained aliens, or detained aliens expected to be administratively released upon arrival, from the southwest border to destinations within the United States.

(d) GAO REPORT.—If the staffing level required under this section is not achieved by the date associated with such level, the Comptroller General of the United States shall—

(1) conduct a review of the reasons why such level was not so achieved; and

(2) not later than September 30, 2027, publish on a publicly available website of the Government Accountability Office a report relating thereto.

SEC. __108. ANTI-BORDER CORRUPTION ACT REAUTHORIZATION.

(a) HIRING FLEXIBILITY.—Section 3 of the Anti-Border Corruption Act of 2010 (6 U.S.C. 221; Public Law 111–376) is amended by striking subsection (b) and inserting the following new subsections:

''(b) WAIVER REQUIREMENT.—Subject to subsection (c), the Commissioner of U.S. Customs and Border Protection shall waive the application of subsection (a)(1)—

''(1) to a current, full-time law enforcement officer employed by a State or local law enforcement agency who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension; and

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position;

''(2) to a current, full-time Federal law enforcement officer who—

''(A) has continuously served as a law enforcement officer for not fewer than three years;

''(B) is authorized to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

''(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

''(D) holds a current Tier 4 background investigation or current Tier 5 background investigation; or

''(3) to a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

''(A) has served in the Armed Forces for not fewer than three years;

''(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance;

''(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

''(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

''(E) was not granted any waivers to obtain the clearance referred to in subparagraph (B).

''(c) TERMINATION OF WAIVER REQUIREMENT; SNAP-BACK.—The requirement to issue a waiver under subsection (b) shall terminate if the Commissioner of U.S. Customs and Border Protection (CBP) certifies to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP has met all requirements pursuant to section __107 of the Secure the Border Act of 2024 relating to personnel levels. If at any time after such certification personnel levels fall below such requirements, the Commissioner shall waive the application of subsection (a)(1) until such time as the Commissioner re-certifies to such Committees that CBP has so met all such requirements.''.

(b) SUPPLEMENTAL COMMISSIONER AUTHORITY; REPORTING; DEFINITIONS.—The Anti-Border Corruption Act of 2010 is amended by adding at the end the following new sections:

"SEC. 5. SUPPLEMENTAL COMMISSIONER AUTHORITY.

''(a) NONEXEMPTION.—An individual who receives a waiver under section 3(b) is not exempt from any other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

''(b) BACKGROUND INVESTIGATIONS.—An individual who receives a waiver under section

3(b) who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

''(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under section 3(b) if information is discovered before the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.

''SEC. 6. REPORTING.

''(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of this section and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit to Congress a report that includes, with respect to each such reporting period, the following:

''(1) Information relating to the number of waivers granted under such section 3(b).

''(2) Information relating to the percentage of applicants who were hired after receiving such a waiver.

''(3) Information relating to the number of instances that a polygraph was administered to an applicant who initially received such a waiver and the results of such polygraph.

''(4) An assessment of the current impact of such waiver authority on filling law enforcement positions at U.S. Customs and Border Protection.

''(5) An identification of additional authorities needed by U.S. Customs and Border Protection to better utilize such waiver authority for its intended goals.

''(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include the following:

''(1) An analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential applicants or employees for suitability for employment or continued employment, as the case may be.

''(2) A recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).

''SEC. 7. DEFINITIONS.

''In this Act:

''(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term 'Federal law enforcement officer' means a 'law enforcement officer', as such term is defined in section 8331(20) or 8401(17) of title 5, United States Code.

''(2) SERIOUS MILITARY OR CIVIL OFFENSE.—The term 'serious military or civil offense' means an offense for which—

''(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

''(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Court-Martial, as pursuant to Army Regulation 635–200, chapter 14–12.

''(3) TIER 4; TIER 5.—The terms 'Tier 4' and 'Tier 5', with respect to background investigations, have the meaning given such terms under the 2012 Federal Investigative Standards.

''(4) VETERAN.—The term 'veteran' has the meaning given such term in section 101(2) of title 38, United States Code.''.

(c) POLYGRAPH EXAMINERS.—Not later than September 30, 2025, the Secretary shall increase to not fewer than 150 the number of trained full-time equivalent polygraph examiners for administering polygraphs under the Anti-Border Corruption Act of 2010, as amended by this section.

SEC. __109. ESTABLISHMENT OF WORKLOAD STAFFING MODELS FOR U.S. BORDER PATROL AND AIR AND MARINE OPERATIONS OF CBP.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Commissioner, in coordination with the Under Secretary for Management, the Chief Human Capital Officer, and the Chief Financial Officer of the Department, shall implement a workload staffing model for each of the following:

(1) The U.S. Border Patrol.

(2) Air and Marine Operations of CBP.

(b) RESPONSIBILITIES OF THE COMMISSIONER.—Subsection (c) of section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211), is amended—

(1) by redesignating paragraphs (18) and (19) as paragraphs (20) and (21), respectively; and

(2) by inserting after paragraph (17) the following new paragraphs:

''(18) implement a staffing model for the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations that includes consideration for essential frontline operator activities and functions, variations in operating environments, present and planned infrastructure, present and planned technology, and required operations support levels to enable such entities to manage and assign personnel of such entities to ensure field and support posts possess adequate resources to carry out duties specified in this section;

''(19) develop standard operating procedures for a workforce tracking system within the U.S. Border Patrol, Air and Marine Operations, and the Office of Field Operations, train the workforce of each of such entities on the use, capabilities, and purpose of such system, and implement internal controls to ensure timely and accurate scheduling and reporting of actual completed work hours and activities;''.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act with respect to subsection (a) and paragraphs (18) and (19) of section 411(c) of the Homeland Security Act of 2002 (as amended by subsection (b)), and annually thereafter with respect to such paragraphs (18) and (19), the Secretary shall submit to the appropriate congressional committees a report that includes a status update on the following:

(A) The implementation of such subsection (a) and such paragraphs (18) and (19).

(B) Each relevant workload staffing model.

(2) DATA SOURCES AND METHODOLOGY REQUIRED.—Each report required under paragraph (1) shall include information relating to the data sources and methodology used to generate each relevant staffing model.

(d) INSPECTOR GENERAL REVIEW.—Not later than 90 days after the Commissioner develops the workload staffing models pursuant to subsection (a), the Inspector General of the Department shall review such models and provide feedback to the Secretary and the appropriate congressional committees with respect to the degree to which such models are responsive to the recommendations of the Inspector General, including the following:

(1) Recommendations from the Inspector General's February 2019 audit.

(2) Any further recommendations to improve such models.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

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

(2) the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. __110. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

''SEC. 2010. OPERATION STONEGARDEN.

''(a) ESTABLISHMENT.—There is established in the Department a program to be known as 'Operation Stonegarden', under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through State administrative agencies, to enhance border security in accordance with this section.

''(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency shall—

''(1) be located in—

''(A) a State bordering Canada or Mexico; or

''(B) a State or territory with a maritime border;

''(2) be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a U.S. Border Patrol sector office; and

''(3) have an agreement in place with U.S. Immigration and Customs Enforcement to support enforcement operations.

''(c) PERMITTED USES.—A recipient of a grant under this section may use such grant for costs associated with the following:

''(1) Equipment, including maintenance and sustainment.

''(2) Personnel, including overtime and backfill, in support of enhanced border law enforcement activities.

''(3) Any activity permitted for Operation Stonegarden under the most recent fiscal year Department of Homeland Security's Homeland Security Grant Program Notice of Funding Opportunity.

''(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not fewer than 36 months.

''(e) NOTIFICATION.—Upon denial of a grant to a law enforcement agency, the Administrator shall provide written notice to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, including the reasoning for such denial.

''(f) REPORT.—For each of fiscal years 2024 through 2028 the Administrator shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report that contains—

''(1) information on the expenditure of grants made under this section by each grant recipient; and

''(2) recommendations for other uses of such grants to further support eligible law enforcement agencies.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $110,000,000 for each of fiscal years 2024 through 2028 for grants under this section.''.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended to read as follows:

''(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003, 2004, 2009, and 2010 to State, local, and Tribal governments, as appropriate.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2009 the following new item:

''Sec. 2010. Operation Stonegarden.''.

SEC. __111. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) AIR AND MARINE OPERATIONS FLIGHT HOURS.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall ensure that not fewer than 110,000 annual flight hours are carried out by Air and Marine Operations of CBP.

(b) UNMANNED AIRCRAFT SYSTEMS.—The Secretary, after coordination with the Administrator of the Federal Aviation Administration, shall ensure that Air and Marine Operations operate unmanned aircraft systems on the southern border of the United States for not less than 24 hours per day.

(c) PRIMARY MISSIONS.—The Commissioner shall ensure the following:

(1) The primary missions for Air and Marine Operations are to directly support the following:

(A) U.S. Border Patrol activities along the borders of the United States.

(B) Joint Interagency Task Force South and Joint Task Force East operations in the transit zone.

(2) The Executive Assistant Commissioner of Air and Marine Operations assigns the greatest priority to support missions specified in paragraph (1).

(d) HIGH DEMAND FLIGHT HOUR REQUIREMENTS.—The Commissioner shall—

(1) ensure that U.S. Border Patrol Sector Chiefs identify air support mission-critical hours; and

(2) direct Air and Marine Operations to support requests from such Sector Chiefs as a component of the primary mission of Air and Marine Operations in accordance with subsection (c)(1)(A).

(e) CONTRACT AIR SUPPORT AUTHORIZATIONS.—The Commissioner shall contract for air support mission-critical hours to meet the requests for such hours, as identified pursuant to subsection (d).

(f) SMALL UNMANNED AIRCRAFT SYSTEMS.—

(1) IN GENERAL.—The Chief of the U.S. Border Patrol shall be the executive agent with respect to the use of small unmanned aircraft by CBP for the purposes of the following:

(A) Meeting the unmet flight hour operational requirements of the U.S. Border Patrol.

(B) Achieving situational awareness and operational control of the borders of the United States.

(2) COORDINATION.—In carrying out paragraph (1), the Chief of the U.S. Border Patrol shall coordinate—

(A) flight operations with the Administrator of the Federal Aviation Administration to ensure the safe and efficient operation of the national airspace system; and

(B) with the Executive Assistant Commissioner for Air and Marine Operations of CBP to—

(i) ensure the safety of other CBP aircraft flying in the vicinity of small unmanned aircraft operated by the U.S. Border Patrol; and

(ii) establish a process to include data from flight hours in the calculation of got away statistics.

(3) CONFORMING AMENDMENT.—Paragraph (3) of section 411(e) of the Homeland Security Act of 2002 (6 U.S.C. 211(e)) is amended—

(A) in subparagraph (B), by striking ''and'' after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

''(C) carry out the small unmanned aircraft (as such term is defined in section 44801 of title 49, United States Code) requirements pursuant to subsection (f) of section __111 of the Secure the Border Act of 2024; and''.

(g) SAVINGS CLAUSE.—Nothing in this section may be construed as conferring, transferring, or delegating to the Secretary, the Commissioner, the Executive Assistant Commissioner for Air and Marine Operations of CBP, or the Chief of the U.S. Border Patrol any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration relating to the use of airspace or aviation safety.

(h) DEFINITIONS.—In this section:

(1) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(3)).

(2) TRANSIT ZONE.—The term ''transit zone'' has the meaning given such term in section 1092(a)(8) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(8)).

SEC. __112. ERADICATION OF CARRIZO CANE AND SALT CEDAR.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary, in coordination with the heads of relevant Federal, State, and local agencies, shall hire contractors to begin eradicating the carrizo cane plant and any salt cedar along the Rio Grande River that impedes border security operations. Such eradication shall be completed—

(1) by not later than September 30, 2027, except for required maintenance; and

(2) in the most expeditious and cost-effective manner possible to maintain clear fields of view.

(b) APPLICATION.—The waiver authority under subsection (c) of section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note), as amended by section __103, shall apply to activities carried out pursuant to subsection (a).

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a strategic plan to eradicate all carrizo cane plant and salt cedar along the Rio Grande River that impedes border security operations by not later than September 30, 2027.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $7,000,000 for each of fiscal years 2024 through 2028 to the Secretary to carry out this subsection.

SEC. __113. BORDER PATROL STRATEGIC PLAN.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act and biennially thereafter, the Commissioner, acting through the Chief of the U.S. Border Patrol, shall issue a Border Patrol Strategic Plan (referred to in this section as the ''plan'') to enhance the security of the borders of the United States.

(b) ELEMENTS.—The plan shall include the following:

(1) A consideration of Border Patrol Capability Gap Analysis reporting, Border Security Improvement Plans, and any other strategic document authored by the U.S. Border Patrol to address security gaps between ports of entry, including efforts to mitigate threats identified in such analyses, plans, and documents.

(2) Information relating to the dissemination of information relating to border security or border threats with respect to the efforts of the Department and other appropriate Federal agencies.

(3) Information relating to efforts by U.S. Border Patrol to—

(A) increase situational awareness, including—

(i) surveillance capabilities, such as capabilities developed or utilized by the Department of Defense, and any appropriate technology determined to be excess by the Department of Defense; and

(ii) the use of manned aircraft and unmanned aircraft;

(B) detect and prevent terrorists and instruments of terrorism from entering the United States;

(C) detect, interdict, and disrupt between ports of entry aliens unlawfully present in the United States;

(D) detect, interdict, and disrupt human smuggling, human trafficking, drug trafficking, and other illicit cross-border activity;

(E) focus intelligence collection to disrupt transnational criminal organizations outside of the international and maritime borders of the United States; and

(F) ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department.

(4) Information relating to initiatives of the Department with respect to operational coordination, including any relevant task forces of the Department.

(5) Information gathered from the lessons learned by the deployments of the National Guard to the southern border of the United States.

(6) A description of cooperative agreements relating to information sharing with State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States.

(7) Information relating to border security information received from the following:

(A) State, local, Tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the borders of the United States or in the maritime environment.

(B) Border community stakeholders, including representatives from the following:

(i) Border agricultural and ranching organizations.

(ii) Business and civic organizations.

(iii) Hospitals and rural clinics within 150 miles of the borders of the United States.

(iv) Victims of crime committed by aliens unlawfully present in the United States.

(v) Victims impacted by drugs, transnational criminal organizations, cartels, gangs, or other criminal activity.

(vi) Farmers, ranchers, and property owners along the border.

(vii) Other individuals negatively impacted by illegal immigration.

(8) Information relating to the staffing requirements with respect to border security for the Department.

(9) A prioritized list of Department research and development objectives to enhance the security of the borders of the United States.

(10) An assessment of training programs, including such programs relating to the following:

(A) Identifying and detecting fraudulent documents.

(B) Understanding the scope of CBP enforcement authorities and appropriate use of force policies.

(C) Screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking.

SEC. __114. U.S. CUSTOMS AND BORDER PROTECTION SPIRITUAL READINESS.

Not later than one year after the enactment of this Act and annually thereafter for five years, the Commissioner shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the availability and usage of the assistance of chaplains, prayer groups, houses of worship, and

other spiritual resources for members of CBP who identify as religiously affiliated and have attempted suicide, have suicidal ideation, or are at risk of suicide, and metrics on the impact such resources have in assisting religiously affiliated members who have access to and utilize such resources compared to religiously affiliated members who do not.

SEC. __115. RESTRICTIONS ON FUNDING.

(a) ARRIVING ALIENS.—No funds are authorized to be appropriated to the Department to process the entry into the United States of aliens arriving in between ports of entry.

(b) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION SUPPORT FOR UNLAWFUL ACTIVITY.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization that facilitates or encourages unlawful activity, including unlawful entry, human trafficking, human smuggling, drug trafficking, and drug smuggling.

(c) RESTRICTION ON NONGOVERNMENTAL ORGANIZATION FACILITATION OF ILLEGAL IMMIGRATION.—No funds are authorized to be appropriated to the Department for disbursement to any nongovernmental organization to provide, or facilitate the provision of, transportation, lodging, or immigration legal services to inadmissible aliens who enter the United States after the date of the enactment of this Act.

SEC. __116. COLLECTION OF DNA AND BIOMETRIC INFORMATION AT THE BORDER.

Not later than 14 days after the date of the enactment of this Act, the Secretary shall ensure and certify to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that CBP is fully compliant with Federal DNA and biometric collection requirements at United States land borders.

SEC. __117. ERADICATION OF NARCOTIC DRUGS AND FORMULATING EFFECTIVE NEW TOOLS TO ADDRESS YEARLY LOSSES OF LIFE; ENSURING TIMELY UPDATES TO U.S. CUSTOMS AND BORDER PROTECTION FIELD MANUALS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than triennially thereafter, the Commissioner of U.S. Customs and Border Protection shall review and update, as necessary, the current policies and manuals of the Office of Field Operations related to inspections at ports of entry, and the U.S. Border Patrol related to inspections between ports of entry, to ensure the uniform implementation of inspection practices that will effectively respond to technological and methodological changes designed to disguise unlawful activity, such as the smuggling of drugs and humans, along the border.

(b) REPORTING REQUIREMENT.—Not later than 90 days after each update required under subsection (a), the Commissioner of U.S. Customs and Border Protection shall submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a report that summarizes any policy and manual changes pursuant to subsection (a).

SEC. __118. PUBLICATION BY U.S. CUSTOMS AND BORDER PROTECTION OF OPERATIONAL STATISTICS.

(a) IN GENERAL.—Not later than the seventh day of each month beginning with the second full month after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall publish on a publicly available website of the Department of Homeland Security information relating to the total number of alien encounters and nationalities, unique alien encounters and nationalities, gang-affiliated apprehensions and nationalities, drug seizures, alien encounters included in the terrorist screening database and nationalities, arrests of criminal aliens or individuals wanted by law enforcement and nationalities, known got aways, encounters with deceased aliens, and all other related or associated statistics recorded by U.S. Customs and Border Protection during the immediately preceding month. Each such publication shall include the following:

(1) The aggregate such number, and such number disaggregated by geographic regions, of such recordings and encounters, including specifications relating to whether such recordings and encounters were at the southwest, northern, or maritime border.

