

(G) in subsection (g), by striking “In the case where the President-elect is the incumbent President or in the case where the Vice-President-elect is the incumbent Vice President” and inserting “In the case where an apparent successful candidate for the office of President is the incumbent President or in the case where an apparent successful candidate for the office of Vice President is the incumbent Vice President”;

(H) in subsection (h)—

(i) in paragraph (2)(B)(iv), by striking “the President-elect or Vice-President-elect” and inserting “an apparent successful candidate”;

(ii) in paragraph (3)(B)(iii), by striking “the President-elect or Vice-President-elect” and inserting “an apparent successful candidate”;

(I) in subsection (i)(3)(C)—

(i) in clause (i), by striking “the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President” and inserting “the inauguration of the apparent successful candidate for the office of President as President and the inauguration of the apparent successful candidate for the office of Vice President as Vice President”;

(ii) in clause (ii), by striking “upon request of the President-elect or the Vice-President-elect” and inserting “upon request of the apparent successful candidate”;

(2) in section 4—

(A) in subsection (e)—

(i) in paragraph (1)(B), by striking “the President-elect and Vice-President-elect” and inserting “the apparent successful candidates (as determined by section 3(c))”;

(ii) in paragraph (4)(B), by striking “the President-elect is inaugurated” and inserting “the apparent successful candidate for the office of President is inaugurated”;

(B) in subsection (g)—

(i) in paragraph (3)(A), by striking “the President-elect” and inserting “the apparent successful candidate for the office of President”;

(ii) in paragraph (3)(B)(ii)(III), by striking “the President-elect” and inserting “the apparent successful candidate for the office of President”;

(3) in section 5, in the first sentence, by striking “Presidents-elect and Vice-Presidents-elect” and inserting “apparent successful candidates (as determined by section 3(c))”;

(4) in section 6—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking “The President-elect and Vice-President-elect” and inserting “Each apparent successful candidate (as determined by section 3(c))”;

(II) by striking “the President-elect or Vice-President-elect” and inserting “the apparent successful candidate”;

(ii) in paragraph (2), by striking “The President-elect and Vice-President-elect” and inserting “Each apparent successful candidate”;

(iii) in paragraph (3)(A), by striking “inauguration of the President-elect as President and the Vice-President-elect as Vice President” and inserting “inauguration of the apparent successful candidate for the office of President as President and the apparent successful candidate for the office of Vice-President as Vice President”;

(B) in subsection (b)(1)—

(i) in the matter preceding subparagraph (A), by striking “The President-elect and Vice-President-elect” and inserting “Each apparent successful candidate”;

(ii) in subparagraph (A), by striking “the President-elect or Vice-President-elect’s” and inserting “the apparent successful candidate’s”;

(C) in subsection (c), by striking “The President-elect and Vice-President-elect” and inserting “Each apparent successful candidate”;

(5) in section 7(a)(1), by striking “the President-elect and Vice President-elect” and inserting “the apparent successful candidates”.

**SA 6399.** Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** **ADDITION OF VIRGIN ISLANDS VISA WAIVER TO GUAM AND NORTHERN MARIANA ISLANDS VISA WAIVER.**

(a) IN GENERAL.—Section 212(l) of the Immigration and Nationality Act (8 U.S.C. 1182(l)) is amended to read as follows:

“(l) GUAM AND NORTHERN MARIANA ISLANDS VISA WAIVER PROGRAM; VIRGIN ISLANDS VISA WAIVER PROGRAM.—

“(1) IN GENERAL.—The requirement of subsection (a)(7)(B)(i) may be waived by the Secretary of Homeland Security, in the case of an alien applying for admission as a non-immigrant visitor for business or pleasure and solely for entry into and stay in Guam or the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, for a period not to exceed 45 days, if the Secretary of Homeland Security, after consultation with the Secretary of the Interior, the Secretary of State, and the Governor of Guam and the Governor of the Commonwealth of the Northern Mariana Islands, or the Governor of the Virgin Islands of the United States, as the case may be, determines that—

“(A) an adequate arrival and departure control system has been developed in Guam and the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States; and

“(B) such a waiver does not represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths.

“(2) ALIEN WAIVER OF RIGHTS.—An alien may not be provided a waiver under this subsection unless the alien has waived any right—

“(A) to review or appeal under this Act an immigration officer’s determination as to the admissibility of the alien at the port of entry into Guam or the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States; or

“(B) to contest, other than on the basis of an application for withholding of removal under section 241(b)(3) of this Act or under the Convention Against Torture, or an application for asylum if permitted under section 208 of this Act, any action for removal of the alien.

