United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166 WASHINGTON, THURSDAY, JUNE 25, 2020 *No. 117*

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. CUELLAR).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 25, 2020.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

MAKING OUR COUNTRY SAFER FOR BLACK AMERICANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. BROWN) for 5 minutes.

Mr. BROWN of Maryland. Mr. Speaker, I am a Black man living in America, and that puts me at greater risk while living in America.

The fact that I served 30 years in the United States Army, an institution that prides itself on being colorblind, doesn't change the fact that I am Black and at greater risk.

The fact that I graduated from a good school with honors doesn't change the color of my skin and the risk of living in America.

That I attended Harvard Law School and practiced law at a blue-chip firm in Washington, D.C., doesn't change the fact that my family is from Africa and that we are at greater risk, even today, in America.

Even being a Member of this august institution, the United States Congress, doesn't shield me from the risks of being Black in America.

Mr. Speaker, 401 years after we arrived in bondage, a Black man in America is more likely to be stopped by the police than a White man. Mr. Speaker, 155 years after the signing of the Emancipation Proclamation, a Black man is more likely to be arrested than a White man.

Mr. Speaker, within my own lifetime of witnessing the first Black man appointed to the Supreme Court; the first Black woman elected to the United States Senate; the first Black man appointed chairman of the Joint Chiefs of Staff; and, yes, the Black first man elected President of the United States, a Black man is still much more likely than a White man to die at the hands of police.

Every day for the past 10 years, Mr. Speaker, I, like every parent of a Black child, remind my Black boys, my sons, to be careful: Put your hands in plain sight if approached by an officer. Don't move suddenly when being questioned by the police. Be sure to ask permission before reaching for your wallet. And always respond to police rudeness with respect.

I do that because I don't want my children, anyone's Black child, to be harmed by the use of excessive force. I don't want them to be the victim of a police-involved shooting. They are good boys, and too many good boys, too many good men, Black men living in America, have died at the hands of police in America.

So today, Mr. Speaker, I rise to say: Enough. We have endured too much, and the Congress has done too little.

Today, Mr. Speaker, I rise in support of the Justice in Policing Act. I thank my colleagues on the Congressional Black Caucus, former and present, who have worked on these issues for far too long. I thank House leadership for bringing the bill to the floor so that we can once and for all bring an end to the injustice that is inflicted by those who we look to as the first line of justice.

Mr. Speaker, systemic racism pervades our society, and the criminal system, from police encounters to punishment, is racially biased.

This requires structural and transformational change in policing in America: reducing militarization; removing bad officers; holding them accountable for illegal behavior and gross misconduct; improving training so officers are guardians and protectors of our communities, not warriors acting aggressively toward our communities; increasing transparency and the ability to investigate and prosecute, where necessary; banning the chokehold; and outlawing racial profiling. But that is not enough.

As we work in these days, weeks, and months ahead, we have to acknowledge that, for far too long, we have neglected policies and programs that meet the needs of our communities, and we need to address the structural disparities heard in Black and Brown families. Instead of criminalizing homelessness, addiction, poverty, and, yes, being Black, we need to make the investments that will keep us safe and address the inequities that exist in our country.

Today, Mr. Speaker, we will pass the Justice in Policing Act. But tomorrow, we must take on other challenges: economic opportunity, mental health, housing, pre-K, health disparities.

In this moment, we have a chance to not just transform policing but make

our entire country more just and safer for Black Americans and every American.

PASS BIPARTISAN LAW ENFORCEMENT REFORM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Alabama (Mr. BYRNE) for 5 minutes.

Mr. BYRNE. Mr. Speaker, I have spoken out against racism from this floor before, but under the present regrettable circumstances, I feel compelled to do so again.

All of us are created in the image of God and are of equal and inestimable moral worth—all of us. There are no exceptions. Both St. Peter and St. Paul spoke out against prejudice. Our Declaration of Independence states plainly that we are all created equal. Our laws require equality of treatment and opportunity.