(2) An identification of the Office of Field Operations field office, U.S. Border Patrol sector, or Air and Marine Operations branch making each recording or encounter.

(3) Information relating to whether each recording or encounter of an alien was of a single adult, an unaccompanied alien child, or an individual in a family unit.

(4) Information relating to the processing disposition of each alien recording or encounter.

(5) Information relating to the nationality of each alien who is the subject of each recording or encounter.

(6) The total number of individuals included in the terrorist screening database (as such term is defined in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621)) who have repeatedly attempted to cross unlawfully into the United States.

(7) The total number of individuals included in the terrorist screening database who have been apprehended, including information relating to whether such individuals were released into the United States or removed.

(b) EXCEPTIONS.—If the Commissioner of U.S. Customs and Border Protection in any month does not publish the information required under subsection (a), or does not publish such information by the date specified in such subsection, the Commissioner shall brief the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate regarding the reason relating thereto, as the case may be, by not later than the date that is two business days after the tenth day of such month.

(c) DEFINITIONS.—In this section:

(1) ALIEN ENCOUNTERS.—The term ''alien encounters'' means aliens apprehended, determined inadmissible, or processed for removal by U.S. Customs and Border Protection.

(2) GOT AWAY.—The term ''got away'' has the meaning given such term in section 1092(a) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)).

(3) TERRORIST SCREENING DATABASE.—The term ''terrorist screening database'' has the meaning given such term in section 2101 of the Homeland Security Act of 2002 (6 U.S.C. 621).

(4) UNACCOMPANIED ALIEN CHILD.—The term ''unaccompanied alien child'' has the meaning given such term in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)).

SEC. __119. ALIEN CRIMINAL BACKGROUND CHECKS.

(a) IN GENERAL.—Not later than seven days after the date of the enactment of this Act, the Commissioner shall certify to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate that CBP has real-time access to the criminal history databases of all countries of origin and transit for aliens encountered by CBP to perform criminal history background checks for such aliens.

(b) STANDARDS.—The certification required under subsection (a) shall also include a determination whether the criminal history databases of a country are accurate, up to date, digitized, searchable, and otherwise meet the standards of the Federal Bureau of Investigation for criminal history databases maintained by State and local governments.

(c) CERTIFICATION.—The Secretary shall annually submit to the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate a certification that each database referred to in subsection (b) which the Secretary accessed or sought to access pursuant to this section met the standards described in subsection (b).

SEC. __120. PROHIBITED IDENTIFICATION DOCUMENTS AT AIRPORT SECURITY CHECKPOINTS; NOTIFICATION TO IMMIGRATION AGENCIES.

(a) IN GENERAL.—The Administrator may not accept as valid proof of identification a prohibited identification document at an airport security checkpoint.

(b) NOTIFICATION TO IMMIGRATION AGENCIES.—If an individual presents a prohibited identification document to an officer of the Transportation Security Administration at an airport security checkpoint, the Administrator shall promptly notify the Director of U.S. Immigration and Customs Enforcement, the Director of U.S. Customs and Border Protection, and the head of the appropriate local law enforcement agency to determine whether the individual is in violation of any term of release from the custody of any such agency.

(c) ENTRY INTO STERILE AREAS.—

(1) IN GENERAL.—Except as provided in paragraph (2), if an individual is found to be in violation of any term of release under subsection (b), the Administrator may not permit such individual to enter a sterile area.

(2) EXCEPTION.—An individual presenting a prohibited identification document under this section may enter a sterile area if the individual—

(A) is leaving the United States for the purposes of removal or deportation; or

(B) presents a covered identification document.

(d) COLLECTION OF BIOMETRIC INFORMATION FROM CERTAIN INDIVIDUALS SEEKING ENTRY INTO THE STERILE AREA OF AN AIRPORT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator shall collect biometric information from an individual described in subsection (e) prior to authorizing such individual to enter into a sterile area.

(e) INDIVIDUAL DESCRIBED.—An individual described in this subsection is an individual who—

(1) is seeking entry into the sterile area of an airport;

(2) does not present a covered identification document; and

(3) the Administrator cannot verify is a national of the United States.

(f) PARTICIPATION IN IDENT.—Beginning not later than 120 days after the date of the enactment of this Act, the Administrator, in coordination with the Secretary, shall submit biometric data collected under this section to the Automated Biometric Identification System (IDENT).

(g) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Transportation Security Administration.

(2) BIOMETRIC INFORMATION.—The term ''biometric information'' means any of the following:

(A) A fingerprint.

(B) A palm print.

(C) A photograph, including—

(i) a photograph of an individual's face for use with facial recognition technology; and

(ii) a photograph of any physical or anatomical feature, such as a scar, skin mark, or tattoo.

(D) A signature.

(E) A voice print.

(F) An iris image.

(3) COVERED IDENTIFICATION DOCUMENT.—The term ''covered identification document'' means any of the following, if the document is valid and unexpired:

(A) A United States passport or passport card.

(B) A biometrically secure card issued by a trusted traveler program of the Department of Homeland Security, including—

(i) Global Entry;

(ii) Nexus;

(iii) Secure Electronic Network for Travelers Rapid Inspection (SENTRI); and

(iv) Free and Secure Trade (FAST).

(C) An identification card issued by the Department of Defense, including such a card issued to a dependent.

(D) Any document required for admission to the United States under section 211(a) of the Immigration and Nationality Act (8 U.S.C. 1181(a)).

(E) An enhanced driver's license issued by a State.

(F) A photo identification card issued by a federally recognized Indian Tribe.

(G) A personal identity verification credential issued in accordance with Homeland Security Presidential Directive 12.

(H) A driver's license issued by a province of Canada.

(I) A Secure Certificate of Indian Status issued by the Government of Canada.

(J) A Transportation Worker Identification Credential.

(K) A Merchant Mariner Credential issued by the Coast Guard.

(L) A Veteran Health Identification Card issued by the Department of Veterans Affairs.

(M) Any other document the Administrator determines, pursuant to a rulemaking in accordance with section 553 of title 5, United States Code, will satisfy the identity verification procedures of the Transportation Security Administration.

(4) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given that term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(5) PROHIBITED IDENTIFICATION DOCUMENT.—The term ''prohibited identification document'' means any of the following (or any applicable successor form):

(A) U.S. Immigration and Customs Enforcement Form I–200, Warrant for Arrest of Alien.

(B) U.S. Immigration and Customs Enforcement Form I–205, Warrant of Removal/Deportation.

(C) U.S. Immigration and Customs Enforcement Form I–220A, Order of Release on Recognizance.

(D) U.S. Immigration and Customs Enforcement Form I–220B, Order of Supervision.

(E) Department of Homeland Security Form I–862, Notice to Appear.

(F) U.S. Customs and Border Protection Form I–94, Arrival/Departure Record (including a print-out of an electronic record).

(G) Department of Homeland Security Form I–385, Notice to Report.

(H) Any document that directs an individual to report to the Department of Homeland Security.

(I) Any Department of Homeland Security work authorization or employment verification document.

(6) STERILE AREA.—The term ''sterile area'' has the meaning given that term in section 1540.5 of title 49, Code of Federal Regulations, or any successor regulation.

SEC. __121. PROHIBITION AGAINST ANY COVID–19 VACCINE MANDATE OR ADVERSE ACTION AGAINST DHS EMPLOYEES.

(a) LIMITATION ON IMPOSITION OF NEW MANDATE.—The Secretary may not issue any COVID–19 vaccine mandate unless Congress expressly authorizes such a mandate.

(b) PROHIBITION ON ADVERSE ACTION.—The Secretary may not take any adverse action against a Department employee based solely on the refusal of such employee to receive a vaccine for COVID–19.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the following:

(1) The number of Department employees who were terminated or resigned due to the COVID–19 vaccine mandate.

(2) An estimate of the cost to reinstate such employees.

(3) How the Department would effectuate reinstatement of such employees.

(d) RETENTION AND DEVELOPMENT OF UNVACCINATED EMPLOYEES.—The Secretary shall make every effort to retain Department employees who are not vaccinated against COVID–19 and provide such employees with professional development, promotion and leadership opportunities, and consideration equal to that of their peers.

SEC. __122. CBP ONE APP LIMITATION.

(a) LIMITATION.—The Department may use the CBP One Mobile Application or any other similar program, application, internet-based portal, website, device, or initiative only for inspection of perishable cargo.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Commissioner shall report to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate the date on which CBP began using CBP One to allow aliens to schedule interviews at land ports of entry, how many aliens have scheduled interviews at land ports of entry using CBP One, the nationalities of such aliens, and the stated final destinations of such aliens within the United States, if any.

SEC. __123. REPORT ON MEXICAN DRUG CARTELS.

Not later than 60 days after the date of the enactment of this Act, Congress shall commission a report that contains the following:

(1) A national strategy to address Mexican drug cartels, and a determination regarding whether there should be a designation established to address such cartels.

(2) Information relating to actions by such cartels that causes harm to the United States.

SEC. __124. GAO STUDY ON COSTS INCURRED BY STATES TO SECURE THE SOUTHWEST BORDER.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the costs incurred by individual States as a result of actions taken by such States in support of the Federal mission to secure the southwest border, and the feasibility of a program to reimburse such States for such costs.

(b) CONTENTS.—The study required under subsection (a) shall include consideration of the following:

(1) Actions taken by the Department of Homeland Security that have contributed to costs described in such subsection incurred by States to secure the border in the absence of Federal action, including the termination of the Migrant Protection Protocols and cancellation of border wall construction.

(2) Actions taken by individual States along the southwest border to secure their borders, and the costs associated with such actions.

(3) The feasibility of a program within the Department of Homeland Security to reimburse States for the costs incurred in support of the Federal mission to secure the southwest border.

SEC. __125. REPORT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) REPORT.—Not later than one year after the date of the enactment of this Act and annually thereafter for five years, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report examining the economic and security impact of mass migration to municipalities and States along the southwest border. Such report shall include information regarding costs incurred by the following:

(1) State and local law enforcement to secure the southwest border.

(2) Public school districts to educate students who are aliens unlawfully present in the United States.

(3) Healthcare providers to provide care to aliens unlawfully present in the United States who have not paid for such care.

(4) Farmers and ranchers due to migration impacts to their properties.

(b) CONSULTATION.—To produce the report required under subsection (a), the Inspector General of the Department of Homeland Security shall consult with the individuals and representatives of the entities described in paragraphs (1) through (4) of such subsection.

SEC. __126. OFFSETTING AUTHORIZATIONS OF APPROPRIATIONS.

(a) OFFICE OF THE SECRETARY AND EMERGENCY MANAGEMENT.—No funds are authorized to be appropriated for the Alternatives to Detention Case Management Pilot Program or the Office of the Immigration Detention Ombudsman for the Office of the Secretary and Emergency Management of the Department of Homeland Security.

(b) MANAGEMENT DIRECTORATE.—No funds are authorized to be appropriated for electric vehicles or St. Elizabeths campus construction for the Management Directorate of the Department of Homeland Security.

(c) INTELLIGENCE, ANALYSIS, AND SITUATIONAL AWARENESS.—There is authorized to be appropriated $216,000,000 for Intelligence, Analysis, and Situational Awareness of the Department of Homeland Security.

(d) U.S. CUSTOMS AND BORDER PROTECTION.—No funds are authorized to be appropriated for the Shelter Services Program for U.S. Customs and Border Protection.

SEC. __127. REPORT TO CONGRESS ON FOREIGN TERRORIST ORGANIZATIONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter for five years, the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the

Committee on Homeland Security and Governmental Affairs of the Senate an assessment of foreign terrorist organizations attempting to move their members or affiliates into the United States through the southern, northern, or maritime border.

(b) DEFINITION.—In this section, the term ''foreign terrorist organization'' means an organization described in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. __128. ASSESSMENT BY INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY ON THE MITIGATION OF UNMANNED AIRCRAFT SYSTEMS AT THE SOUTHWEST BORDER.

Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an assessment of U.S. Customs and Border Protection's ability to mitigate unmanned aircraft systems at the southwest border. Such assessment shall include information regarding any intervention between January 1, 2021, and the date of the enactment of this Act, by any Federal agency affecting in any manner U.S. Customs and Border Protection's authority to so mitigate such systems.

TITLE II—ASYLUM REFORM AND BORDER PROTECTION

SEC. __201. SAFE THIRD COUNTRY.

Section 208(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)(A)) is amended—

(1) by striking ''if the Attorney General determines'' and inserting ''if the Attorney General or the Secretary of Homeland Security determines—'';

(2) by striking ''that the alien may be removed'' and inserting the following:

''(i) that the alien may be removed'';

(3) by striking '', pursuant to a bilateral or multilateral agreement, to'' and inserting ''to'';

(4) by inserting ''or the Secretary, on a case by case basis,'' before ''finds that'';

(5) by striking the period at the end and inserting ''; or''; and

(6) by adding at the end the following:

''(ii) that the alien entered, attempted to enter, or arrived in the United States after transiting through at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence en route to the United States, unless—

''(I) the alien demonstrates that he or she applied for protection from persecution or torture in at least one country outside the alien's country of citizenship, nationality, or last lawful habitual residence through which the alien transited en route to the United States, and the alien received a final judgment denying the alien protection in each country;

''(II) the alien demonstrates that he or she was a victim of a severe form of trafficking in which a commercial sex act was induced by force, fraud, or coercion, or in which the person induced to perform such act was under the age of 18 years; or in which the trafficking included the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery, and was unable to apply for protection from persecution in each country through which the alien transited en route to the United States as a result of such severe form of trafficking; or

''(III) the only countries through which the alien transited en route to the United States were, at the time of the transit, not parties to the 1951 United Nations Convention relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, or the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.''.

SEC. __202. CREDIBLE FEAR INTERVIEWS.

Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''there is a significant possibility'' and all that follows, and inserting '', taking into account the credibility of the statements made by the alien in support of the alien's claim, as determined pursuant to section 208(b)(1)(B)(iii), and such other facts as are known to the officer, the alien more likely than not could establish eligibility for asylum under section 208, and it is more likely than not that the statements made by, and on behalf of, the alien in support of the alien's claim are true.''.

SEC. __203. CLARIFICATION OF ASYLUM ELIGIBILITY.

(a) IN GENERAL.—Section 208(b)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(1)(A)) is amended by inserting after ''section 101(a)(42)(A)'' the following: ''(in accordance with the rules set forth in this section), and is eligible to apply for asylum under subsection (a)''.

(b) PLACE OF ARRIVAL.—Section 208(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(1)) is amended—

(1) by striking ''or who arrives in the United States (whether or not at a designated port of arrival and including an alien who is brought to the United States after having been interdicted in international or United States waters),''; and

(2) by inserting after ''United States'' the following: ''and has arrived in the United States at a port of entry (including an alien who is brought to the United States after having been interdicted in international or United States waters),''.

SEC. __204. EXCEPTIONS.

Paragraph (2) of section 208(b) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)) is amended to read as follows:

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to an alien if the Secretary of Homeland Security or the Attorney General determines that—

''(i) the alien ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion;

''(ii) the alien has been convicted of any felony under Federal, State, tribal, or local law;

''(iii) the alien has been convicted of any misdemeanor offense under Federal, State, tribal, or local law involving—

''(I) the unlawful possession or use of an identification document, authentication feature, or false identification document (as those terms and phrases are defined in the jurisdiction where the conviction occurred), unless the alien can establish that the conviction resulted from circumstances showing that—

''(aa) the document or feature was presented before boarding a common carrier;

''(bb) the document or feature related to the alien's eligibility to enter the United States;

''(cc) the alien used the document or feature to depart a country wherein the alien has claimed a fear of persecution; and

''(dd) the alien claimed a fear of persecution without delay upon presenting himself or herself to an immigration officer upon arrival at a United States port of entry;

''(II) the unlawful receipt of a Federal public benefit (as defined in section 401(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c))), from a Federal entity, or the unlawful receipt of similar public benefits from a State, tribal, or local entity; or

''(III) possession or trafficking of a controlled substance or controlled substance paraphernalia, as those phrases are defined under the law of the jurisdiction where the conviction occurred, other than a single offense involving possession for one's own use of 30 grams or less of marijuana (as marijuana is defined under the law of the jurisdiction where the conviction occurred);

''(iv) the alien has been convicted of an offense arising under paragraph (1)(A) or (2) of section 274(a), or under section 276;

''(v) the alien has been convicted of a Federal, State, tribal, or local crime that the Attorney General or Secretary of Homeland Security knows, or has reason to believe, was committed in support, promotion, or furtherance of the activity of a criminal street gang (as defined under the law of the jurisdiction where the conviction occurred or in section 521(a) of title 18, United States Code);

''(vi) the alien has been convicted of an offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law, in which such intoxicated or impaired driving was a cause of serious bodily injury or death of another person;

''(vii) the alien has been convicted of more than one offense for driving while intoxicated or impaired, as those terms are defined under the law of the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under Federal, State, tribal, or local law;

''(viii) the alien has been convicted of a crime—

''(I) that involves conduct amounting to a crime of stalking;

''(II) of child abuse, child neglect, or child abandonment; or

''(III) that involves conduct amounting to a domestic assault or battery offense, including—

''(aa) a misdemeanor crime of domestic violence, as described in section 921(a)(33) of title 18, United States Code;

''(bb) a crime of domestic violence, as described in section 40002(a)(12) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)(12)); or

''(cc) any crime based on conduct in which the alien harassed, coerced, intimidated, voluntarily or recklessly used (or threatened to use) force or violence against, or inflicted physical injury or physical pain, however slight, upon a person—

''(AA) who is a current or former spouse of the alien;

''(BB) with whom the alien shares a child;

''(CC) who is cohabitating with, or who has cohabitated with, the alien as a spouse;

''(DD) who is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(EE) who is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(ix) the alien has engaged in acts of battery or extreme cruelty upon a person and the person—

''(I) is a current or former spouse of the alien;

''(II) shares a child with the alien;

''(III) cohabitates or has cohabitated with the alien as a spouse;

''(IV) is similarly situated to a spouse of the alien under the domestic or family violence laws of the jurisdiction where the offense occurred; or

''(V) is protected from that alien's acts under the domestic or family violence laws of the United States or of any State, tribal government, or unit of local government;

''(x) the alien, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of the United States;

''(xi) there are serious reasons for believing that the alien has committed a serious nonpolitical crime outside the United States prior to the arrival of the alien in the United States;

''(xii) there are reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiii) the alien is described in subclause (I), (II), (III), (IV), or (VI) of section 212(a)(3)(B)(i) or section 237(a)(4)(B) (relating to terrorist activity), unless, in the case only of an alien inadmissible under subclause (IV) of section 212(a)(3)(B)(i), the Secretary of Homeland Security or the Attorney General determines, in the Secretary's or the Attorney General's discretion, that there are not reasonable grounds for regarding the alien as a danger to the security of the United States;

''(xiv) the alien was firmly resettled in another country prior to arriving in the United States; or

''(xv) there are reasonable grounds for concluding the alien could avoid persecution by relocating to another part of the alien's country of nationality or, in the case of an alien having no nationality, another part of the alien's country of last habitual residence.

