''(iii) the abrogation of existing collective bargaining agreements; or

''(iv) the failure of the taxpayer to remain neutral in any union organizing effort.''.

(C) CONFORMING AMENDMENTS.—

(i) Section 50(a)(5) of the Internal Revenue Code of 1986, as redesignated by the preceding provisions of this Act, is amended—

(I) by striking ''or any applicable transaction to which paragraph (3)(A) applies'' and inserting ''any applicable transaction to which paragraph (3)(A) applies, or any prohibited transaction to which paragraph (4) applies'', and

(II) by striking ''or applicable transaction'' and inserting '', applicable transaction, or prohibited transaction''.

(ii) Section 50(a)(7)(C) of such Code, as amended and redesignated the preceding provisions of this Act, is amended by striking ''or (3)'' and inserting ''(3), or (4)''.

(iii) Section 1371(d)(1) of such Code, as amended by this Act, is amended by striking ''section 50(a)(5)'' and inserting ''section 50(a)(6)''.

SA 5146. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. OFFSET OF COSTS USING UNOBLIGATED FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021 AND THE CARES ACT.

(a) DEFINITION.—In this section, the term ''total cost of this Act'' means the sum, as determined by the Director of OMB, of the amounts appropriated under any division of this Act or an amendment made by any division of this Act and the amounts authorized to be appropriated under any division of this Act or an amendment made by any division of this Act.

(b) RESCISSIONS.—Effective on the date of enactment of this Act, there is rescinded, on a pro rata basis—

(1) of the unobligated balances made available under the American Rescue Plan Act of 2021 (Public Law 117–2; 135 Stat. 4), the amount necessary to reduce the total amount of such unobligated balances by an amount equal to the total cost of this Act; and

(2) if the unobligated balances described in paragraph (1) are less than the total cost of this Act, of the unobligated balances made available under the CARES Act (Public Law 116–136; 134 Stat. 281), the amount necessary to reduce the total amount of such unobligated balances by an amount equal to the difference between the amount rescinded under paragraph (1) and the total cost of this Act.

SA 5147. Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, lines 9 and 10, strike ''or semiconductor manufacturing equipment'' and insert ''semiconductor manufacturing equipment, or substantial or essential components of semiconductor manufacturing equipment''.

On page 34, lines 5 and 6, strike ''or semiconductor manufacturing equipment'' and insert ''semiconductor manufacturing equipment, or substantial or essential components of semiconductor manufacturing equipment''.

SA 5148. Mr. SCHUMER proposed an amendment to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

At the end add the following:

SEC. EFFECTIVE DATE

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 5149. Mr. SCHUMER proposed an amendment to amendment SA 5148 proposed by Mr. SCHUMER to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

On page 1, line 3, strike ''1 day'' and insert ''2 days''.

SA 5150. Mr. SCHUMER proposed an amendment to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

At the end add the following:

SEC. EFFECTIVE DATE.

This Act shall take effect on the date that is 3 days after the date of enactment of this Act.

SA 5151. Mr. SCHUMER proposed an amendment to amendment SA 5150 proposed by Mr. SCHUMER to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

On page 1, line 3, strike ''3'' and insert ''4''.

SA 5152. Mr. SCHUMER proposed an amendment to amendment SA 5151 proposed by Mr. SCHUMER to the amendment SA 5150 proposed by Mr. SCHUMER to the bill S. 3373, to improve the Iraq and Afghanistan Service Grant and the Children of Fallen Heroes Grant; as follows:

On page 1, line 3, strike ''4'' and insert ''5''.

SA 5153. Mr. MANCHIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

On page 790, on line 4, insert ''In selecting recipients, the Secretary shall consider for prioritization severely distressed eligible areas, in addition to other factors.'' after ''recipients.''

SA 5154. Mrs. CAPITO (for herself, Mr. WICKER, Mr. TILLIS, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 776, strike line 18 and all that follows through page 790, line 4.

SA 5155. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 5135 proposed by Mr. SCHUMER to the bill H.R. 4346, making appropriations for Legislative Branch for the fiscal year ending September 30, 2022, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 40, strike line 5 and all that follows through line 23 on page 42, and insert the following:

''(ii) UPDATES.—

''(I) APPROPRIATE CONGRESSIONAL COMMITTEES.—For purposes of this clause, the term 'appropriate congressional committees' means—

''(aa) the Committee on Commerce, Science and Transportation, the Select Committee on Intelligence, and the Committee on Armed Services of the Senate; and

''(bb) the Committee on Energy and Commerce, the Permanent Select Committee on Intelligence, and the Committee on Armed Services of the House of Representatives.

''(II) IN GENERAL.—Subject to subclause (III), not later than 2 years after the date of enactment of the CHIPS Act of 2022, and not less frequently than once every 2 years thereafter for the 8-year period after the last award under this section is made, the Secretary, after public notice and an opportunity for comment and if applicable and necessary, shall issue a public notice identifying any additional semiconductor technology included in the meaning of the term 'legacy semiconductor' under clause (i).

''(III) NOTICE TO THE APPROPRIATE CONGRESSIONAL COMMITTEES.—

''(aa) NOTICE.—Not later than 10 days after the Secretary determines that any additional semiconductor technology should be included in the meaning of the term 'legacy semiconductor' under clause (i) and before the Secretary issues the initial public notice described in subclause (II), the Secretary—

''(AA) shall notify the appropriate congressional committees of that determination; and

''(BB) shall not issue the initial public notice described in subclause (II) unless each of the appropriate congressional committees affirmatively agrees in writing in accordance with item (bb) to the proposed inclusion of the additional semiconductor technology in the meaning of the term 'legacy semiconductor'.

''(bb) AGREEMENT.—Upon receipt of a notice described in item (aa) by an appropriate congressional committee, the appropriate congressional committee—

''(AA) shall review the notice; and

''(BB) if the appropriate congressional committee agrees to the inclusion, not later than 30 days after the date of receipt of the notice, shall submit to the Secretary a written affirmative agreement that the relevant additional semiconductor technology should be included in the meaning of the term 'legacy semiconductor'.

''(iii) FUNCTIONS OF THE SECRETARY.—The functions of the Secretary under this paragraph shall not be subject to sections 551, 553 through 559, and 701 through 706 of title 5, United States Code.

''(iv) CONSULTATION.—In carrying out clause (ii), the Secretary shall consult with the Director of National Intelligence and the Secretary of Defense.

''(v) CONSIDERATIONS.—In carrying out clause (ii), the Secretary shall consider—

''(I) state-of-the-art semiconductor technologies in the United States and internationally, including in foreign countries of concern; and

''(II) consistency with export controls relating to semiconductors.