It is a fact that we betrayed this ideal when our country was founded when we tolerated slavery, an immoral human practice, which in this country was carried out by Whites against Blacks. It took nearly 90 years after our founding to erase this blot when we passed the 13th Amendment. It also took a civil war, which cost 600,000 lives.

Even then, we didn't grant Black people true equality. For the next 100 years, they endured Jim Crow laws in the South, de facto segregation in the rest of the country, violence, and inequality in everything from schools to jobs.

They had to win equality for themselves by bravely marching, protesting, and using every peaceful method they could find in the civil rights movement. They gradually won key court cases. And, finally, this House and the Senate passed the 1964 Civil Rights Act and, in 1965, the Voting Rights Act.

But laws don't change hearts, and we are still walking the path toward ridding this Nation of the scourge of racism. As I have watched COVID work its will in my district, I have been distraught to see the disproportionate effect on the health and lives of the one-third of my constituents who are Black—on Black workers and business owners who suddenly, and through no fault of their own, lost their jobs and their businesses, and on Black children who lost months of their education, which they badly need.

The chief of police in Mobile, the urban center of my district, is Lawrence Battiste, a 27-year veteran of law enforcement and, yes, a Black man. We had a Sunday afternoon of protests a few weeks ago, and I watched as he and the officers under his direction carried out their duties with professionalism and character.

''Character.'' I use that word because it is so important right now and because I have long admired Dr. King's statement that we shouldn't be judged by the color of our skin but by the content of our character.

I am proud of Chief Battiste and his officers, but they aren't the only professionals performing their duties under extraordinarily difficult circumstances and with character. There are many, many law enforcement officers around this country who are truly public servants, and they deserve our respect and our support.

We, in this House, can disagree on the appropriate policies to pursue to achieve justice and right the wrong of continuing inequality. But there is no disagreement that racism is wrong, is morally repugnant. There is also no disagreement that doing nothing in the face of continuing racism isn't acceptable.

We, in this House, need to work together, not in parallel partisan efforts. This House came together to pass the CARES Act earlier this year. Surely, we can come together to pass meaningful and bipartisan law enforcement reform legislation that will actually go to the President and become law.

I wish we would address more funding for community health centers so poor people, and especially people of color, would have better access to primary care, which would help equalize health outcomes. I also wish we would take up education choice legislation, like Education Freedom Scholarships so that minority children have the same opportunities for a quality education as their peers from families with the means to pay for better schools.

We are capable of so much more in this country, but only if we remember the one stated purpose of our Constitution is to create a more perfect union. That is not a one-and-done thing; it is a generation-after-generation thing.

It is time to unite in this body and do the hard work of this generation. Let's do it for the Lawrence Battistes out there. Let's do it for our children and grandchildren. And let's do it because that will reveal the content of our national character, which is far more important than the color of our skin.

CALLING FOR DEPARTMENT TO ADDRESS RACISM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN of Texas. Mr. Speaker, and still I rise, and I rise because I love my country.

I rise because the winds of change are blowing across America. The winds of change are blowing through this House of Representatives. There will be changes in this House, and these changes are taking place because we are not respecting the will of the people. The people are speaking to us, and we must listen. The winds of change are blowing.

We have an opportunity to do more than talk about invidious discrimination. We have an opportunity to do more than talk about racism. We have an opportunity to do something that can change the course of history.

H. Res. 992 addresses the change that we need.

To my dear brother who just spoke, I would have you sign on to H. Res. 992. It would provide a department of reconciliation. Yes, the Emancipation Proclamation was not a declaration of reconciliation. It is time for us to reconcile.

We have survived slavery, but we didn't reconcile. We have survived Jim Crow's laws and Bull Connor's dogs, but we didn't reconcile. It is time to reconcile.