''(B) SPECIAL RULES.—

''(i) PARTICULARLY SERIOUS CRIME; SERIOUS NONPOLITICAL CRIME OUTSIDE THE UNITED STATES.—

''(I) IN GENERAL.—For purposes of subparagraph (A)(x), the Attorney General or Secretary of Homeland Security, in their discretion, may determine that a conviction constitutes a particularly serious crime based on—

''(aa) the nature of the conviction;

''(bb) the type of sentence imposed; or

''(cc) the circumstances and underlying facts of the conviction.

''(II) DETERMINATION.—In making a determination under subclause (I), the Attorney General or Secretary of Homeland Security may consider all reliable information and is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) TREATMENT OF FELONIES.—In making a determination under subclause (I), an alien who has been convicted of a felony (as defined under this section) or an aggravated felony (as defined under section 101(a)(43)), shall be considered to have been convicted of a particularly serious crime.

''(IV) INTERPOL RED NOTICE.—In making a determination under subparagraph (A)(xi), an Interpol Red Notice may constitute reliable evidence that the alien has committed a serious nonpolitical crime outside the United States.

''(ii) CRIMES AND EXCEPTIONS.—

''(I) DRIVING WHILE INTOXICATED OR IMPAIRED.—A finding under subparagraph (A)(vi) does not require the Attorney General or Secretary of Homeland Security to find the first conviction for driving while intoxicated or impaired (including a conviction for driving while under the influence of or impaired by alcohol or drugs) as a predicate offense. The Attorney General or Secretary of Homeland Security need only make a factual determination that the alien previously was convicted for driving while intoxicated or impaired as those terms are defined under the jurisdiction where the conviction occurred (including a conviction for driving while under the influence of or impaired by alcohol or drugs).

''(II) STALKING AND OTHER CRIMES.—In making a determination under subparagraph (A)(viii), including determining the existence of a domestic relationship between the alien and the victim, the underlying conduct of the crime may be considered, and the Attorney General or Secretary of Homeland Security is not limited to facts found by the criminal court or provided in the underlying record of conviction.

''(III) BATTERY OR EXTREME CRUELTY.—In making a determination under subparagraph (A)(ix), the phrase 'battery or extreme cruelty' includes—

''(aa) any act or threatened act of violence, including any forceful detention, which results or threatens to result in physical or mental injury;

''(bb) psychological or sexual abuse or exploitation, including rape, molestation, incest, or forced prostitution, shall be considered acts of violence; and

''(cc) other abusive acts, including acts that, in and of themselves, may not initially appear violent, but that are a part of an overall pattern of violence.

''(IV) EXCEPTION FOR VICTIMS OF DOMESTIC VIOLENCE.—An alien who was convicted of an offense described in clause (viii) or (ix) of subparagraph (A) is not ineligible for asylum on that basis if the alien satisfies the criteria under section 237(a)(7)(A).

''(C) SPECIFIC CIRCUMSTANCES.—Paragraph (1) shall not apply to an alien whose claim is based on—

''(i) personal animus or retribution, including personal animus in which the alleged persecutor has not targeted, or manifested an animus against, other members of an alleged particular social group in addition to the member who has raised the claim at issue;

''(ii) the applicant's generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations absent expressive behavior in furtherance of a discrete cause against such organizations related to control of a State or expressive behavior that is antithetical to the State or a legal unit of the State;

''(iii) the applicant's resistance to recruitment or coercion by guerrilla, criminal, gang, terrorist, or other non-state organizations;

''(iv) the targeting of the applicant for criminal activity for financial gain based on wealth or affluence or perceptions of wealth or affluence;

''(v) the applicant's criminal activity; or

''(vi) the applicant's perceived, past or present, gang affiliation.

''(D) DEFINITIONS AND CLARIFICATIONS.—

''(i) DEFINITIONS.—For purposes of this paragraph:

''(I) FELONY.—The term 'felony' means—

''(aa) any crime defined as a felony by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime punishable by more than one year of imprisonment.

''(II) MISDEMEANOR.—The term 'misdemeanor' means—

''(aa) any crime defined as a misdemeanor by the relevant jurisdiction (Federal, State, tribal, or local) of conviction; or

''(bb) any crime not punishable by more than one year of imprisonment.

''(ii) CLARIFICATIONS.—

''(I) CONSTRUCTION.—For purposes of this paragraph, whether any activity or conviction also may constitute a basis for removal is immaterial to a determination of asylum eligibility.

''(II) ATTEMPT, CONSPIRACY, OR SOLICITATION.—For purposes of this paragraph, all references to a criminal offense or criminal conviction shall be deemed to include any attempt, conspiracy, or solicitation to commit the offense or any other inchoate form of the offense.

''(III) EFFECT OF CERTAIN ORDERS.—

''(aa) IN GENERAL.—No order vacating a conviction, modifying a sentence, clarifying a sentence, or otherwise altering a conviction or sentence shall have any effect under this paragraph unless the Attorney General or Secretary of Homeland Security determines that—

''(AA) the court issuing the order had jurisdiction and authority to do so; and

''(BB) the order was not entered for rehabilitative purposes or for purposes of ameliorating the immigration consequences of the conviction or sentence.

''(bb) AMELIORATING IMMIGRATION CONSEQUENCES.—For purposes of item (aa)(BB), the order shall be presumed to be for the purpose of ameliorating immigration consequences if—

''(AA) the order was entered after the initiation of any proceeding to remove the alien from the United States; or

''(BB) the alien moved for the order more than one year after the date of the original order of conviction or sentencing, whichever is later.

''(cc) AUTHORITY OF IMMIGRATION JUDGE.—An immigration judge is not limited to consideration only of material included in any order vacating a conviction, modifying a sentence, or clarifying a sentence to determine whether such order should be given any effect under this paragraph, but may consider such additional information as the immigration judge determines appropriate.

''(E) ADDITIONAL LIMITATIONS.—The Secretary of Homeland Security or the Attorney General may by regulation establish additional limitations and conditions, consistent with this section, under which an alien shall be ineligible for asylum under paragraph (1).

''(F) NO JUDICIAL REVIEW.—There shall be no judicial review of a determination of the Secretary of Homeland Security or the Attorney General under subparagraph (A)(xiii).''.

SEC. _205. EMPLOYMENT AUTHORIZATION.

Paragraph (2) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(2) EMPLOYMENT AUTHORIZATION.—

''(A) AUTHORIZATION PERMITTED.—An applicant for asylum is not entitled to employment authorization, but such authorization may be provided under regulation by the Secretary of Homeland Security. An applicant who is not otherwise eligible for employment authorization shall not be granted such authorization prior to the date that is 180 days after the date of filing of the application for asylum.

''(B) TERMINATION.—Each grant of employment authorization under subparagraph (A), and any renewal or extension thereof, shall be valid for a period of 6 months, except that such authorization, renewal, or extension shall terminate prior to the end of such 6 month period as follows:

''(i) Immediately following the denial of an asylum application by an asylum officer, unless the case is referred to an immigration judge.

''(ii) 30 days after the date on which an immigration judge denies an asylum application, unless the alien timely appeals to the Board of Immigration Appeals.

''(iii) Immediately following the denial by the Board of Immigration Appeals of an appeal of a denial of an asylum application.

''(C) RENEWAL.—The Secretary of Homeland Security may not grant, renew, or extend employment authorization to an alien if the alien was previously granted employment authorization under subparagraph (A), and the employment authorization was terminated pursuant to a circumstance described in subparagraph (B)(i), (ii), or (iii), unless a Federal court of appeals remands the alien's case to the Board of Immigration Appeals.

''(D) INELIGIBILITY.—The Secretary of Homeland Security may not grant employment authorization to an alien under this paragraph if the alien—

''(i) is ineligible for asylum under subsection (b)(2)(A); or

''(ii) entered or attempted to enter the United States at a place and time other than lawfully through a United States port of entry.''.

SEC. _206. ASYLUM FEES.

Paragraph (3) of section 208(d) of the Immigration and Nationality Act (8 U.S.C. 1158(d)) is amended to read as follows:

''(3) FEES.—

''(A) APPLICATION FEE.—A fee of not less than $50 for each application for asylum shall be imposed. Such fee shall not exceed the cost of adjudicating the application. Such fee shall not apply to an unaccompanied alien child who files an asylum application in proceedings under section 240.

''(B) EMPLOYMENT AUTHORIZATION.—A fee may also be imposed for the consideration of an application for employment authorization under this section and for adjustment of status under section 209(b). Such a fee shall not exceed the cost of adjudicating the application.

''(C) PAYMENT.—Fees under this paragraph may be assessed and paid over a period of time or by installments.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to limit the authority of the Attorney General or Secretary of Homeland Security to set adjudication and naturalization fees in accordance with section 286(m).''.

SEC. _207. RULES FOR DETERMINING ASYLUM ELIGIBILITY.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by adding at the end the following:

''(f) RULES FOR DETERMINING ASYLUM ELIGIBILITY.—In making a determination under subsection (b)(1)(A) with respect to whether an alien is a refugee within the meaning of section 101(a)(42)(A), the following shall apply:

''(1) PARTICULAR SOCIAL GROUP.—The Secretary of Homeland Security or the Attorney General shall not determine that an alien is a member of a particular social group unless the alien articulates on the record, or provides a basis on the record for determining, the definition and boundaries of the alleged particular social group, establishes that the particular social group exists independently from the alleged persecution, and establishes that the alien's claim of membership in a particular social group does not involve—

''(A) past or present criminal activity or association (including gang membership);

''(B) presence in a country with generalized violence or a high crime rate;

''(C) being the subject of a recruitment effort by criminal, terrorist, or persecutory groups;

''(D) the targeting of the applicant for criminal activity for financial gain based on perceptions of wealth or affluence;

''(E) interpersonal disputes of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(F) private criminal acts of which governmental authorities in the relevant society or region were unaware or uninvolved;

''(G) past or present terrorist activity or association;

''(H) past or present persecutory activity or association; or

''(I) status as an alien returning from the United States.

''(2) POLITICAL OPINION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien holds a political opinion with respect to which the alien is subject to persecution if the political opinion is constituted solely by generalized disapproval of, disagreement with, or opposition to criminal, terrorist, gang, guerilla, or other non-state organizations and does not include expressive behavior in furtherance of a cause against such organizations related to efforts by the State to control such organizations or behavior that is antithetical to or otherwise opposes the ruling legal entity of the State or a unit thereof.

''(3) PERSECUTION.—The Secretary of Homeland Security or the Attorney General may not determine that an alien has been subject to persecution or has a well-founded fear of persecution based only on—

''(A) the existence of laws or government policies that are unenforced or infrequently enforced, unless there is credible evidence that such a law or policy has been or would be applied to the applicant personally; or

''(B) the conduct of rogue foreign government officials acting outside the scope of their official capacity.

''(4) DISCRETIONARY DETERMINATION.—

''(A) ADVERSE DISCRETIONARY FACTORS.—The Secretary of Homeland Security or the Attorney General may only grant asylum to an alien if the alien establishes that he or she warrants a favorable exercise of discretion. In making such a determination, the Attorney General or Secretary of Homeland Security shall consider, if applicable, an alien's use of fraudulent documents to enter the United States, unless the alien arrived in the United States by air, sea, or land directly from the applicant's home country without transiting through any other country.

''(B) FAVORABLE EXERCISE OF DISCRETION NOT PERMITTED.—Except as provided in subparagraph (C), the Attorney General or Secretary of Homeland Security shall not favorably exercise discretion under this section for any alien who—

''(i) has accrued more than one year of unlawful presence in the United States, as defined in sections 212(a)(9)(B)(ii) and (iii), prior to filing an application for asylum;

''(ii) at the time the asylum application is filed with the immigration court or is referred from the Department of Homeland Security, has—

''(I) failed to timely file (or timely file a request for an extension of time to file) any required Federal, State, or local income tax returns;

''(II) failed to satisfy any outstanding Federal, State, or local tax obligations; or

''(III) income that would result in tax liability under section 1 of the Internal Revenue Code of 1986 and that was not reported to the Internal Revenue Service;

''(iii) has had two or more prior asylum applications denied for any reason;

''(iv) has withdrawn a prior asylum application with prejudice or been found to have abandoned a prior asylum application;

''(v) failed to attend an interview regarding his or her asylum application with the Department of Homeland Security, unless the alien shows by a preponderance of the evidence that—

''(I) exceptional circumstances prevented the alien from attending the interview; or

''(II) the interview notice was not mailed to the last address provided by the alien or the alien's representative and neither the alien nor the alien's representative received notice of the interview; or

''(vi) was subject to a final order of removal, deportation, or exclusion and did not file a motion to reopen to seek asylum based on changed country conditions within one year of the change in country conditions.

''(C) EXCEPTIONS.—If one or more of the adverse discretionary factors set forth in subparagraph (B) are present, the Attorney General or the Secretary, may, notwithstanding such subparagraph (B), favorably exercise discretion under section 208—

''(i) in extraordinary circumstances, such as those involving national security or foreign policy considerations; or

''(ii) if the alien, by clear and convincing evidence, demonstrates that the denial of the application for asylum would result in exceptional and extremely unusual hardship to the alien.

''(5) LIMITATION.—If the Secretary or the Attorney General determines that an alien fails to satisfy the requirement under paragraph (1), the alien may not be granted asylum based on membership in a particular social group, and may not appeal the determination of the Secretary or Attorney General, as applicable. A determination under this paragraph shall not serve as the basis for any motion to reopen or reconsider an application for asylum or withholding of removal for any reason, including a claim of ineffective assistance of counsel, unless the alien complies with the procedural requirements for such a motion and demonstrates that counsel's failure to define, or provide a basis for defining, a formulation of a particular social group was both not a strategic choice and constituted egregious conduct.

''(6) STEREOTYPES.—Evidence offered in support of an application for asylum that promotes cultural stereotypes about a country, its inhabitants, or an alleged persecutor, including stereotypes based on race, religion, nationality, or gender, shall not be admissible in adjudicating that application, except that evidence that an alleged persecutor holds stereotypical views of the applicant shall be admissible.

''(7) DEFINITIONS.—In this section:

''(A) The term 'membership in a particular social group' means membership in a group that is—

''(i) composed of members who share a common immutable characteristic;

''(ii) defined with particularity; and

''(iii) socially distinct within the society in question.

''(B) The term 'political opinion' means an ideal or conviction in support of the furtherance of a discrete cause related to political control of a state or a unit thereof.

''(C) The term 'persecution' means the infliction of a severe level of harm constituting an exigent threat by the government of a country or by persons or an organization that the government was unable or unwilling to control. Such term does not include—

''(i) generalized harm or violence that arises out of civil, criminal, or military strife in a country;

''(ii) all treatment that the United States regards as unfair, offensive, unjust, unlawful, or unconstitutional;

''(iii) intermittent harassment, including brief detentions;

''(iv) threats with no actual effort to carry out the threats, except that particularized threats of severe harm of an immediate and menacing nature made by an identified entity may constitute persecution; or

''(v) non-severe economic harm or property damage.''.

SEC. __208. FIRM RESETTLEMENT.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), as amended by this title, is further amended by adding at the end the following:

''(g) FIRM RESETTLEMENT.—In determining whether an alien was firmly resettled in another country prior to arriving in the United States under subsection (b)(2)(A)(xiv), the following shall apply:

''(1) IN GENERAL.—An alien shall be considered to have firmly resettled in another country if, after the events giving rise to the alien's asylum claim—

''(A) the alien resided in a country through which the alien transited prior to arriving in or entering the United States and—

''(i) received or was eligible for any permanent legal immigration status in that country;

''(ii) resided in such a country with any non-permanent but indefinitely renewable legal immigration status (including asylee, refugee, or similar status, but excluding status of a tourist); or

''(iii) resided in such a country and could have applied for and obtained an immigration status described in clause (ii);

''(B) the alien physically resided voluntarily, and without continuing to suffer persecution or torture, in any one country for one year or more after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States, except for any time spent in Mexico by an alien who is not a native or citizen of Mexico solely as a direct result of being returned to Mexico pursuant to section 235(b)(3) or of being subject to metering; or

''(C) the alien is a citizen of a country other than the country in which the alien alleges a fear of persecution, or was a citizen of such a country in the case of an alien who renounces such citizenship, and the alien was present in that country after departing his country of nationality or last habitual residence and prior to arrival in or entry into the United States.