“(3) REGULATIONS.—All necessary regulations to implement this subsection shall be promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State. The promulgation of such regulations shall be considered a foreign affairs function for purposes of section 553(a) of title 5, United States Code. At a minimum, such regula-

tions should include, but not necessarily be limited to—

“(A) a listing of all countries whose nationals may obtain the waivers provided by this subsection; and

“(B) any bonding requirements for nationals of some or all of those countries who may present an increased risk of overstays or other potential problems, if different from such requirements otherwise provided by law for nonimmigrant visitors.

“(4) FACTORS.—In determining whether to grant or continue providing the waiver under this subsection to nationals of any country, the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, shall consider all factors that the Secretary of Homeland Security deems relevant, including electronic travel authorizations, procedures for reporting lost and stolen passports, repatriation of aliens, rates of refusal for nonimmigrant visitor visas, overstays, exit systems, and information exchange.

“(5) SUSPENSION.—The Secretary of Homeland Security shall monitor the admission of nonimmigrant visitors to Guam and the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States, under this subsection. If the Secretary determines that such admissions have resulted in an unacceptable number of visitors from a country remaining unlawfully in Guam or the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, unlawfully obtaining entry to other parts of the United States, or seeking withholding of removal or asylum, or that visitors from a country pose a risk to law enforcement or security interests of Guam or the Commonwealth of the Northern Mariana Islands, or of the Virgin Islands of the United States, or of the United States (including the interest in the enforcement of the immigration laws of the United States), the Secretary shall suspend the admission of nationals of such country under this subsection. The Secretary of Homeland Security may in the Secretary’s discretion suspend the Guam and Northern Mariana Islands visa waiver program, or the Virgin Islands visa waiver program, at any time, on a country-by-country basis, for other good cause.

“(6) ADDITION OF COUNTRIES.—The Governor of Guam and the Governor of the Commonwealth of the Northern Mariana Islands, or the Governor of the Virgin Islands of the United States, may request the Secretary of the Interior and the Secretary of Homeland Security to add a particular country to the list of countries whose nationals may obtain the waiver provided by this subsection, and the Secretary of Homeland Security may grant such request after consultation with the Secretary of the Interior and the Secretary of State, and may promulgate regulations with respect to the inclusion of that country and any special requirements the Secretary of Homeland Security, in the Secretary’s sole discretion, may impose prior to allowing nationals of that country to obtain the waiver provided by this subsection.”

(b) REGULATIONS DEADLINE.—Not later than one year after the date of the enactment of this Act, the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, shall promulgate any necessary regulations to implement the waiver provided in the amendment made by subsection (a) for the Virgin Islands of the United States.

(c) WAIVER COUNTRIES.—The regulations described in subsection (b) shall include a listing of all member or associate member countries of the Caribbean Community whose nationals may obtain, on a country-by-country basis, the waiver provided by this section, except that such regulations shall

not provide for a listing of any country if the Secretary of Homeland Security determines that such country's inclusion on such list would represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths, or would increase fraud or abuse of the nonimmigrant visa system.

(d) CONFORMING AMENDMENTS.—

(1) DOCUMENTATION REQUIREMENTS.—Section 212(a)(7)(B)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(7)(B)(iii)) is amended to read as follows:

“(iii) SPECIAL VISA WAIVER PROGRAMS.—For a provision authorizing waiver of clause (i) in the case of visitors to Guam or the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, see subsection (l).”

(2) ADMISSION OF NONIMMIGRANTS.—Section 214(a)(1) of such Act (8 U.S.C. 1184(a)(1)) is amended by striking “Guam or the Commonwealth of the Northern Mariana Islands” each place such term appears and inserting “Guam or the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States”.

(e) FEES.—The Secretary of Homeland Security shall establish an administrative processing fee to be charged and collected from individuals seeking to enter the Virgin Islands of the United States in accordance with section 212(l) of the Immigration and Nationality Act (8 U.S.C. 1182(l)), as amended by this Act. Such fee shall be set at a level that will ensure recovery of the full costs of such processing, any additional costs associated with the administration of the fees collected, and any sums necessary to offset reduced collections of the nonimmigrant visa fee or the electronic travel authorization fee that otherwise would have been collected from such individuals.

**SA 6400.** Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. \_\_\_\_ . PILOT PROGRAM ON RESEARCH AND DEVELOPMENT OF PLANT-BASED PROTEIN FOR THE NAVY.**

(a) ESTABLISHMENT.—Not later than March 1, 2023, the Secretary of the Navy shall establish and carry out a pilot program to offer plant-based protein options at forward operating bases for consumption by members of the Navy.

(b) LOCATIONS.—Not later than March 1, 2023, the Secretary shall identify not fewer than two naval facilities to participate in the pilot program and shall prioritize facilities (such as Joint Region Marianas, Guam, Navy Support Facility, Diego Garcia, and U.S. Fleet Activities Sasebo, Japan) where livestock-based protein options may be costly to obtain or store.