All the commissions are fine, and I support them, but a department that reports directly to the President of the United States of America is in order. We need a secretary of reconciliation, someone who wakes up every morning with his mission of reconciling by way of developing a strategy and implementing a strategy to eliminate racial segregation as it exists in many places still, but racism, more specifically, and invidious discrimination.

Every day, invidious discrimination and racism will be addressed. This is the means by which we can also get updates on progress.

We can institutionalize a methodology by which we can realize true racial reform in this country, racial equity, as it were. This department would have as its mission to eliminate discrimination against all the protected classes. The secretary of reconciliation will report to Congress twice a year and explain the progress that is being made, or lack thereof.

This department would be funded with a minimum of 10 percent, or the equivalent of 10 percent of what the Defense Department's budget is, a minimum of 10 percent of the equivalent of the Defense Department's budget. We know that the Defense Department's budget will be funded; that means that the department of reconciliation will be funded.

Those who do not recognize the winds of change, those who believe that we can go back to bigotry as usual, you are mistaken. This resolution is a means by which we can send a message to all Americans that we understand that the time has come for change. Now is the time to bring about the change by way of a department of reconciliation.

I close with this. We don't have to listen, but I guarantee you we will feel the effects of not listening. The winds of change are blowing through this House of Representatives.

□ 0915

CELEBRATING THE LIFE OF FREDERICK DEL BUONO

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. NORMAN) for 5 minutes.

Mr. NORMAN. Mr. Speaker, I rise today to celebrate the life of a true American, Frederick Del Buono, who

was born on July 4, 1940, in Springfield, Massachusetts.

Fred attended trade school, and after completing his education, he entered the United States Navy in 1961. After boot camp, Fred was assigned to the first nuclear-powered aircraft carrier, the *USS Enterprise*, where it was ultimately deployed to Vietnam. During Frederick's time aboard the carrier, the ship crossed the equator, where he joined King Neptune's motley crew, making him an official Shellback.

Fred was honorably discharged in 1965 and continued to serve his country by joining the Navy Reserves. After 30 years of service in the United States Navy, Fred retired from the Navy Reserve Readiness Command on March 1, 1994.

Fred's work career as a civilian began with being hired by the U.S. Post Office, where he was a tractor-trailer operator for over 21 years. Fred and his family moved to Rock Hill, South Carolina, in 2007, where he joined the esteemed group of patriots known as the Rolling Thunder Chapter 1, where he served as chairman of the board for over 10 years. This group of men and women offer comfort and aid to local veterans and their families as they become integrated into their respective communities.

Fred has continued his service by becoming a member of the American Legion Post 34, where he has served as chairman of the board for the last 10 years.

Fred Del Buono is a shining example of the motto ''Service Above Self,'' and his willingness to help others will long be remembered for many years to come.

ENOUGH IS ENOUGH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. ADAMS) for 5 minutes.

Ms. ADAMS. Mr. Speaker, I rise today to speak in support of H.R. 7120, the George Floyd Justice in Policing Act.

Enough is enough. Injustice anywhere is a threat to justice everywhere. Too many of our neighbors have died at the hands of law enforcement. Valuable people, beloved people, people who were siblings and coworkers and parishioners, members of our communities, parents, children, grandchildren are now hashtags. They are household names who would have all traded that fame for just one more day, one more day with their friends, their families and loved ones.

Across this country we have learned too many names, but not as many people know their ages.

Walter Scott was 50. Tony McDade was 38. Alton Sterling was 37. Philando Castile was 32. Sandra Bland was 28. Breonna Taylor was 26. Botham Jean was 26. Freddie Gray was 25. Ahmaud Arbery was 25. Stephon Clark was 22. Michael Brown was 18. Laquan McDonald was 17. Tamir Rice was 12. Aiyana Stanley-Jones was just 7.

In Mecklenburg County in my district, we have too many names, over 50 since the year 2000, people of every race and background. Keith Lamont Scott was 43. Reuben Galindo was 29. Danquirs Franklin was 27. Clay McCall was 26. Jonathan Ferrell was 24. Darryl Turner was 17. Laquan Brown was 16.