''(2) BURDEN OF PROOF.—If an immigration judge determines that an alien has firmly resettled in another country under paragraph (1), the alien shall bear the burden of proving the bar does not apply.

''(3) FIRM RESETTLEMENT OF PARENT.—An alien shall be presumed to have been firmly resettled in another country if the alien's parent was firmly resettled in another country, the parent's resettlement occurred before the alien turned 18 years of age, and the alien resided with such parent at the time of the firm resettlement, unless the alien establishes that he or she could not have derived any permanent legal immigration status or any non-permanent but indefinitely renewable legal immigration status (including asylum, refugee, or similar status, but excluding status of a tourist) from the alien's parent.''.

SEC. __209. NOTICE CONCERNING FRIVOLOUS ASYLUM APPLICATIONS.

(a) IN GENERAL.—Section 208(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(4)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General'';

(2) in subparagraph (A), by striking ''and of the consequences, under paragraph (6), of knowingly filing a frivolous application for asylum; and'' and inserting a semicolon;

(3) in subparagraph (B), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(C) ensure that a written warning appears on the asylum application advising the alien of the consequences of filing a frivolous application and serving as notice to the alien of the consequence of filing a frivolous application.''.

(b) CONFORMING AMENDMENT.—Section 208(d)(6) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(6)) is amended by striking ''If the'' and all that follows and inserting:

''(A) IN GENERAL.—If the Secretary of Homeland Security or the Attorney General determines that an alien has knowingly made a frivolous application for asylum and the alien has received the notice under paragraph (4)(C), the alien shall be permanently ineligible for any benefits under this chapter, effective as the date of the final determination of such an application.

''(B) CRITERIA.—An application is frivolous if the Secretary of Homeland Security or the Attorney General determines, consistent with subparagraph (C), that—

''(i) it is so insufficient in substance that it is clear that the applicant knowingly filed the application solely or in part to delay removal from the United States, to seek employment authorization as an applicant for asylum pursuant to regulations issued pursuant to paragraph (2), or to seek issuance of a Notice to Appear in order to pursue Cancellation of Removal under section 240A(b); or

''(ii) any of the material elements are knowingly fabricated.

''(C) SUFFICIENT OPPORTUNITY TO CLARIFY.—In determining that an application is frivolous, the Secretary or the Attorney General, must be satisfied that the applicant, during the course of the proceedings, has had sufficient opportunity to clarify any discrepancies or implausible aspects of the claim.

''(D) WITHHOLDING OF REMOVAL NOT PRECLUDED.—For purposes of this section, a finding that an alien filed a frivolous asylum application shall not preclude the alien from seeking withholding of removal under section 241(b)(3) or protection pursuant to the Convention Against Torture.''.

SEC. __210. TECHNICAL AMENDMENTS.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(D), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(B) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security'';

(B) in paragraph (2), in the matter preceding subparagraph (A), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(C) in paragraph (3), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General'' each place such term appears; and

(B) in paragraph (5)—

(i) in subparagraph (A), by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(ii) in subparagraph (B), by inserting ''Secretary of Homeland Security or the'' before ''Attorney General''.

SEC. __211. REQUIREMENT FOR PROCEDURES RELATING TO CERTAIN ASYLUM APPLICATIONS.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Attorney General shall establish procedures to expedite the adjudication of asylum applications for aliens—

(1) who are subject to removal proceedings under section 240 of the Immigration and Nationality Act (8 U.S.C. 1229a); and

(2) who are nationals of a Western Hemisphere country sanctioned by the United States, as described in subsection (b), as of January 1, 2023.

(b) WESTERN HEMISPHERE COUNTRY SANCTIONED BY THE UNITED STATES DESCRIBED.—Subsection (a) shall apply only to an asylum application filed by an alien who is a national of a Western Hemisphere country subject to sanctions pursuant to—

(1) the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 note);

(2) the Reinforcing Nicaragua's Adherence to Conditions for Electoral Reform Act of 2021 or the RENACER Act (50 U.S.C. 1701 note); or

(3) Executive Order 13692 (80 Fed. Reg. 12747; declaring a national emergency with respect to the situation in Venezuela).

(c) APPLICABILITY.—This section shall only apply to an alien who files an application for asylum after the date of the enactment of this Act.

TITLE III—BORDER SAFETY AND MIGRANT PROTECTION

SEC. __301. INSPECTION OF APPLICANTS FOR ADMISSION.

Section 235 of the Immigration and Nationality Act (8 U.S.C. 1225) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in clauses (i) and (ii), by striking ''section 212(a)(6)(C)'' and inserting ''subparagraph (A) or (C) of section 212(a)(6)''; and

(II) by adding at the end the following:

''(iv) INELIGIBILITY FOR PAROLE.—An alien described in clause (i) or (ii) shall not be eligible for parole except as expressly authorized pursuant to section 212(d)(5), or for parole or release pursuant to section 236(a).''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''asylum.'' and inserting ''asylum and shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(II) in clause (iii)(IV)—

(aa) in the header by striking ''DETENTION'' and inserting ''DETENTION, RETURN, OR REMOVAL''; and

(bb) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''Subject to subparagraphs (B) and (C),'' and inserting ''Subject to subparagraph (B) and paragraph (3),''; and

(II) by adding at the end the following: ''The alien shall not be released (including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5)) other than to be removed or returned to a country as described in paragraph (3).''; and

(ii) by striking subparagraph (C);

(C) by redesignating paragraph (3) as paragraph (5); and

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

''(3) RETURN TO FOREIGN TERRITORY CONTIGUOUS TO THE UNITED STATES.—

''(A) IN GENERAL.—The Secretary of Homeland Security may return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(B) MANDATORY RETURN.—If at any time the Secretary of Homeland Security cannot—

''(i) comply with its obligations to detain an alien as required under clauses (ii) and (iii)(IV) of subsection (b)(1)(B) and subsection (b)(2)(A); or

''(ii) remove an alien to a country described in section 208(a)(2)(A),

the Secretary of Homeland Security shall, without exception, including pursuant to parole or release pursuant to section 236(a) but excluding as expressly authorized pursuant to section 212(d)(5), return to a foreign territory contiguous to the United States any alien arriving on land from that territory (whether or not at a designated port of entry) pending a proceeding under section 240 or review of a determination under subsection (b)(1)(B)(iii)(III).

''(4) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—The attorney general of a State, or other authorized State officer, alleging a violation of the detention, return, or removal requirements under paragraph (1), (2), or (3) that affects such State or its residents, may bring an action against the Secretary of Homeland Security on behalf of the residents of the State in an appropriate United States district court to obtain appropriate injunctive relief.''; and

(2) by adding at the end the following:

''(e) AUTHORITY TO PROHIBIT INTRODUCTION OF CERTAIN ALIENS.—If the Secretary of Homeland Security determines, in his discretion, that the prohibition of the introduction of aliens who are inadmissible under subparagraph (A) or (C) of section 212(a)(6) or under section 212(a)(7) at an international land or maritime border of the United States is necessary to achieve operational control (as defined in section 2 of the Secure Fence Act of 2006 (8 U.S.C. 1701 note)) of such border, the Secretary may prohibit, in whole or in part, the introduction of such aliens at such border for such period of time as the Secretary determines is necessary for such purpose.''.

SEC. __302. OPERATIONAL DETENTION FACILITIES.

(a) IN GENERAL.—Not later than September 30, 2023, the Secretary of Homeland Security shall take all necessary actions to reopen or restore all U.S. Immigration and Customs Enforcement detention facilities that were in operation on January 20, 2021, that subsequently closed or with respect to which the use was altered, reduced, or discontinued after January 20, 2021. In carrying out the requirement under this subsection, the Secretary may use the authority under section 103(a)(11) of the Immigration and Nationality Act (8 U.S.C. 1103(a)(11)).

(b) SPECIFIC FACILITIES.—The requirement under subsection (a) shall include at a minimum, reopening, or restoring, the following facilities:

(1) Irwin County Detention Center in Georgia.

(2) C. Carlos Carreiro Immigration Detention Center in Bristol County, Massachusetts.

(3) Etowah County Detention Center in Gadsden, Alabama.

(4) Glades County Detention Center in Moore Haven, Florida.

(5) South Texas Family Residential Center.

(c) EXCEPTION.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Secretary of Homeland Security is authorized to obtain equivalent capacity for detention facilities at locations other than those listed in subsection (b).

(2) LIMITATION.—The Secretary may not take action under paragraph (1) unless the capacity obtained would result in a reduction of time and cost relative to the cost and time otherwise required to obtain such capacity.

(3) SOUTH TEXAS FAMILY RESIDENTIAL CENTER.—The exception under paragraph (1) shall not apply to the South Texas Family Residential Center. The Secretary shall take all necessary steps to modify and operate the South Texas Family Residential Center in the same manner and capability it was operating on January 20, 2021.

(d) PERIODIC REPORT.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter until September 30, 2027, the Secretary of Homeland Security shall submit to the appropriate congressional committees a detailed plan for and a status report on—

(1) compliance with the deadline under subsection (a);

(2) the increase in detention capabilities required by this section—

(A) for the 90-day period immediately preceding the date such report is submitted; and

(B) for the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(3) the number of detention beds that were used and the number of available detention beds that were not used during—

(A) the 90-day period immediately preceding the date such report is submitted; and

(B) the period beginning on the first day of the fiscal year during which the report is submitted, and ending on the date such report is submitted;

(4) the number of aliens released due to a lack of available detention beds; and

(5) the resources the Department of Homeland Security needs in order to comply with the requirements under this section.

(e) NOTIFICATION.—The Secretary of Homeland Security shall notify Congress, and include with such notification a detailed description of the resources the Department of Homeland Security needs in order to detain all aliens whose detention is mandatory or nondiscretionary under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.)—

(1) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 90 percent of capacity;

(2) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach 95 percent of capacity; and

(3) not later than 5 days after all U.S. Immigration and Customs Enforcement detention facilities reach full capacity.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on the Judiciary of the House of Representatives;

(2) the Committee on Appropriations of the House of Representatives;

(3) the Committee on the Judiciary of the Senate; and

(4) the Committee on Appropriations of the Senate.

TITLE IV—PREVENTING UNCONTROLLED MIGRATION FLOWS IN THE WESTERN HEMISPHERE

SEC. __401. UNITED STATES POLICY REGARDING WESTERN HEMISPHERE COOPERATION ON IMMIGRATION AND ASYLUM.

It is the policy of the United States to enter into agreements, accords, and memoranda of understanding with countries in the Western Hemisphere, the purposes of which are to advance the interests of the United States by reducing costs associated with illegal immigration and to protect the human capital, societal traditions, and economic growth of other countries in the Western Hemisphere. It is further the policy of the United States to ensure that humanitarian and development assistance funding aimed at reducing illegal immigration is not expended on programs that have not proven to reduce illegal immigrant flows in the aggregate.

SEC. __402. NEGOTIATIONS BY SECRETARY OF STATE.

(a) AUTHORIZATION TO NEGOTIATE.—The Secretary of State shall seek to negotiate agreements, accords, and memoranda of understanding between the United States, Mexico, Honduras, El Salvador, Guatemala, and other countries in the Western Hemisphere with respect to cooperation and burden sharing required for effective regional immigration enforcement, expediting legal claims by aliens for asylum, and the processing, detention, and repatriation of foreign nationals seeking to enter the United States unlawfully. Such agreements shall be designed to facilitate a regional approach to immigration enforcement and shall, at a minimum, provide that—

(1) the Government of Mexico authorize and accept the rapid entrance into Mexico of nationals of countries other than Mexico who seek asylum in Mexico, and process the asylum claims of such nationals inside Mexico, in accordance with both domestic law and international treaties and conventions governing the processing of asylum claims;

(2) the Government of Mexico authorize and accept both the rapid entrance into Mexico of all nationals of countries other than Mexico who are ineligible for asylum in Mexico and wish to apply for asylum in the United States, whether or not at a port of entry, and the continued presence of such nationals in Mexico while they wait for the adjudication of their asylum claims to conclude in the United States;

(3) the Government of Mexico commit to provide the individuals described in paragraphs (1) and (2) with appropriate humanitarian protections;

(4) the Government of Honduras, the Government of El Salvador, and the Government of Guatemala each authorize and accept the entrance into the respective countries of nationals of other countries seeking asylum in the applicable such country and process such claims in accordance with applicable domestic law and international treaties and conventions governing the processing of asylum claims;

(5) the Government of the United States commit to work to accelerate the adjudication of asylum claims and to conclude removal proceedings in the wake of asylum adjudications as expeditiously as possible;

(6) the Government of the United States commit to continue to assist the governments of countries in the Western Hemisphere, such as the Government of Honduras, the Government of El Salvador, and the Government of Guatemala, by supporting the enhancement of asylum capacity in those countries; and

(7) the Government of the United States commit to monitoring developments in hemispheric immigration trends and regional asylum capabilities to determine whether additional asylum cooperation agreements are warranted.

(b) NOTIFICATION IN ACCORDANCE WITH CASE-ZABLOCKI ACT.—The Secretary of State shall, in accordance with section 112b of title 1, United States Code, promptly inform the relevant congressional committees of each agreement entered into pursuant to subsection (a). Such notifications shall be submitted not later than 48 hours after such agreements are signed.

(c) ALIEN DEFINED.—In this section, the term ''alien'' has the meaning given such term in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

SEC. __403. MANDATORY BRIEFINGS ON UNITED STATES EFFORTS TO ADDRESS THE BORDER CRISIS.

(a) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 90 days thereafter until the date described in subsection (b), the Secretary of State, or the designee of the Secretary of State, shall provide to the appropriate congressional committees an in-person briefing on efforts undertaken pursuant to the negotiation authority provided by section __402 to monitor, deter, and prevent illegal immigration to the United States, including by entering into agreements, accords, and memoranda of understanding with foreign countries and by using United States foreign assistance to stem the root causes of migration in the Western Hemisphere.

(b) TERMINATION OF MANDATORY BRIEFING.—The date described in this subsection is the date on which the Secretary of State, in consultation with the heads of other relevant Federal departments and agencies, determines and certifies to the appropriate congressional committees that illegal immigration flows have subsided to a manageable rate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE V—ENSURING UNITED FAMILIES AT THE BORDER

SEC. __501. CLARIFICATION OF STANDARDS FOR FAMILY DETENTION.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended by adding at the end the following:

''(j) CONSTRUCTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, the detention of any alien child who is not an unaccompanied alien child shall be governed by sections 217, 235, 236, and 241 of the Immigration and Nationality Act (8 U.S.C. 1187, 1225, 1226, and 1231). There is no presumption that an alien child who is not an unaccompanied alien child should not be detained.

''(2) FAMILY DETENTION.—The Secretary of Homeland Security shall—

''(A) maintain the care and custody of an alien, during the period during which the charges described in clause (i) are pending, who—

''(i) is charged only with a misdemeanor offense under section 275(a) of the Immigration and Nationality Act (8 U.S.C. 1325(a)); and

''(ii) entered the United States with the alien's child who has not attained 18 years of age; and

''(B) detain the alien with the alien's child.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the amendments in this section to section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) are intended to satisfy the requirements of the Settlement Agreement in Flores v. Meese, No. 85–4544 (C.D. Cal), as approved by the court on January 28, 1997, with respect to its interpretation in Flores v. Johnson, 212 F. Supp. 3d 864 (C.D. Cal. 2015), that the agreement applies to accompanied minors.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to all actions that occur before, on, or after such date.

(d) PREEMPTION OF STATE LICENSING REQUIREMENTS.—Notwithstanding any other provision of law, judicial determination, consent decree, or settlement agreement, no State may require that an immigration detention facility used to detain children who have not attained 18 years of age, or families consisting of one or more of such children and the parents or legal guardians of such children, that is located in that State, be licensed by the State or any political subdivision thereof.

TITLE VI—PROTECTION OF CHILDREN

SEC. __601. FINDINGS.

Congress makes the following findings:

(1) Implementation of the provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children has incentivized multiple surges of unaccompanied alien children arriving at the southwest border in the years since the bill's enactment.

(2) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 that govern unaccompanied alien children treat unaccompanied alien children from countries that are contiguous to the United States disparately by swiftly returning them to their home country absent indications of trafficking or a credible fear of return, but allowing for the release of unaccompanied alien children from noncontiguous countries into the interior of the United States, often to those individuals who paid to smuggle them into the country in the first place.

(3) The provisions of the Trafficking Victims Protection Reauthorization Act of 2008 governing unaccompanied alien children have enriched the cartels, who profit hundreds of millions of dollars each year by smuggling unaccompanied alien children to the southwest border, exploiting and sexually abusing many such unaccompanied alien children on the perilous journey.

(4) Prior to 2008, the number of unaccompanied alien children encountered at the southwest border never exceeded 1,000 in a single year.

(5) The United States is currently in the midst of the worst crisis of unaccompanied alien children in our Nation's history, with over 350,000 such unaccompanied alien children encountered at the southwest border since Joe Biden became President.

(6) In 2022, during the Biden Administration, 152,057 unaccompanied alien children were encountered, the most ever in a single year and an over 400 percent increase compared to the last full fiscal year of the Trump Administration in which 33,239 unaccompanied alien children were encountered.

(7) The Biden Administration has lost contact with at least 85,000 unaccompanied alien children who entered the United States since Joe Biden took office.

(8) The Biden Administration dismantled effective safeguards put in place by the Trump Administration that protected unaccompanied alien children from being abused by criminals or exploited for illegal and dangerous child labor.

(9) A recent New York Times investigation found that unaccompanied alien children are being exploited in the labor market and ''are ending up in some of the most punishing jobs in the country.''.