(c) AUTHORITIES.—In establishing and carrying out the pilot program under subsection (a), the Secretary of the Navy may use the following authorities:

(1) The authority to carry out research and development projects under section 4001 of title 10, United States Code.

(2) The authority to enter into transactions other than contracts and grants under section 4021 of such title.

(3) The authority to enter into cooperative research and development agreements under section 4026 of such title.

(d) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to prevent offering livestock-based protein options alongside plant-based protein options at naval facilities identified under subsection (b).

(e) TERMINATION.—The requirement to carry out the pilot program established under this section shall terminate three years after the date on which the Secretary establishes the pilot program required under this section.

(f) REPORT.—Not later than one year after the termination of the pilot program, the Secretary shall submit to the appropriate congressional committees a report on the pilot program that includes the following:

(1) The consumption rate of plant-based protein options by members of the Navy under the pilot program.

(2) Effective criteria to increase plant-based protein options at naval facilities not identified under subsection (b).

(3) An analysis of the costs of obtaining and storing plant-based protein options compared to the costs of obtaining and storing livestock-based protein options at selected naval facilities.

(g) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) The term “plant-based protein options” means edible vegan or vegetarian meat alternative products made using plant and other non-livestock-based proteins.

**SA 6401.** Mr. BOOKER (for himself, Mr. PORTMAN, Mr. TILLIS, Mr. Kaine, Mr. KING, Mr. BLUNT, Ms. HIRONO, Mrs. CAPITO, Ms. MURKOWSKI, Ms. COLLINS, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . ELIMINATION OF INCREASED PENALTIES FOR COCAINE OFFENSES WHERE THE COCAINE INVOLVED IS COCAINE BASE.**

(a) CONTROLLED SUBSTANCES ACT.—The following provisions of the Controlled Substances Act (21 U.S.C. 801 et seq.) are repealed:

(1) Clause (iii) of section 401(b)(1)(A) (21 U.S.C. 841(b)(1)(A)).

(2) Clause (iii) of section 401(b)(1)(B) (21 U.S.C. 841(b)(1)(B)).

(b) CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.—The following provisions of the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) are repealed:

(1) Subparagraph (C) of section 1010(b)(1) (21 U.S.C. 960(b)(1)).

(2) Subparagraph (C) of section 1010(b)(2) (21 U.S.C. 960(b)(2)).

(c) APPLICABILITY TO PENDING AND PAST CASES.—

(1) PENDING CASES.—This section, and the amendments made by this section, shall apply to any sentence imposed after the date of enactment of this Act, regardless of when the offense was committed.

(2) PAST CASES.—In the case of a defendant who, before the date of enactment of this Act, was convicted or sentenced for a Federal offense involving cocaine base, the sentencing court may, on motion of the defendant, the Bureau of Prisons, the attorney for the Government, or on its own motion, impose a reduced sentence after considering the factors set forth in section 3553(a) of title 18, United States Code.

**SA 6402.** Mr. BOOKER (for himself, Mrs. GILLIBRAND, Mr. MENENDEZ, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 5499 submitted by Mr. REED (for himself and Mr. INHOFE) and intended to be proposed to the bill H.R. 7900, to authorize appropriations for fiscal year 2023 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

**SEC. 10 \_\_\_\_ . NEW YORK-NEW JERSEY WATERSHED PROTECTION.**

(a) DEFINITIONS.—In this section:

(1) APPROVED PLAN.—

(A) IN GENERAL.—The term “approved plan” means any plan for management of the Watershed—

(i) that has been approved by a Federal, regional, State, Tribal, or local governmental entity, including State Wildlife Action Plans, Comprehensive Conservation Management Plans, and Watershed Improvement Plans; or

(ii) that is determined by the Secretary, in consultation with the entities described in clause (i), to contribute to the achievement of the purposes of this section.

(B) INCLUSIONS.—The term “approved plan” includes—

(i) the New York-New Jersey Harbor & Estuary Program (HEP) Action Agenda;

(ii) the Hudson Raritan Comprehensive Restoration Plan;

(iii) the Hudson River Comprehensive Restoration Plan;

(iv) the Hudson River Estuary Program Action Agenda;

(v) the Mohawk River Action Agenda;

(vi) the Sustainable Raritan River Initiative Action Plan;

(vii) the Lower Passaic and Bronx & Harlem Federal Urban Waters Partnership Workplans;

(viii) the New Jersey Sports and Exhibition Authority Meadowlands Restoration Plan; and

(ix) such other conservation projects in the region that achieve the purposes of this section, as determined by the Secretary.

(2) ENVIRONMENTAL JUSTICE.—The term “environmental justice”, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies, means the fair treatment and meaningful involvement of all people, regardless of race, color, national origin, or income.

(3) FOUNDATION.—The term “Foundation” means the National Fish and Wildlife Foundation.