Since January 1, 2015, at least 155 people have been shot and killed by police in my home State of North Carolina, and at least 5,428 people have been shot and killed by police across the United States.

David McAtee, 53, was killed by the Kentucky National Guard while protesting these injustices. Eric Garner, 43, and George Floyd, 46, were put in chokeholds. They begged they couldn't breathe.

Imagine how many of these killings didn't have to happen. Imagine how many years of life we could give back to these men, women, and children. Imagine what God will say to us on judgment day if we fail to act.

The George Floyd Justice in Policing Act is a first step to righting these wrongs. Importantly, the bill bans chokeholds so that a death like George Floyd's or Eric Garner's never has to happen again.

Additionally, it will force police departments nationwide to reexamine the use of chemical agents like tear gas, bringing us closer to a day when protestors exercising their constitutional right won't choke, both figuratively and literally, on injustice.

It was a tragedy that George Floyd will, in the words of Roxie Washington, never get to walk his daughter down the aisle. But like their 6-year-old daughter, Gianna, said, ''Daddy changed the world.''

So let's do right by Gianna. Let's make good on her promise of change, and let's pass the Justice in Policing Act. Let's pass it today.

RECOGNIZING CHUCK BROADWAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. SPANO) for 5 minutes.

Mr. SPANO. Mr. Speaker, I rise today to recognize the city of Clermont's police chief, Chuck Broadway, for his appointment to an important subcommittee of the Florida Police Chiefs Association.

The Subcommittee on Accountability and Societal Change aims to rebuild trust between law enforcement and communities through increased consistency, accountability, and transparency, and I know Chief Broadway will represent our district well.

As a proud supporter of law enforcement across our district and Nation, I believe it is now more important than ever to have these conversations and to bring unity and safety where fractures have emerged. That was a priority for me as a Florida State representative, and it remains a critical need today.

Each time I interact with those on the front lines, whether it is law enforcement or fire and medical personnel, I am reminded that it is because of their sacrifice that our communities live in harmony. I am grateful for those who protect, and I commend Chief Broadway for his leadership and his vision. Chief Broadway's contributions to this new group will be invaluable, just as his 24 years of service already have been.

DEFENDING THE RIGHTS OF THE UNBORN

Mr. SPANO. Mr. Speaker, I rise today as a proud Representative of Florida's 15th District to defend the rights of the unborn.

For entirely too long, our Nation has turned deaf ears and cold hearts to the most vulnerable among us. Since Roe v. Wade was enacted nearly 50 years ago, over 61 million Americans have been aborted. That is 61 million lives that will never be.

This month, I was proud to fight for the inclusion of Hyde Amendment protections in any Federal funding or tax credits that may be used to address the healthcare needs of unemployed Americans.

I also fought against Planned Parenthood and their improper application for Paycheck Protection Program funds, as well as their despicable sale of aborted body parts and fetal tissue.

This modern-day genocide must end. That is why I am proud to support President Trump's appointment of pro-life Justices to the Supreme Court, and I look forward to the day where we can finally put this atrocity behind us.

AMERICA MUST HOLD CHINA ACCOUNTABLE

Mr. SPANO. Mr. Speaker, I rise today to add my voice to the millions in our country demanding that the communist Chinese Government be held accountable for its deception regarding the coronavirus, COVID–19. China lied and Americans died. It is really that simple.

For too long, our own national leaders have looked the other way as China has taken advantage of American ingenuity and naivete. They have continually countered our interests around the world, and it is our companies and our citizens that have paid the price.

China intentionally mislead the international community about what it knew regarding the deadliest pandemic our world has seen in over 100 years. COVID–19 has since caused the deaths of over 100,000 Americans and over 9 million people worldwide.

China's complicity in this crisis has, likewise, brought ruin to economies around the globe while increasing their relative advantage, and for this they must answer. I have introduced and joined numerous legislative initiatives to do just that, and I ask my colleagues to join me to do the same.