(10) The Times investigation found unaccompanied alien children, ''under intense pressure to earn money'' in order to ''send cash back to their families while often being in debt to their sponsors for smuggling fees, rent, and living expenses,'' feared ''that they had become trapped in circumstances they never could have imagined.''.

(11) The Biden Administration's Department of Health and Human Services Secretary Xavier Becerra compared placing unaccompanied alien children with sponsors, to widgets in an assembly line, stating that, ''If Henry Ford had seen this in his plant, he would have never become famous and rich. This is not the way you do an assembly line.''.

(12) Department of Health and Human Services employees working under Secretary Xavier Becerra's leadership penned a July 2021 memorandum expressing serious concern that ''labor trafficking was increasing'' and that the agency had become ''one that rewards individuals for making quick releases, and not one that rewards individuals for preventing unsafe releases.''.

(13) Despite this, Secretary Xavier Becerra pressured then-Director of the Office of Refugee Resettlement Cindy Huang to prioritize releases of unaccompanied alien children over ensuring their safety, telling her ''if she could not increase the number of discharges he would find someone who could'' and then-Director Huang resigned one month later.

(14) In June 2014, the Obama-Biden Administration requested legal authority to exercise discretion in returning and removing unaccompanied alien children from non-contiguous countries back to their home countries.

(15) In August 2014, the House of Representatives passed H.R. 5320, which included the Protection of Children Act.

(16) This title ends the disparate policies of the Trafficking Victims Protection Reauthorization Act of 2008 by ensuring the swift return of all unaccompanied alien children to their country of origin if they are not victims of trafficking and do not have a fear of return.

SEC. __602. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by amending the heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.—'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States'';

(II) in clause (i), by inserting ''and'' at the end;

(III) in clause (ii), by striking ''; and'' and inserting a period; and

(IV) by striking clause (iii); and

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''(8 U.S.C. 1101 et seq.) may—'' and inserting ''(8 U.S.C. 1101 et seq.)—'';

(II) in clause (i), by inserting before ''permit such child to withdraw'' the following: ''may''; and

(III) in clause (ii), by inserting before ''return such child'' the following: ''shall''; and

(B) in paragraph (5)(D)—

(i) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to exceptions under subsection (a)(2),'' and inserting ''who does not meet the criteria listed in paragraph (2)(A)''; and

(ii) in clause (i), by inserting before the semicolon at the end the following: '', which shall include a hearing before an immigration judge not later than 14 days after being screened under paragraph (4)'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting before the semicolon the following: ''believed not to meet the criteria listed in subsection (a)(2)(A)''; and

(ii) in subparagraph (B), by inserting before the period the following: ''and does not meet the criteria listed in subsection (a)(2)(A)''; and

(B) in paragraph (3), by striking ''an unaccompanied alien child in custody shall'' and all that follows, and inserting the following: ''an unaccompanied alien child in custody—

''(A) in the case of a child who does not meet the criteria listed in subsection (a)(2)(A), shall transfer the custody of such child to the Secretary of Health and Human Services not later than 30 days after determining that such child is an unaccompanied alien child who does not meet such criteria; or

''(B) in the case of a child who meets the criteria listed in subsection (a)(2)(A), may transfer the custody of such child to the Secretary of Health and Human Services after determining that such child is an unaccompanied alien child who meets such criteria.''; and

(3) in subsection (c)—

(A) in paragraph (3), by inserting at the end the following:

''(D) INFORMATION ABOUT INDIVIDUALS WITH WHOM CHILDREN ARE PLACED.—

''(i) INFORMATION TO BE PROVIDED TO HOMELAND SECURITY.—Before placing a child with an individual, the Secretary of Health and Human Services shall provide to the Secretary of Homeland Security, regarding the individual with whom the child will be placed, information on—

''(I) the name of the individual;

''(II) the social security number of the individual;

''(III) the date of birth of the individual;

''(IV) the location of the individual's residence where the child will be placed;

''(V) the immigration status of the individual, if known; and

''(VI) contact information for the individual.

''(ii) ACTIVITIES OF THE SECRETARY OF HOMELAND SECURITY.—Not later than 30 days after receiving the information listed in clause (i), the Secretary of Homeland Security, upon determining that an individual with whom a child is placed is unlawfully present in the United States and not in removal proceedings pursuant to chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.), shall initiate such removal proceedings.''; and

(B) in paragraph (5)—

(i) by inserting after ''to the greatest extent practicable'' the following: ''(at no expense to the Government)''; and

(ii) by striking ''have counsel to represent them'' and inserting ''have access to counsel to represent them''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any unaccompanied alien child (as such term is defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) apprehended on or after the date that is 30 days after the date of the enactment of this Act.

SEC. __603. SPECIAL IMMIGRANT JUVENILE STATUS FOR IMMIGRANTS UNABLE TO REUNITE WITH EITHER PARENT.

Section 101(a)(27)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)) is amended—

(1) in clause (i), by striking '', and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law''; and

(2) in clause (iii)—

(A) in subclause (I), by striking ''and'' at the end;

(B) in subclause (II), by inserting ''and'' after the semicolon; and

(C) by adding at the end the following:

''(III) an alien may not be granted special immigrant status under this subparagraph if the alien's reunification with any one parent or legal guardian is not precluded by abuse, neglect, abandonment, or any similar cause under State law;''.

SEC. __604. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to limit the following procedures or practices relating to an unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))):

(1) Screening of such a child for a credible fear of return to his or her country of origin.

(2) Screening of such a child to determine whether he or she was a victim of trafficking.

(3) Department of Health and Human Services policy in effect on the date of the enactment of this Act requiring a home study for such a child if he or she is under 12 years of age.

TITLE VII—VISA OVERSTAYS PENALTIES

SEC. __701. EXPANDED PENALTIES FOR ILLEGAL ENTRY OR PRESENCE.

Section 275 of the Immigration and Nationality Act (8 U.S.C. 1325) is amended—

(1) in subsection (a) by inserting after ''for a subsequent commission of any such offense'' the following: ''or if the alien was previously convicted of an offense under subsection (e)(2)(A)'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''at least $50 and not more than $250'' and inserting ''not less than $500 and not more than $1,000''; and

(B) in paragraph (2), by inserting after ''in the case of an alien who has been previously subject to a civil penalty under this subsection'' the following: ''or subsection (e)(2)(B)''; and

(3) by adding at the end the following:

''(e) VISA OVERSTAYS.—

''(1) IN GENERAL.—An alien who was admitted as a nonimmigrant has violated this paragraph if the alien, for an aggregate of 10 days or more, has failed—

''(A) to maintain the nonimmigrant status in which the alien was admitted, or to which it was changed under section 248, including complying with the period of stay authorized by the Secretary of Homeland Security in connection with such status; or

''(B) to comply otherwise with the conditions of such nonimmigrant status.

''(2) PENALTIES.—An alien who has violated paragraph (1)—

''(A) shall—

''(i) for the first commission of such a violation, be fined under title 18, United States Code, or imprisoned not more than 6 months, or both; and

''(ii) for a subsequent commission of such a violation, or if the alien was previously convicted of an offense under subsection (a), be fined under such title 18, or imprisoned not more than 2 years, or both; and

''(B) in addition to, and not in lieu of, any penalty under subparagraph (A) and any other criminal or civil penalties that may be imposed, shall be subject to a civil penalty of—

''(i) not less than $500 and not more than $1,000 for each violation; or

''(ii) twice the amount specified in clause (i), in the case of an alien who has been previously subject to a civil penalty under this subparagraph or subsection (b).''.

TITLE VIII—IMMIGRATION PAROLE REFORM

SEC. __801. IMMIGRATION PAROLE REFORM.

Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

''(5)(A) Except as provided in subparagraphs (B) and (C) and section 214(f), the Secretary of Homeland Security, in the discretion of the Secretary, may temporarily parole into the United States any alien applying for admission to the United States who is not present in the United States, under such conditions as the Secretary may prescribe, on a case-by-case basis, and not according to eligibility criteria describing an entire class of potential parole recipients, for urgent humanitarian reasons or significant public benefit. Parole granted under this subparagraph may not be regarded as an admission of the alien. When the purposes of such parole have been served in the opinion of the Secretary, the alien shall immediately return or be returned to the custody from which the alien was paroled. After such return, the case of the alien shall be dealt with in the same manner as the case of any other applicant for admission to the United States.

''(B) The Secretary of Homeland Security may grant parole to any alien who—

''(i) is present in the United States without lawful immigration status;

''(ii) is the beneficiary of an approved petition under section 203(a);

''(iii) is not otherwise inadmissible or removable; and

''(iv) is the spouse or child of a member of the Armed Forces serving on active duty.

''(C) The Secretary of Homeland Security may grant parole to any alien—

''(i) who is a national of the Republic of Cuba and is living in the Republic of Cuba;

''(ii) who is the beneficiary of an approved petition under section 203(a);

''(iii) for whom an immigrant visa is not immediately available;

''(iv) who meets all eligibility requirements for an immigrant visa;

''(v) who is not otherwise inadmissible; and

''(vi) who is receiving a grant of parole in furtherance of the commitment of the United States to the minimum level of annual legal migration of Cuban nationals to the United States specified in the U.S.-Cuba Joint Communiqué on Migration, done at New York September 9, 1994, and reaffirmed in the Cuba-United States: Joint Statement on Normalization of Migration, Building on the Agreement of September 9, 1994, done at New York May 2, 1995.

''(D) The Secretary of Homeland Security may grant parole to an alien who is returned to a contiguous country under section 235(b)(3) to allow the alien to attend the alien's immigration hearing. The grant of parole shall not exceed the time required for the alien to be escorted to, and attend, the alien's immigration hearing scheduled on the same calendar day as the grant, and to immediately thereafter be escorted back to the contiguous country. A grant of parole under this subparagraph shall not be considered for purposes of determining whether the alien is inadmissible under this Act.

''(E) For purposes of determining an alien's eligibility for parole under subparagraph (A), an urgent humanitarian reason shall be limited to circumstances in which the alien establishes that—

''(i)(I) the alien has a medical emergency; and

''(II)(aa) the alien cannot obtain necessary treatment in the foreign state in which the alien is residing; or

''(bb) the medical emergency is life threatening and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(ii) the alien is the parent or legal guardian of an alien described in clause (i) and the alien described in clause (i) is a minor;

''(iii) the alien is needed in the United States in order to donate an organ or other tissue for transplant and there is insufficient time for the alien to be admitted to the United States through the normal visa process;

''(iv) the alien has a close family member in the United States whose death is imminent and the alien could not arrive in the United States in time to see such family member alive if the alien were to be admitted to the United States through the normal visa process;

''(v) the alien is seeking to attend the funeral of a close family member and the alien could not arrive in the United States in time to attend such funeral if the alien were to be admitted to the United States through the normal visa process;

''(vi) the alien is an adopted child with an urgent medical condition who is in the legal custody of the petitioner for a final adoption-related visa and whose medical treatment is required before the expected award of a final adoption-related visa; or

''(vii) the alien is a lawful applicant for adjustment of status under section 245 and is returning to the United States after temporary travel abroad.

''(F) For purposes of determining an alien's eligibility for parole under subparagraph (A), a significant public benefit may be determined to result from the parole of an alien only if—

''(i) the alien has assisted (or will assist, whether knowingly or not) the United States Government in a law enforcement matter;

''(ii) the alien's presence is required by the Government in furtherance of such law enforcement matter; and

''(iii) the alien is inadmissible, does not satisfy the eligibility requirements for admission as a nonimmigrant, or there is insufficient time for the alien to be admitted to the United States through the normal visa process.

''(G) For purposes of determining an alien's eligibility for parole under subparagraph (A), the term 'case-by-case basis' means that the facts in each individual case are considered and parole is not granted based on membership in a defined class of aliens to be granted parole. The fact that aliens are considered for or granted parole one by one and not as a group is not sufficient to establish that the parole decision is made on a 'case-by-case basis'.

''(H) The Secretary of Homeland Security may not use the parole authority under this paragraph to parole an alien into the United States for any reason or purpose other than those described in subparagraphs (B), (C), (D), (E), and (F).

''(I) An alien granted parole may not accept employment, except that an alien granted parole pursuant to subparagraph (B) or (C) is authorized to accept employment for the duration of the parole, as evidenced by an employment authorization document issued by the Secretary of Homeland Security.

''(J) Parole granted after a departure from the United States shall not be regarded as an admission of the alien. An alien granted parole, whether as an initial grant of parole or parole upon reentry into the United States, is not eligible to adjust status to lawful permanent residence or for any other immigration benefit if the immigration status the alien had at the time of departure did not authorize the alien to adjust status or to be eligible for such benefit.

''(K)(i) Except as provided in clauses (ii) and (iii), parole shall be granted to an alien under this paragraph for the shorter of—

''(I) a period of sufficient length to accomplish the activity described in subparagraph (D), (E), or (F) for which the alien was granted parole; or

''(II) 1 year.

''(ii) Grants of parole pursuant to subparagraph (A) may be extended once, in the discretion of the Secretary, for an additional period that is the shorter of—

''(I) the period that is necessary to accomplish the activity described in subparagraph (E) or (F) for which the alien was granted parole; or

''(II) 1 year.

''(iii) Aliens who have a pending application to adjust status to permanent residence under section 245 may request extensions of parole under this paragraph, in 1-year increments, until the application for adjustment has been adjudicated. Such parole shall terminate immediately upon the denial of such adjustment application.

''(L) Not later than 90 days after the last day of each fiscal year, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives and make available to the public, a report—

''(i) identifying the total number of aliens paroled into the United States under this paragraph during the previous fiscal year; and

''(ii) containing information and data regarding all aliens paroled during such fiscal year, including—

''(I) the duration of parole;

''(II) the type of parole; and

''(III) the current status of the aliens so paroled.''.

SEC. __802. IMPLEMENTATION.

(a) IN GENERAL.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date that is 30 days after the date of the enactment of this Act.

(b) EXCEPTIONS.—Notwithstanding subsection (a), each of the following exceptions apply:

(1) Any application for parole or advance parole filed by an alien before the date of the enactment of this Act shall be adjudicated under the law that was in effect on the date on which the application was properly filed and any approved advance parole shall remain valid under the law that was in effect on the date on which the advance parole was approved.

(2) Section 212(d)(5)(J) of the Immigration and Nationality Act, as added by section __801, shall take effect on the date of the enactment of this Act.

(3) Aliens who were paroled into the United States pursuant to section 212(d)(5)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)(A)) before January 1, 2023, shall continue to be subject to the terms of parole that were in effect on the date on which their respective parole was approved.

SEC. __803. CAUSE OF ACTION.

Any person, State, or local government that experiences financial harm in excess of $1,000 due to a failure of the Federal Government to lawfully apply the provisions of this title or the amendments made by this title shall have standing to bring a civil action against the Federal Government in an appropriate district court of the United States for appropriate relief.

SEC. __804. SEVERABILITY.

If any provision of this title or any amendment by this title, or the application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and the application of such provision or amendment to any other person or circumstance shall not be affected.

TITLE IX—LEGAL WORKFORCE

SEC. __901. EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.

(a) IN GENERAL.—Section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b)) is amended to read as follows:

''(b) EMPLOYMENT ELIGIBILITY VERIFICATION PROCESS.—

''(1) NEW HIRES, RECRUITMENT, AND REFERRAL.—The requirements referred to in paragraphs (1)(B) and (3) of subsection (a) are, in the case of a person or other entity hiring, recruiting, or referring an individual for employment in the United States, the following:

''(A) ATTESTATION AFTER EXAMINATION OF DOCUMENTATION.—

''(i) ATTESTATION.—During the verification period (as defined in subparagraph (E)), the person or entity shall attest, under penalty of perjury and on a form, including electronic format, designated or established by the Secretary by regulation not later than 6 months after the date of the enactment of the Secure the Border Act of 2024, that it has verified that the individual is not an unauthorized alien by—

''(I) obtaining from the individual the individual's social security account number or United States passport number and recording the number on the form (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under subparagraph (B), obtaining such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary of Homeland Security may specify, and recording such number on the form; and

''(II) examining—

''(aa) a document relating to the individual presenting it described in clause (ii); or

''(bb) a document relating to the individual presenting it described in clause (iii) and a document relating to the individual presenting it described in clause (iv).

''(ii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION AND ESTABLISHING IDENTITY.—A document described in this subparagraph is an individual's—

''(I) unexpired United States passport or passport card;

''(II) unexpired permanent resident card that contains a photograph;

''(III) unexpired employment authorization card that contains a photograph;

''(IV) in the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I–94 or Form I–94A, or other documentation as designated by the Secretary specifying the alien's nonimmigrant status as long as the period of status has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified in the documentation;

''(V) passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I–94 or Form I–94A, or other documentation as designated by the Secretary, indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI; or

''(VI) other document designated by the Secretary of Homeland Security, if the document—

''(aa) contains a photograph of the individual and biometric identification data from the individual and such other personal identifying information relating to the individual as the Secretary of Homeland Security finds, by regulation, sufficient for purposes of this clause;

''(bb) is evidence of authorization of employment in the United States; and

''(cc) contains security features to make it resistant to tampering, counterfeiting, and fraudulent use.

''(iii) DOCUMENTS EVIDENCING EMPLOYMENT AUTHORIZATION.—A document described in this subparagraph is an individual's social security account number card (other than such a card which specifies on the face that the issuance of the card does not authorize employment in the United States).

''(iv) DOCUMENTS ESTABLISHING IDENTITY OF INDIVIDUAL.—A document described in this subparagraph is—

''(I) an individual's unexpired State issued driver's license or identification card if it contains a photograph and information such as name, date of birth, gender, height, eye color, and address;

''(II) an individual's unexpired United States military identification card;

''(III) an individual's unexpired Native American tribal identification document issued by a tribal entity recognized by the Bureau of Indian Affairs; or

''(IV) in the case of an individual under 18 years of age, a parent or legal guardian's attestation under penalty of law as to the identity and age of the individual.

''(v) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary of Homeland Security finds, by regulation, that any document described in clause (i), (ii), or (iii) as establishing employment authorization or identity does not reliably establish such authorization or identity or is being used fraudulently to an unacceptable degree, the Secretary may prohibit or place conditions on its use for purposes of this paragraph.

''(vi) SIGNATURE.—Such attestation may be manifested by either a handwritten or electronic signature.

''(B) INDIVIDUAL ATTESTATION OF EMPLOYMENT AUTHORIZATION.—During the verification period (as defined in subparagraph (E)), the individual shall attest, under penalty of perjury on the form designated or established for purposes of subparagraph (A), that the individual is a citizen or national of the United States, an alien lawfully admitted for permanent residence, or an alien who is authorized under this Act or by the Secretary of Homeland Security to be hired, recruited, or referred for such employment. Such attestation may be manifested by either a handwritten or electronic signature. The individual shall also provide that individual's social security account number or United States passport number (if the individual claims to have been issued such a number), and, if the individual does not attest to United States nationality under this subparagraph, such identification or authorization number established by the Department of Homeland Security for the alien as the Secretary may specify.

''(C) RETENTION OF VERIFICATION FORM AND VERIFICATION.—

''(i) IN GENERAL.—After completion of such form in accordance with subparagraphs (A) and (B), the person or entity shall—

''(I) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during a period beginning on the date of the recruiting or referral of the individual, or, in the case of the hiring of an individual, the date on which the verification is completed, and ending—

''(aa) in the case of the recruiting or referral of an individual, 3 years after the date of the recruiting or referral; and

''(bb) in the case of the hiring of an individual, the later of 3 years after the date the verification is completed or one year after the date the individual's employment is terminated; and

''(II) during the verification period (as defined in subparagraph (E)), make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of an individual.

''(ii) CONFIRMATION.—

''(I) CONFIRMATION RECEIVED.—If the person or other entity receives an appropriate confirmation of an individual's identity and work eligibility under the verification system within the time period specified, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a final confirmation of such identity and work eligibility of the individual.

''(II) TENTATIVE NONCONFIRMATION RECEIVED.—If the person or other entity receives a tentative nonconfirmation of an individual's identity or work eligibility under the verification system within the time period specified, the person or entity shall so inform the individual for whom the verification is sought. If the individual does not contest the nonconfirmation within the time period specified, the nonconfirmation shall be considered final. The person or entity shall then record on the form an appropriate code which has been provided under the system to indicate a final nonconfirmation. If the individual does contest the nonconfirmation, the individual shall utilize the process for secondary verification provided under subsection (d). The nonconfirmation will remain tentative until a final confirmation or nonconfirmation is provided by the verification system within the time period specified. In no case shall an employer terminate employment of an individual because of a failure of the individual to have identity and work eligibility confirmed under this section until a nonconfirmation becomes final. Nothing in this clause shall apply to a termination of employment for any reason other than because of such a failure. In no case shall an employer rescind the offer of employment to an individual because of a failure of the individual to have identity and work eligibility confirmed under this subsection until a nonconfirmation becomes final. Nothing in this subclause shall apply to a rescission of the offer of employment for any reason other than because of such a failure.

''(III) FINAL CONFIRMATION OR NONCONFIRMATION RECEIVED.—If a final confirmation or nonconfirmation is provided by the verification system regarding an individual, the person or entity shall record on the form an appropriate code that is provided under the system and that indicates a confirmation or nonconfirmation of identity and work eligibility of the individual.

''(IV) EXTENSION OF TIME.—If the person or other entity in good faith attempts to make an inquiry during the time period specified and the verification system has registered that not all inquiries were received during such time, the person or entity may make an inquiry in the first subsequent working day in which the verification system registers that it has received all inquiries. If the verification system cannot receive inquiries at all times during a day, the person or entity merely has to assert that the entity attempted to make the inquiry on that day for the previous sentence to apply to such an inquiry, and does not have to provide any additional proof concerning such inquiry.

''(V) CONSEQUENCES OF NONCONFIRMATION.—

''(aa) TERMINATION OR NOTIFICATION OF CONTINUED EMPLOYMENT.—If the person or other entity has received a final nonconfirmation regarding an individual, the person or entity may terminate employment of the individual (or decline to recruit or refer the individual). If the person or entity does not terminate employment of the individual or proceeds to recruit or refer the individual, the person or entity shall notify the Secretary of Homeland Security of such fact through the verification system or in such other manner as the Secretary may specify.

''(bb) FAILURE TO NOTIFY.—If the person or entity fails to provide notice with respect to an individual as required under item (aa), the failure is deemed to constitute a violation of subsection (a)(1)(A) with respect to that individual.

''(VI) CONTINUED EMPLOYMENT AFTER FINAL NONCONFIRMATION.—If the person or other entity continues to employ (or to recruit or refer) an individual after receiving final nonconfirmation, a rebuttable presumption is created that the person or entity has violated subsection (a)(1)(A).

''(D) EFFECTIVE DATES OF NEW PROCEDURES.—

''(i) HIRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity hiring an individual for employment in the United States as follows:

''(I) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of the Secure the Border Act of 2024, on the date that is 6 months after the date of the enactment of title.

''(II) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, on the date that is 12 months after the date of the enactment of such title.

''(III) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, on the date that is 18 months after the date of the enactment of such title.

''(IV) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, on the date that is 24 months after the date of the enactment of such title.

''(ii) RECRUITING AND REFERRING.—Except as provided in clause (iii), the provisions of this paragraph shall apply to a person or other entity recruiting or referring an individual for employment in the United States on the date that is 12 months after the date of the enactment of the Secure the Border Act of 2024.

''(iii) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, this paragraph shall not apply with respect to the verification of the employee until the date that is 36 months after the date of the enactment of the Secure the Border Act of 2024. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading

prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this clause shall not be counted for purposes of clause (i).

''(iv) EXTENSIONS.—

''(I) ON REQUEST.—Upon request by an employer having 50 or fewer employees, the Secretary shall allow a one-time 6-month extension of the effective date set out in this subparagraph applicable to such employer. Such request shall be made to the Secretary and shall be made prior to such effective date.

''(II) FOLLOWING REPORT.—If the study under section __914 of the Secure the Border Act of 2024 has been submitted in accordance with such section, the Secretary of Homeland Security may extend the effective date set out in clause (iii) on a one-time basis for 12 months.

''(v) TRANSITION RULE.—Subject to paragraph (4), the following shall apply to a person or other entity hiring, recruiting, or referring an individual for employment in the United States until the effective date or dates applicable under clauses (i) through (iii):

''(I) This subsection, as in effect before the enactment of the Secure the Border Act of 2024.

''(II) Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section __907(c) of the Secure the Border Act of 2024.

''(III) Any other provision of Federal law requiring the person or entity to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as in effect before the effective date in section __907(c) of the Secure the Border Act of 2024, including Executive Order 13465 (8 U.S.C. 1324a note; relating to Government procurement).

''(E) VERIFICATION PERIOD DEFINED.—

''(i) IN GENERAL.—For purposes of this paragraph:

''(I) In the case of recruitment or referral, the term 'verification period' means the period ending on the date recruiting or referring commences.

''(II) In the case of hiring, the term 'verification period' means the period beginning on the date on which an offer of employment is extended and ending on the date that is three business days after the date of hire, except as provided in clause (iii). The offer of employment may be conditioned in accordance with clause (ii).

''(ii) JOB OFFER MAY BE CONDITIONAL.—A person or other entity may offer a prospective employee an employment position that is conditioned on final verification of the identity and employment eligibility of the employee using the procedures established under this paragraph.

''(iii) SPECIAL RULE.—Notwithstanding clause (i)(II), in the case of an alien who is authorized for employment and who provides evidence from the Social Security Administration that the alien has applied for a social security account number, the verification period ends three business days after the alien receives the social security account number.

''(2) REVERIFICATION FOR INDIVIDUALS WITH LIMITED WORK AUTHORIZATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a person or entity shall make an inquiry, as provided in subsection (d), using the verification system to seek reverification of the identity and employment eligibility of all individuals with a limited period of work authorization employed by the person or entity during the three business days after the date on which the employee's work authorization expires as follows:

''(i) With respect to employers having 10,000 or more employees in the United States on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 6 months after the date of the enactment of such title.

''(ii) With respect to employers having 500 or more employees in the United States, but less than 10,000 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 12 months after the date of the enactment of such title.

''(iii) With respect to employers having 20 or more employees in the United States, but less than 500 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 18 months after the date of the enactment of such title.

''(iv) With respect to employers having one or more employees in the United States, but less than 20 employees in the United States, on the date of the enactment of the Secure the Border Act of 2024, beginning on the date that is 24 months after the date of the enactment of such title.

''(B) AGRICULTURAL LABOR OR SERVICES.—With respect to an employee performing agricultural labor or services, or an employee recruited or referred by a farm labor contractor (as defined in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801)), subparagraph (A) shall not apply with respect to the reverification of the employee until the date that is 36 months after the date of the enactment of the Secure the Border Act of 2024. For purposes of the preceding sentence, the term 'agricultural labor or services' has the meaning given such term by the Secretary of Agriculture in regulations and includes agricultural labor as defined in section 3121(g) of the Internal Revenue Code of 1986, agriculture as defined in section 3(f) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(f)), the handling, planting, drying, packing, packaging, processing, freezing, or grading prior to delivery for storage of any agricultural or horticultural commodity in its unmanufactured state, all activities required for the preparation, processing, or manufacturing of a product of agriculture (as such term is defined in such section 3(f)) for further distribution, and activities similar to all the foregoing as they relate to fish or shellfish facilities. An employee described in this subparagraph shall not be counted for purposes of subparagraph (A).

''(C) REVERIFICATION.—Paragraph (1)(C)(ii) shall apply to reverifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the reverification commences and ending on the date that is the later of 3 years after the date of such reverification or 1 year after the date the individual's employment is terminated.

''(3) PREVIOUSLY HIRED INDIVIDUALS.—

''(A) ON A MANDATORY BASIS FOR CERTAIN EMPLOYEES.—

''(i) IN GENERAL.—Not later than the date that is 6 months after the date of the enactment of the Secure the Border Act of 2024, an employer shall make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual described in clause (ii) employed by the employer whose employment eligibility has not been verified under the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

''(ii) INDIVIDUALS DESCRIBED.—An individual described in this clause is any of the following:

''(I) An employee of any unit of a Federal, State, or local government.

''(II) An employee who requires a Federal security clearance working in a Federal, State, or local government building, a military base, a nuclear energy site, a weapons site, or an airport or other facility that requires workers to carry a Transportation Worker Identification Credential (TWIC).

''(III) An employee assigned to perform work in the United States under a Federal contract, except that this subclause—

''(aa) is not applicable to individuals who have a clearance under Homeland Security Presidential Directive 12 (HSPD 12 clearance), are administrative or overhead personnel, or are working solely on contracts that provide Commercial Off The Shelf goods or services as set forth by the Federal Acquisition Regulatory Council, unless they are subject to verification under subclause (II); and

''(bb) only applies to contracts over the simple acquisition threshold as defined in section 2.101 of title 48, Code of Federal Regulations.

''(B) ON A MANDATORY BASIS FOR MULTIPLE USERS OF SAME SOCIAL SECURITY ACCOUNT NUMBER.—In the case of an employer who is required by this subsection to use the verification system described in subsection (d), or has elected voluntarily to use such system, the employer shall make inquiries to the system in accordance with the following:

''(i) The Commissioner of Social Security shall notify annually employees (at the employee address listed on the Wage and Tax Statement) who submit a social security account number to which more than one employer reports income and for which there is a pattern of unusual multiple use. The notification letter shall identify the number of employers to which income is being reported as well as sufficient information notifying the employee of the process to contact the Social Security Administration Fraud Hotline if the employee believes the employee's identity may have been stolen. The notice shall not share information protected as private, in order to avoid any recipient of the notice from being in the position to further commit or begin committing identity theft.

''(ii) If the person to whom the social security account number was issued by the Social Security Administration has been identified and confirmed by the Commissioner, and indicates that the social security account number was used without their knowledge, the Secretary and the Commissioner shall lock the social security account number for employment eligibility verification purposes and shall notify the employers of the individuals who wrongfully submitted the social security account number that the employee may not be work eligible.

''(iii) Each employer receiving such notification of an incorrect social security account number under clause (ii) shall use the verification system described in subsection (d) to check the work eligibility status of the applicable employee within 10 business days of receipt of the notification.

''(C) ON A VOLUNTARY BASIS.—Subject to paragraph (2), and subparagraphs (A) through (C) of this paragraph, beginning on the date that is 30 days after the date of the enactment of the Secure the Border Act of 2024, an employer may make an inquiry, as provided in subsection (d), using the verification system to seek verification of the identity and employment eligibility of any individual employed by the employer. If an employer chooses voluntarily to seek verification of any individual employed by the employer, the employer shall seek verification of all individuals employed at the same geographic location or, at the option of the employer, all individuals employed within the same job category, as the employee with respect to whom the employer seeks voluntarily to use the verification system. An employer's decision about whether or not voluntarily to seek verification of its current workforce under this subparagraph may not be considered by any government agency in any proceeding, investigation, or review provided for in this Act.

''(D) VERIFICATION.—Paragraph (1)(C)(ii) shall apply to verifications pursuant to this paragraph on the same basis as it applies to verifications pursuant to paragraph (1), except that employers shall—

''(i) use a form designated or established by the Secretary by regulation for purposes of this paragraph; and

''(ii) retain a paper or electronic version of the form and make it available for inspection by officers of the Department of Homeland Security, the Department of Justice, or the Department of Labor during the period beginning on the date the verification commences and ending on the date that is the later of 3 years after the date of such verification or 1 year after the date the individual's employment is terminated.

''(4) EARLY COMPLIANCE.—

''(A) FORMER E-VERIFY REQUIRED USERS, INCLUDING FEDERAL CONTRACTORS.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of the Secure the Border Act of 2024, the Secretary is authorized to commence requiring employers required to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), including employers required to participate in such program by reason of Federal acquisition laws (and regulations promulgated under those laws, including the Federal Acquisition Regulation), to commence compliance with the requirements of this subsection (and any additional requirements of such Federal acquisition laws and regulation) in lieu of any requirement to participate in the E-Verify Program.

''(B) FORMER E-VERIFY VOLUNTARY USERS AND OTHERS DESIRING EARLY COMPLIANCE.—Notwithstanding the deadlines in paragraphs (1) and (2), beginning on the date of the enactment of the Secure the Border Act of 2024, the Secretary shall provide for the voluntary compliance with the requirements of this subsection by employers voluntarily electing to participate in the E-Verify Program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) before such date, as well as by other employers seeking voluntary early compliance.

''(5) COPYING OF DOCUMENTATION PERMITTED.—Notwithstanding any other provision of law, the person or entity may copy a document presented by an individual pursuant to this subsection and may retain the copy, but only (except as otherwise permitted under law) for the purpose of complying with the requirements of this subsection.

''(6) LIMITATION ON USE OF FORMS.—A form designated or established by the Secretary of Homeland Security under this subsection and any information contained in or appended to such form, may not be used for purposes other than for enforcement of this Act and any other provision of Federal criminal law.

''(7) GOOD FAITH COMPLIANCE.—

''(A) IN GENERAL.—Except as otherwise provided in this subsection, a person or entity is considered to have complied with a requirement of this subsection notwithstanding a technical or procedural failure to meet such requirement if there was a good faith attempt to comply with the requirement.

''(B) EXCEPTION IF FAILURE TO CORRECT AFTER NOTICE.—Subparagraph (A) shall not apply if—

''(i) the failure is not de minimus;

''(ii) the Secretary of Homeland Security has explained to the person or entity the basis for the failure and why it is not de minimus;

''(iii) the person or entity has been provided a period of not less than 30 calendar days (beginning after the date of the explanation) within which to correct the failure; and

''(iv) the person or entity has not corrected the failure voluntarily within such period.

''(C) EXCEPTION FOR PATTERN OR PRACTICE VIOLATORS.—Subparagraph (A) shall not apply to a person or entity that has engaged or is engaging in a pattern or practice of violations of subsection (a)(1)(A) or (a)(2).

''(8) SINGLE EXTENSION OF DEADLINES UPON CERTIFICATION.—In a case in which the Secretary of Homeland Security has certified to the Congress that the employment eligibility verification system required under subsection (d) will not be fully operational by the date that is 6 months after the date of the enactment of the Secure the Border Act of 2024, each deadline established under this section for an employer to make an inquiry using such system shall be extended by 6 months. No other extension of such a deadline shall be made except as authorized under paragraph (1)(D)(iv).''.

(b) DATE OF HIRE.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)) is amended by adding at the end the following:

''(4) DEFINITION OF DATE OF HIRE.—As used in this section, the term 'date of hire' means the date of actual commencement of employment for wages or other remuneration, unless otherwise specified.''.

SEC. __902. EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.

Section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) is amended to read as follows:

''(d) EMPLOYMENT ELIGIBILITY VERIFICATION SYSTEM.—

''(1) IN GENERAL.—Patterned on the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), the Secretary of Homeland Security shall establish and administer a verification system through which the Secretary (or a designee of the Secretary, which may be a nongovernmental entity)—

''(A) responds to inquiries made by persons at any time through a toll-free electronic media concerning an individual's identity and whether the individual is authorized to be employed; and

''(B) maintains records of the inquiries that were made, of verifications provided (or not provided), and of the codes provided to inquirers as evidence of their compliance with their obligations under this section.

''(2) INITIAL RESPONSE.—The verification system shall provide confirmation or a tentative nonconfirmation of an individual's identity and employment eligibility within 3 working days of the initial inquiry. If providing confirmation or tentative nonconfirmation, the verification system shall provide an appropriate code indicating such confirmation or such nonconfirmation.