China must and will be held accountable.

IN SUPPORT OF THE SECOND AMENDMENT

Mr. SPANO. Mr. Speaker, I rise today in strong support of our rights

under the Second Amendment, which are under continual attack.

The tragic death of George Floyd has brought to surface many important issues that demand our attention, but if there is one thing that has become clear during the subsequent weeks of social unrest, rioting, destruction, and further deaths, it is the importance of being able to protect ourselves, our families, our homes, and our businesses.

For far too long, gun-grabbing policies at the State and local levels across our Nation have targeted our ability and our right to defend ourselves. Now, as the idea of autonomous and police-free zones gain momentum, law-abiding citizens must retain the ability to protect their loved ones and their way of life.

Gun control and censorship always proceed tyranny; just ask our neighbors in Venezuela. But the citizens of Florida's 15th District will have none of it, nor will I. The Constitution is clear, and the events of this spring and summer are foreboding. We must retain the right to protect ourselves.

LET'S MAKE OUR GRANDCHILDREN PROUD

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Ms. UNDERWOOD) for 5 minutes.

Ms. UNDERWOOD. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act and to call upon my colleagues to cast a vote today that will make their grandchildren proud.

Our Nation is facing a critical moment of reckoning. We consider hundreds of important bills in this Chamber every year, but it is not every day that tens of thousands of Americans take to the streets in the middle of a deadly pandemic to demand our attention, and so I want you to pay attention.

We are here today to vote on the George Floyd Justice in Policing Act, but not just because one police officer pressed his knee into a handcuffed Black man's neck for over 8 minutes. We are here to vote on this bill because, during those 8 minutes, three other officers stood by and because the man who killed George Floyd had 18 prior complaints against him, and yet he was still allowed to wear a badge that should signify a community's trust.

We are here today because Black lives matter. We are here because Rayshard Brooks and Tony McDade and Breonna Taylor and Stephon Clark and Deborah Danner and Philando Castile and Natasha McKenna and Tamir Rice and Laquan McDonald and Eric Garner and Aiyana Stanley-Jones and so many others are not here—because their lives matter.

We are here because police kill 1,000 Americans every year, which indicates a system so profoundly broken that it cannot be fixed by simply tinkering around the edges. We are going to pass this bill today to create stronger systems of transparency and accountability in policing across this country.

But just as our problems with policing run deeper than the actions of a few officers in Minneapolis, the fractures in our country demand more from us than police reform. It is not police reform alone that has brought people out into the streets in the middle of a pandemic that disproportionately kills people of color. What is called for in this moment is the courageous and comprehensive reckoning with racism in America past, present, and future. It is Congress' job to deliver policy that answers the call for this transformation.

I am the first person of color that Illinois' 14th District has sent to D.C. to serve them in this Chamber. I co-founded the Black Maternal Health Caucus and recently introduced a package of Black maternal health bills because, here in the United States where we spend more money on healthcare than any other country in the world, the risk of a pregnancy-related death for Black women is three to four times higher than for White women. These women's deaths are preventable, and their lives matter.

We need to ban chokeholds and end no-knock warrants for drug charges, and I am proud that this bill does just that. But after we do, Black households will still own one-tenth of the wealth of White households. We must reform qualified immunity, and when we do, this pandemic will still take the lives and our jobs at staggering rates.

Let's pass this bill, and then let's keep going because there is much more work to be done to meaningfully address the many inequalities in health, education, economic status, justice, and safety that Black people in this country have faced for centuries.

At this pivotal moment in our Nation's effort to confront its own history, I urge my colleagues to make choices that rise to the gravity of the situation and our responsibility to the American people. It is long past time to bend this arc towards justice in policing and beyond.

□ 0930

CONGRATULATING JULIA HAMBLEN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise today to congratulate Julia Hamblen of Shelbyville, Indiana, on her new role as Indiana FFA President.