''(3) SECONDARY CONFIRMATION PROCESS IN CASE OF TENTATIVE NONCONFIRMATION.—In cases of tentative nonconfirmation, the Secretary shall specify, in consultation with the Commissioner of Social Security, an available secondary verification process to confirm the validity of information provided and to provide a final confirmation or nonconfirmation not later than 10 working days after the date on which the notice of the tentative nonconfirmation is received by the employee. The Secretary, in consultation with the Commissioner, may extend this deadline once on a case-by-case basis for a period of 10 working days, and if the time is extended, shall document such extension within the verification system. The Secretary, in consultation with the Commissioner, shall notify the employee and employer of such extension. The Secretary, in consultation with the Commissioner, shall create a standard process of such extension and notification and shall make a description of such process available to the public. When final confirmation or nonconfirmation is provided, the verification system shall provide an appropriate code indicating such confirmation or nonconfirmation.

''(4) DESIGN AND OPERATION OF SYSTEM.—The verification system shall be designed and operated—

''(A) to maximize its reliability and ease of use by persons and other entities consistent with insulating and protecting the privacy and security of the underlying information;

''(B) to respond to all inquiries made by such persons and entities on whether individuals are authorized to be employed and to register all times when such inquiries are not received;

''(C) with appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information;

''(D) to have reasonable safeguards against the system's resulting in unlawful discriminatory practices based on national origin or citizenship status, including—

''(i) the selective or unauthorized use of the system to verify eligibility; or

''(ii) the exclusion of certain individuals from consideration for employment as a result of a perceived likelihood that additional verification will be required, beyond what is required for most job applicants;

''(E) to maximize the prevention of identity theft use in the system; and

''(F) to limit the subjects of verification to the following individuals:

''(i) Individuals hired, referred, or recruited, in accordance with paragraph (1) or (4) of subsection (b).

''(ii) Employees and prospective employees, in accordance with paragraph (1), (2), (3), or (4) of subsection (b).

''(iii) Individuals seeking to confirm their own employment eligibility on a voluntary basis.

''(5) RESPONSIBILITIES OF COMMISSIONER OF SOCIAL SECURITY.—As part of the verification system, the Commissioner of Social Security, in consultation with the Secretary of Homeland Security (and any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and social security account number provided in an inquiry against such information maintained by the Commissioner in order to validate (or not

validate) the information provided regarding an individual whose identity and employment eligibility must be confirmed, the correspondence of the name and number, and whether the individual has presented a social security account number that is not valid for employment. The Commissioner shall not disclose or release social security information (other than such confirmation or nonconfirmation) under the verification system except as provided for in this section or section 205(c)(2)(I) of the Social Security Act.

''(6) RESPONSIBILITIES OF SECRETARY OF HOMELAND SECURITY.—As part of the verification system, the Secretary of Homeland Security (in consultation with any designee of the Secretary selected to establish and administer the verification system), shall establish a reliable, secure method, which, within the time periods specified under paragraphs (2) and (3), compares the name and alien identification or authorization number (or any other information as determined relevant by the Secretary) which are provided in an inquiry against such information maintained or accessed by the Secretary in order to validate (or not validate) the information provided, the correspondence of the name and number, whether the alien is authorized to be employed in the United States, or to the extent that the Secretary determines to be feasible and appropriate, whether the records available to the Secretary verify the identity or status of a national of the United States.

''(7) UPDATING INFORMATION.—The Commissioner of Social Security and the Secretary of Homeland Security shall update their information in a manner that promotes the maximum accuracy and shall provide a process for the prompt correction of erroneous information, including instances in which it is brought to their attention in the secondary verification process described in paragraph (3).

''(8) LIMITATION ON USE OF THE VERIFICATION SYSTEM AND ANY RELATED SYSTEMS.—

''(A) NO NATIONAL IDENTIFICATION CARD.—Nothing in this section shall be construed to authorize, directly or indirectly, the issuance or use of national identification cards or the establishment of a national identification card.

''(B) CRITICAL INFRASTRUCTURE.—The Secretary may authorize or direct any person or entity responsible for granting access to, protecting, securing, operating, administering, or regulating part of the critical infrastructure (as defined in section 1016(e) of the Critical Infrastructure Protection Act of 2001 (42 U.S.C. 5195c(e))) to use the verification system to the extent the Secretary determines that such use will assist in the protection of the critical infrastructure.

''(9) REMEDIES.—If an individual alleges that the individual would not have been dismissed from a job or would have been hired for a job but for an error of the verification mechanism, the individual may seek compensation only through the mechanism of the Federal Tort Claims Act, and injunctive relief to correct such error. No class action may be brought under this paragraph.''.

SEC. __903. RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.

(a) ADDITIONAL CHANGES TO RULES FOR RECRUITMENT, REFERRAL, AND CONTINUATION OF EMPLOYMENT.—Section 274A(a) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)) is amended—

(1) in paragraph (1)(A), by striking ''for a fee'';

(2) in paragraph (1), by amending subparagraph (B) to read as follows:

''(B) to hire, continue to employ, or to recruit or refer for employment in the United States an individual without complying with the requirements of subsection (b).''; and

(3) in paragraph (2), by striking ''after hiring an alien for employment in accordance with paragraph (1),'' and inserting ''after complying with paragraph (1),''.

(b) DEFINITION.—Section 274A(h) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)), as amended by section __901(b), is further amended by adding at the end the following:

''(5) DEFINITION OF RECRUIT OR REFER.—As used in this section, the term 'refer' means the act of sending or directing a person who is in the United States or transmitting documentation or information to another, directly or indirectly, with the intent of obtaining employment in the United States for such person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in the definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit, that refer, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party. As used in this section, the term 'recruit' means the act of soliciting a person who is in the United States, directly or indirectly, and referring the person to another with the intent of obtaining employment for that person. Only persons or entities referring for remuneration (whether on a retainer or contingency basis) are included in the definition, except that union hiring halls that refer union members or nonunion individuals who pay union membership dues are included in this definition whether or not they receive remuneration, as are labor service entities or labor service agencies, whether public, private, for-profit, or nonprofit that recruit, dispatch, or otherwise facilitate the hiring of laborers for any period of time by a third party.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 1 year after the date of the enactment of this Act, except that the amendments made by subsection (a) shall take effect 6 months after the date of the enactment of this Act insofar as such amendments relate to continuation of employment.

SEC. __904. GOOD FAITH DEFENSE.

Section 274A(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1324a(a)(3)) is amended to read as follows:

''(3) GOOD FAITH DEFENSE.—

''(A) DEFENSE.—An employer (or person or entity that hires, employs, recruits, or refers (as defined in subsection (h)(5)), or is otherwise obligated to comply with this section) who establishes that it has complied in good faith with the requirements of subsection (b)—

''(i) shall not be liable to a job applicant, an employee, the Federal Government, or a State or local government, under Federal, State, or local criminal or civil law for any employment-related action taken with respect to a job applicant or employee in good-faith reliance on information provided through the system established under subsection (d); and

''(ii) has established compliance with its obligations under subparagraphs (A) and (B) of paragraph (1) and subsection (b) absent a showing by the Secretary of Homeland Security, by clear and convincing evidence, that the employer had knowledge that an employee is an unauthorized alien.

''(B) MITIGATION ELEMENT.—For purposes of subparagraph (A)(i), if an employer proves by a preponderance of the evidence that the employer uses a reasonable, secure, and established technology to authenticate the identity of the new employee, that fact shall be taken into account for purposes of determining good faith use of the system established under subsection (d).

''(C) FAILURE TO SEEK AND OBTAIN VERIFICATION.—Subject to the effective dates and other deadlines applicable under subsection (b), in the case of a person or entity in the United States that hires, or continues to employ, an individual, or recruits or refers an individual for employment, the following requirements apply:

''(i) FAILURE TO SEEK VERIFICATION.—

''(I) IN GENERAL.—If the person or entity has not made an inquiry, under the mechanism established under subsection (d) and in accordance with the timeframes established under subsection (b), seeking verification of the identity and work eligibility of the individual, the defense under subparagraph (A) shall not be considered to apply with respect to any employment, except as provided in subclause (II).

''(II) SPECIAL RULE FOR FAILURE OF VERIFICATION MECHANISM.—If such a person or entity in good faith attempts to make an inquiry in order to qualify for the defense under subparagraph (A) and the verification mechanism has registered that not all inquiries were responded to during the relevant time, the person or entity can make an inquiry until the end of the first subsequent working day in which the verification mechanism registers no nonresponses and qualify for such defense.

''(ii) FAILURE TO OBTAIN VERIFICATION.—If the person or entity has made the inquiry described in clause (i)(I) but has not received an appropriate verification of such identity and work eligibility under such mechanism within the time period specified under subsection (d)(2) after the time the verification inquiry was received, the defense under subparagraph (A) shall not be considered to apply with respect to any employment after the end of such time period.''.

SEC. __905. PREEMPTION AND STATES' RIGHTS.

Section 274A(h)(2) of the Immigration and Nationality Act (8 U.S.C. 1324a(h)(2)) is amended to read as follows:

''(2) PREEMPTION.—

''(A) SINGLE, NATIONAL POLICY.—The provisions of this section preempt any State or local law, ordinance, policy, or rule, including any criminal or civil fine or penalty structure, insofar as they may now or hereafter relate to the hiring, continued employment, or status verification for employment eligibility purposes, of unauthorized aliens.

''(B) STATE ENFORCEMENT OF FEDERAL LAW.—

''(i) BUSINESS LICENSING.—A State, locality, municipality, or political subdivision may exercise its authority over business licensing and similar laws as a penalty for failure to use the verification system described in subsection (d) to verify employment eligibility when and as required under subsection (b).

''(ii) GENERAL RULES.—A State, at its own cost, may enforce the provisions of this section, but only insofar as such State follows the Federal regulations implementing this section, applies the Federal penalty structure set out in this section, and complies with all Federal rules and guidance concerning implementation of this section. Such State may collect any fines assessed under this section. An employer may not be subject to enforcement, including audit and investigation, by both a Federal agency and a State for the same violation under this section. Whichever entity, the Federal agency or the State, is first to initiate the enforcement action, has the right of first refusal to

proceed with the enforcement action. The Secretary must provide copies of all guidance, training, and field instructions provided to Federal officials implementing the provisions of this section to each State.''.

SEC. __906. REPEAL.

(a) IN GENERAL.—Subtitle A of title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is repealed.

(b) REFERENCES.—Any reference in any Federal law, Executive order, rule, regulation, or delegation of authority, or any document of, or pertaining to, the Department of Homeland Security, Department of Justice, or the Social Security Administration, to the employment eligibility confirmation system established under section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is deemed to refer to the employment eligibility confirmation system established under section 274A(d) of the Immigration and Nationality Act, as amended by section __902.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is 30 months after the date of the enactment of this Act.

(d) CLERICAL AMENDMENT.—The table of sections, in section 1(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, is amended by striking the items relating to subtitle A of title IV.

SEC. __907. PENALTIES.

Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in subsection (e)(1)—

(A) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(B) in subparagraph (D), by striking ''Service'' and inserting ''Department of Homeland Security'';

(2) in subsection (e)(4)—

(A) in subparagraph (A), in the matter before clause (i), by inserting '', subject to paragraph (10),'' after ''in an amount'';

(B) in subparagraph (A)(i), by striking ''not less than $250 and not more than $2,000'' and inserting ''not less than $2,500 and not more than $5,000'';

(C) in subparagraph (A)(ii), by striking ''not less than $2,000 and not more than $5,000'' and inserting ''not less than $5,000 and not more than $10,000'';

(D) in subparagraph (A)(iii), by striking ''not less than $3,000 and not more than $10,000'' and inserting ''not less than $10,000 and not more than $25,000''; and

(E) by moving the margin of the continuation text following subparagraph (B) two ems to the left and by amending subparagraph (B) to read as follows:

''(B) may require the person or entity to take such other remedial action as is appropriate.'';

(3) in subsection (e)(5)—

(A) in the paragraph heading, strike ''PAPERWORK'';

(B) by inserting '', subject to paragraphs (10) through (12),'' after ''in an amount'';

(C) by striking ''$100'' and inserting ''$1,000'';

(D) by striking ''$1,000'' and inserting ''$25,000''; and

(E) by adding at the end the following: ''Failure by a person or entity to utilize the employment eligibility verification system as required by law, or providing information to the system that the person or entity knows or reasonably believes to be false, shall be treated as a violation of subsection (a)(1)(A).'';

(4) by adding at the end of subsection (e) the following:

''(10) EXEMPTION FROM PENALTY FOR GOOD FAITH VIOLATION.—In the case of imposition of a civil penalty under paragraph (4)(A) with respect to a violation of subsection (a)(1)(A) or (a)(2) for hiring or continuation of employment or recruitment or referral by person or entity and in the case of imposition of a civil penalty under paragraph (5) for a violation of subsection (a)(1)(B) for hiring or recruitment or referral by a person or entity, the penalty otherwise imposed may be waived or reduced if the violator establishes that the violator acted in good faith.

''(11) MITIGATION ELEMENT.—For purposes of paragraph (4), the size of the business shall be taken into account when assessing the level of civil money penalty.

''(12) AUTHORITY TO DEBAR EMPLOYERS FOR CERTAIN VIOLATIONS.—

''(A) IN GENERAL.—If a person or entity is determined by the Secretary of Homeland Security to be a repeat violator of paragraph (1)(A) or (2) of subsection (a), or is convicted of a crime under this section, such person or entity may be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the debarment standards and pursuant to the debarment procedures set forth in the Federal Acquisition Regulation.

''(B) DOES NOT HAVE CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such a person or entity does not hold a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall refer the matter to the Administrator of General Services to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(C) HAS CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such person or entity holds a Federal contract, grant, or cooperative agreement, the Secretary or Attorney General shall advise all agencies or departments holding a contract, grant, or cooperative agreement with the person or entity of the Government's interest in having the person or entity considered for debarment, and after soliciting and considering the views of all such agencies and departments, the Secretary or Attorney General may refer the matter to any appropriate lead agency to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(D) REVIEW.—Any decision to debar a person or entity in accordance with this paragraph shall be reviewable pursuant to part 9.4 of the Federal Acquisition Regulation.

''(13) OFFICE FOR STATE AND LOCAL GOVERNMENT COMPLAINTS.—The Secretary of Homeland Security shall establish an office—

''(A) to which State and local government agencies may submit information indicating potential violations of subsection (a), (b), or (g)(1) that were generated in the normal course of law enforcement or the normal course of other official activities in the State or locality;

''(B) that is required to indicate to the complaining State or local agency within five business days of the filing of such a complaint by identifying whether the Secretary will further investigate the information provided;

''(C) that is required to investigate those complaints filed by State or local government agencies that, on their face, have a substantial probability of validity;

''(D) that is required to notify the complaining State or local agency of the results of any such investigation conducted; and

''(E) that is required to report to the Congress annually the number of complaints received under this paragraph, the States and localities that filed such complaints, and the resolution of the complaints investigated by the Secretary.''; and

(5) by amending paragraph (1) of subsection (f) to read as follows:

''(1) CRIMINAL PENALTY.—Any person or entity which engages in a pattern or practice of violations of subsection (a) (1) or (2) shall be fined not more than $5,000 for each unauthorized alien with respect to which such a violation occurs, imprisoned for not more than 18 months, or both, notwithstanding the provisions of any other Federal law relating to fine levels.''.

SEC. __908. FRAUD AND MISUSE OF DOCUMENTS.

Section 1546(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by striking ''identification document,'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''; and

(2) in paragraph (2), by striking ''identification document'' and inserting ''identification document or document meant to establish work authorization (including the documents described in section 274A(b) of the Immigration and Nationality Act),''.

SEC. __909. PROTECTION OF SOCIAL SECURITY ADMINISTRATION PROGRAMS.

(a) FUNDING UNDER AGREEMENT.—Effective for fiscal years beginning on or after October 1, 2023, the Commissioner of Social Security and the Secretary of Homeland Security shall enter into and maintain an agreement which shall—

(1) provide funds to the Commissioner for the full costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902, including—

(A) acquiring, installing, and maintaining technological equipment and systems necessary for the fulfillment of the responsibilities of the Commissioner under such section 274A(d), but only that portion of such costs that are attributable exclusively to such responsibilities; and

(B) responding to individuals who contest a tentative nonconfirmation provided by the employment eligibility verification system established under such section;

(2) provide such funds annually in advance of the applicable quarter based on estimating methodology agreed to by the Commissioner and the Secretary (except in such instances where the delayed enactment of an annual appropriation may preclude such quarterly payments); and

(3) require an annual accounting and reconciliation of the actual costs incurred and the funds provided under the agreement, which shall be reviewed by the Inspectors General of the Social Security Administration and the Department of Homeland Security.

(b) CONTINUATION OF EMPLOYMENT VERIFICATION IN ABSENCE OF TIMELY AGREEMENT.—In any case in which the agreement required under subsection (a) for any fiscal year beginning on or after October 1, 2023, has not been reached as of October 1 of such fiscal year, the latest agreement between the Commissioner and the Secretary of Homeland Security providing for funding to cover the costs of the responsibilities of the Commissioner under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)) shall be deemed in effect on an interim basis for such fiscal year until such time as an agreement required under subsection (a) is subsequently reached, except

that the terms of such interim agreement shall be modified by the Director of the Office of Management and Budget to adjust for inflation and any increase or decrease in the volume of requests under the employment eligibility verification system. In any case in which an interim agreement applies for any fiscal year under this subsection, the Commissioner and the Secretary shall, not later than October 1 of such fiscal year, notify the Committee on Ways and Means, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives and the Committee on Finance, the Committee on the Judiciary, and the Committee on Appropriations of the Senate of the failure to reach the agreement required under subsection (a) for such fiscal year. Until such time as the agreement required under subsection (a) has been reached for such fiscal year, the Commissioner and the Secretary shall, not later than the end of each 90-day period after October 1 of such fiscal year, notify such Committees of the status of negotiations between the Commissioner and the Secretary in order to reach such an agreement.

SEC. __910. FRAUD PREVENTION.

(a) BLOCKING MISUSED SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program in which social security account numbers that have been identified to be subject to unusual multiple use in the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902, or that are otherwise suspected or determined to have been compromised by identity fraud or other misuse, shall be blocked from use for such system purposes unless the individual using such number is able to establish, through secure and fair additional security procedures, that the individual is the legitimate holder of the number.

(b) ALLOWING SUSPENSION OF USE OF CERTAIN SOCIAL SECURITY ACCOUNT NUMBERS.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which victims of identity fraud and other individuals may suspend or limit the use of their social security account number or other identifying information for purposes of the employment eligibility verification system established under section 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

(c) ALLOWING PARENTS TO PREVENT THEFT OF THEIR CHILD'S IDENTITY.—The Secretary of Homeland Security, in consultation with the Commissioner of Social Security, shall establish a program which shall provide a reliable, secure method by which parents or legal guardians may suspend or limit the use of the social security account number or other identifying information of a minor under their care for the purposes of the employment eligibility verification system established under 274A(d) of the Immigration and Nationality Act (8 U.S.C. 1324a(d)), as amended by section __902. The Secretary may implement the program on a limited pilot program basis before making it fully available to all individuals.

SEC. __911. USE OF EMPLOYMENT ELIGIBILITY VERIFICATION PHOTO TOOL.

An employer who uses the photo matching tool used as part of the E-Verify System shall match the photo tool photograph to both the photograph on the identity or employment eligibility document provided by the employee and to the face of the employee submitting the document for employment verification purposes.

SEC. __912. IDENTITY AUTHENTICATION EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAMS.

Not later than 24 months after the date of the enactment of this Act, the Secretary of Homeland Security, after consultation with the Commissioner of Social Security and the Director of the National Institute of Standards and Technology, shall establish by regulation not less than 2 Identity Authentication Employment Eligibility Verification pilot programs, each using a separate and distinct technology (the ''Authentication Pilots''). The purpose of the Authentication Pilots shall be to provide for identity authentication and employment eligibility verification with respect to enrolled new employees which shall be available to any employer that elects to participate in either of the Authentication Pilots. Any participating employer may cancel the employer's participation in the Authentication Pilot after one year after electing to participate without prejudice to future participation. The Secretary shall report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate the Secretary's findings on the Authentication Pilots, including the authentication technologies chosen, not later than 12 months after commencement of the Authentication Pilots.

SEC. __913. INSPECTOR GENERAL AUDITS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall complete audits of the following categories in order to uncover evidence of individuals who are not authorized to work in the United States:

(1) Workers who dispute wages reported on their social security account number when they believe someone else has used such number and name to report wages.

(2) Children's social security account numbers used for work purposes.

(3) Employers whose workers present significant numbers of mismatched social security account numbers or names for wage reporting.

(b) SUBMISSION.—The Inspector General of the Social Security Administration shall submit the audits completed under subsection (a) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate for review of the evidence of individuals who are not authorized to work in the United States. The Chairmen of those Committees shall then determine information to be shared with the Secretary of Homeland Security so that such Secretary can investigate the unauthorized employment demonstrated by such evidence.

SEC. __914. AGRICULTURE WORKFORCE STUDY.

Not later than 36 months after the date of the enactment of this Act, the Secretary of the Department of Homeland Security, in consultation with the Secretary of the Department of Agriculture, shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, a report that includes the following:

(1) The number of individuals in the agricultural workforce.

(2) The number of United States citizens in the agricultural workforce.

(3) The number of aliens in the agricultural workforce who are authorized to work in the United States.

(4) The number of aliens in the agricultural workforce who are not authorized to work in the United States.

(5) Wage growth in each of the previous ten years, disaggregated by agricultural sector.

(6) The percentage of total agricultural industry costs represented by agricultural labor during each of the last ten years.

(7) The percentage of agricultural costs invested in mechanization during each of the last ten years.

(8) Recommendations, other than a path to legal status for aliens not authorized to work in the United States, for ensuring United States agricultural employers have a workforce sufficient to cover industry needs, including recommendations to—

(A) increase investments in mechanization;

(B) increase the domestic workforce; and

(C) reform the H–2A program.

SEC. __915. SENSE OF CONGRESS ON FURTHER IMPLEMENTATION.

It is the sense of Congress that in implementing the E-Verify Program, the Secretary of Homeland Security shall ensure any adverse impact on the Nation's agricultural workforce, operations, and food security are considered and addressed.

SA 1453. Mr. SULLIVAN submitted an amendment intended to be proposed to amendment SA 1388 submitted by Mrs. MURRAY (for herself and Mr. SCHUMER) and intended to be proposed to the bill H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 4 through 21.

AUTHORITY FOR COMMITTEES TO MEET

Mr. SCHUMER. Madam President, I have nine 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, February 8, 2024, at 12 p.m., to establish a quorum and conduct a hearing on nominations.

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 Thursday, February 8, 2024, at 9 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 Thursday, February 8, 2024, at 10 a.m., to conduct a business meeting.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet

during the session of the Senate on Thursday, February 8, 2024, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Thursday, February 8, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Thursday, February 8, 2024, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, February 8, 2024, at 10 a.m., to conduct a hearing.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Thursday, February 8, 2024, at 10:30 a.m., to conduct a hearing.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, February 8, 2024, at 10 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. KAINE. Madam President, I would like to ask unanimous consent that my legislative fellows Hannah Kaufman and Angellica Perkins be granted floor privileges for the duration of their time in my office.

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

ORDERS FOR FRIDAY, FEBRUARY 9, 2024

Mr. SCHUMER. Finally, Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned under the provisions of S. Res. 553 until 12 noon on Friday, February 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate resume consideration of the motion to proceed to Calendar No. 30, H.R. 815, postcloture; further, that all time during adjournment, recess, leader remarks, and morning business count postcloture.

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

ADJOURNMENT UNTIL TOMORROW

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

There being no objection, under the previous order and pursuant to S. Res. 553, as a further mark of respect to the late Jean A. Carnahan, former Senator from Missouri, the Senate, at 6:18 p.m., adjourned until Friday, February 9, 2024, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF TRANSPORTATION

SARAH ELIZABETH BAKER, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF TRANSPORTATION, VICE JOHN EDWARD PUTNAM.

NATIONAL ENDOWMENT FOR THE HUMANITIES

EMILY EDENSHAW, OF ALASKA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2028, VICE DOROTHY KOSINSKI, TERM EXPIRED.

MARGARET MARY FITZPATRICK, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2030, VICE KATHERINE H. TACHAU, TERM EXPIRED.

DEBORAH WILLIS, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2028, VICE CONSTANCE M. CARROLL, TERM EXPIRED.

THE JUDICIARY

SANKET JAYSHUKH BULSARA, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE JOAN MARIE AZRACK, RETIRING.

DENA M. COGGINS, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF CALIFORNIA, VICE KIMBERLY J. MUELLER, RETIRING.

DEPARTMENT OF JUSTICE

JOHN E. RICHARDSON, OF ALABAMA, TO BE UNITED STATES MARSHAL FOR THE MIDDLE DISTRICT OF ALABAMA FOR THE TERM OF FOUR YEARS, VICE JESSE SEROYER, JR., TERM EXPIRED.

THE JUDICIARY

ERIC C. SCHULTE, OF SOUTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH DAKOTA, VICE KAREN E. SCHREIER, RETIRING.

CAMELA C. THEELER, OF SOUTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH DAKOTA, VICE JEFFREY L. VIKEN, RETIRED.

CONFIRMATION

Executive nomination confirmed by the Senate February 8, 2024:

DEPARTMENT OF STATE

JEFFREY PRESCOTT, OF THE DISTRICT OF COLUMBIA, TO BE U.S. REPRESENTATIVE TO THE UNITED NATIONS AGENCIES FOR FOOD AND AGRICULTURE, WITH THE RANK OF AMBASSADOR.

Daily Digest

Senate

Chamber Action

(Legislative Day of Wednesday, February 7, 2024)

Routine Proceedings, pages S463–S564

Measures Introduced: Twenty-six bills and nine resolutions were introduced, as follows: S. 3767–3792, and S. Res. 545–553. **Pages S494–96**

Measures Passed:

Federal Agency Performance Act: Senate passed S. 709, to improve performance and accountability in the Federal Government, after agreeing to the committee amendment. **Pages S487–89**

National School Counseling Week: Senate agreed to S. Res. 548, designating the week of February 5 through 9, 2024, as ''National School Counseling Week.'' **Page S489**

National FFA Week: Senate agreed to S. Res. 549, expressing support for the designation of February 17 through February 24, 2024, as ''National FFA Week'', recognizing the important role of the National FFA Organization in developing the next generation of globally conscious leaders who will change the world, and celebrating the 10th anniversary of the ''Give the Gift of Blue'' program, which has donated more than 17,000 of the iconic FFA blue jackets to FFA members in need. **Page S489**

Career and Technical Education Month: Senate agreed to S. Res. 550, supporting the goals and ideals of ''Career and Technical Education Month''. **Page S489**

Black History Month: Senate agreed to S. Res. 551, celebrating Black History Month. **Page S489**

Authorize Testimony and Representation: Senate agreed to S. Res. 552, to authorize testimony and representation in *People of the State of Michigan* v. *Berden, et al.* **Page S489**

Honoring the Life of Former Senator Jean A. Carnahan: Senate agreed to S. Res. 553, honoring the life of Jean A. Carnahan, former Senator for the State of Missouri. **Page S489**

Measures Considered:

RELIEVE Act—Agreement: Senate continued consideration of the motion to proceed to consideration of H.R. 815, to amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program. **Pages S463–86**

During consideration of this measure today, Senate also took the following action:

By 67 yeas to 32 nays (Vote No. 41), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate upon reconsideration agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Pages S463–64**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill, post-cloture, at approximately 12 noon, on Friday, February 9, 2024; and that all time during adjournment, recess, Leader remarks, and Morning Business count post-cloture. **Page S564**

Appointments:

Senate National Security Working Group for the 118th Congress: The Chair, on behalf of the Majority Leader, pursuant to the provisions of S. Res. 64, adopted March 5, 2013, appointed the following Senators as members of the Senate National Security Working Group for the 118th Congress: Senators Reed (Administrative Co-Chair), Menendez (Co-Chair), Durbin (Co-Chair), Cardin (Co-Chair), Casey, Duckworth, Sinema, Warnock, and Padilla. **Page S489**

Nomination Confirmed: Senate confirmed the following nomination:

Jeffrey Prescott, of the District of Columbia, to be U.S. Representative to the United Nations Agencies for Food and Agriculture, with the rank of Ambassador. **Pages S486–87**

Nominations Received: Senate received the following nominations:

Sarah Elizabeth Baker, of Virginia, to be General Counsel of the Department of Transportation.

Emily Edenshaw, of Alaska, to be a Member of the National Council on the Humanities for a term expiring January 26, 2028.

Margaret Mary FitzPatrick, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2030.

Deborah Willis, of New York, to be a Member of the National Council on the Humanities for a term expiring January 26, 2028.

Sanket Jayshukh Bulsara, of New York, to be United States District Judge for the Eastern District of New York.

Dena M. Coggins, of California, to be United States District Judge for the Eastern District of California.

John E. Richardson, of Alabama, to be United States Marshal for the Middle District of Alabama for the term of four years.

Eric C. Schulte, of South Dakota, to be United States District Judge for the District of South Dakota.

Camela C. Theeler, of South Dakota, to be United States District Judge for the District of South Dakota. **Page S564**

Messages from the House: **Page S491**

Measures Referred: **Page S491**

Executive Communications: **Pages S491–94**

Executive Reports of Committees: **Page S494**

Additional Cosponsors: **Pages S496–97**

Statements on Introduced Bills/Resolutions: **Pages S497–S503**

Additional Statements: **Page S491**

Amendments Submitted: **Pages S503–63**

Authorities for Committees to Meet: **Pages S563–64**

Privileges of the Floor: **Page S564**

Record Votes: One record vote was taken today. (Total—41) **Page S464**

Adjournment: Senate convened at 12 noon and adjourned, as a further mark of respect to the memory of the late Jean A. Carnahan, former Senator for the State of Missouri, in accordance with S. Res. 553, at 6:18 p.m., until 12 noon on Friday, February 9, 2024. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S564.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported the nominations of Cara L. Abercrombie, of Virginia, Aprille Joy Ericsson, of New York, and Ronald T. Keohane, of New York, each to be an Assistant Secretary, and Douglas Craig Schmidt, of Tennessee, to be Director of Operational Test and Evaluation, all of the Department of Defense.

FSOC ANNUAL REPORT TO CONGRESS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the Financial Stability Oversight Council Annual Report to Congress, including S. 3441, to prevent Foreign Terrorist Organizations and their financial enablers, whether in currency or digital assets, from accessing financial and other institutions of the United States, and S. 3554, to amend the Financial Stability Act of 2010 to provide the Financial Stability Oversight Council with duties regarding artificial intelligence in the financial sector, after receiving testimony from Janet L. Yellen, Secretary of the Treasury.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported S. 1939, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2024 through 2028, with an amendment in the nature of a substitute.

LIQUEFIED NATURAL GAS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the administration's pause on liquefied natural gas (LNG) export approvals and the Department of Energy's process for assessing LNG export applications, after receiving testimony from David Turk, Deputy Secretary of Energy; Charlie Riedl, Center for LNG, Washington, D.C.; and James Watson, Eurogas, Brussels, Belgium.

A.I. AND HEALTH CARE

Committee on Finance: Committee concluded a hearing to examine Artificial Intelligence and Health Care, focusing on promise and pitfalls, after receiving testimony from Peter Shen, Siemens Healthineers, Washington, D.C.; Mark Sendak, Health AI Partnership, Durham, North Carolina; Michelle M. Mello, Stanford University, Stanford, California; Ziad Obermeyer, University of California, Berkeley; and

Katherine Baicker, University of Chicago, Chicago, Illinois.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Dafna Hochman Rand, of Maryland, to be Assistant Secretary for Democracy, Human Rights, and Labor, Donna Ann Welton, of New York, to be Ambassador to the Democratic Republic of Timor-Leste, and Stephan A. Lang, of Virginia, to be United States Coordinator for International Communications and Information Policy, with the rank of Ambassador, all of the Department of State, after the nominees testified and answered questions in their own behalf.

PRESCRIPTION DRUGS

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine the cost of prescription drugs, after receiving testimony from Joaquin Duato, Johnson and Johnson, New Brunswick, New Jersey; Robert M. Davis, Merck and Co., Inc., Rahway, New Jersey; Chris Boerner, Bristol Myers Squibb, Princeton, New Jersey; Peter Maybarduk, Public Citizen, Washington, D.C.; Tahir Amin, Initiative for Medicines, Access and Knowledge, New York, New York; and Darius N. Lakdawalla, University of Southern California Leonard D. Schaeffer Center for Health Policy and Economics, Los Angeles, California.

LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 2385, to provide access to reliable, clean, and drinkable water on Tribal lands, S. 2868, to accept the request to revoke the charter of incorporation of the Lower Sioux Indian Community in the State of Minnesota at the request of that Community, S. 3022, to amend the Indian Health Care Improvement Act to allow Indian Health Service scholarship and loan recipients to fulfill service obligations through half-time clinical practice, S. 2796, to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, and S. 3230, to transfer administrative jurisdiction of certain Federal lands from the Army Corps of Engineers to the Bureau of Indian Affairs, to take such lands into trust for the Winnebago Tribe of Nebraska, after receiving testimony from Melanie Anne Egorin, Assistant Secretary of Health and Human Services for Legislation; Kathryn Isom-Clause, Deputy Assistant Secretary of the Interior for Policy and Economic Development for Indian Affairs; Manuel Heart, Ute Mountain Ute Tribe, Towaoc, Colorado; Douglas G. Lankford, Miami Tribe of Oklahoma, Miami; Robert L. Larsen, Lower Sioux Indian Community in the State of Minnesota, Morton; Victoria Kitcheyan, Winnebago Tribe of Nebraska, Winnebago; and Angie Wilson, Reno-Sparks Indian Colony Tribal Health Center, Reno, Nevada.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Amir H. Ali, to be United States District Judge for the District of Columbia, Melissa R. DuBose, to be United States District Judge for the District of Rhode Island, who was introduced by Senator Reed, Sunil R. Harjani, to be United States District Judge for the Northern District of Illinois, Robert J. White, to be United States District Judge for the Eastern District of Michigan, who was introduced by Senators Stabenow and Peters, and Jasmine Hyejung Yoon, to be United States District Judge for the Western District of Virginia, who was introduced by Senator Warner and Kaine, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action

The House was not in session today. The House will meet in Pro Forma session at 10 a.m. on Friday, February 9, 2024.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D90)*

S. 3427, to extend the authority to provide employees of the United States Secret Service with overtime pay beyond other statutory limitations. Signed on February 6, 2024. (Public Law 118–38)

COMMITTEE MEETINGS FOR FRIDAY, FEBRUARY 9, 2024

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No hearings are scheduled.

Next Meeting of the SENATE

12 noon, Friday, February 9

Senate Chamber

Program for Friday: Senate will continue consideration of the motion to proceed to consideration of H.R. 815, RELIEVE Act (the legislative vehicle for the National Security Supplemental), post-cloture.

If all post-cloture debate time is used, Senate will vote on the motion to proceed to consideration of the bill at approximately 7 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m, Friday, February 9

House Chamber

Program for Friday: House will meet in Pro Forma session at 10 a.m.

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