A 2020 graduate of Shelbyville High School, Julia will be taking a gap year so she can serve as President of the Indiana FFA before attending Purdue University to study ag education.

Congratulations, Julia. You are a true role model to so many students and you are making the Sixth District proud.

CONGRATULATIONS TO PRECISE TOOLING SOLUTIONS

Mr. PENCE. Mr. Speaker, I rise today to congratulate Precise Tooling Solutions for winning the 2020 MoldMaking Technology Leadtime Leader Award.

Based in my hometown of Columbus, Indiana, Precise Tooling strives to create a ''Team First'' working environment that leads with customers and quality.

I congratulate my friend, Don Dumoulin, and the Precise Tooling team on this tremendous accomplishment.

SUPPORTING RURAL COMMUNITIES' NEED FOR BROADBAND SERVICE

Mr. PENCE. Mr. Speaker, I rise today to urge my colleagues to support rural communities during this difficult time.

Last week at the Transportation and Infrastructure Committee markup of NANCY PELOSI's infrastructure bill, I offered two commonsense amendments to enhance broadband in rural districts.

I was disappointed that the Democrats rejected these attempts to bring the benefits of broadband service to the remote areas of our country, especially during the COVID–19 pandemic.

It is critical that every family in America have access to broadband internet connection, no matter their ZIP Code.

Mr. Speaker, I urge my colleagues to support the inclusion of rural America in future legislation, because it is our duty to keep America connected for generations to come.

SUPPORTING HOOSIER LAW ENFORCEMENT

Mr. PENCE. Mr. Speaker, I rise today to show my support for law enforcement in the Hoosier State and all across America.

Hoosier law enforcement officers keep our families and loved ones safe, and they deserve our support.

I 100 percent oppose defunding the police and limiting qualified immunity. It is absolutely the wrong thing to do.

I support the President's executive order on Safe Policing for Safe Communities, and I believe the right steps are being made to protect our communities.

Mr. Speaker, I thank all the men and women who wear a badge to protect and keep our country safe.

SHOWING UP TO WASHINGTON, D.C.

Mr. PENCE. Mr. Speaker, I rise today to urge my colleagues on both sides of the aisle to show up here in Congress to work for the American people.

Nurses, doctors, first responders, food supply workers, and so many others are showing up to work every day. Why is the House of Representatives not doing the same?

I am here working on behalf of the people of Indiana's Sixth District, and I will always do so by showing up in Washington, D.C.

It is time for the House to show up right here in this Chamber.

AMERICANS MARCHED TO DEFEND OUR FOUNDING PROMISE OF EQUALITY FOR ALL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. CASTEN) for 5 minutes.

Mr. CASTEN of Illinois. Mr. Speaker, I rise in support of the George Floyd Justice in Policing Act.

In the weeks since Mr. Floyd's murder, over 25 million Americans have marched to defend our founding promise of equality for all.

Mr. Speaker, I thank all those who marched. Their demands for equality have made today possible. I am proud to be a citizen of a country where so many of my fellow citizens are forcing that arc of history to bend a little faster towards justice.

Mr. Speaker, I also want to thank them all for reminding us of how far we still have to go.

No justice, no peace; because a country founded on the rule of law cannot guarantee peace if that law does not apply equally to all.

Black lives matter; because we still live in a country where the health, wealth, and social disparities between the races make equality anything but a self-evident truth.

Say their names; because the victims, they are not just Black bodies. They were human beings with families and dreams, talents, and flaws.

In a truly colorblind world, the only thing that all these victims would have in common, really in common, is that they shouldn't be dead.

We are not going to end systemic racism today, but we do have the opportunity to correct just a few of our sins, the opportunity to end chokeholds, the opportunity to end no-knock warrants, to make lynching a Federal crime—can you believe we haven't done that yet?—the opportunity to hold police departments to the same standards of equality and fair play that all other employers do.

Mr. Speaker, I implore my colleagues on both sides of the aisle, please, please, please vote ''yes'' on this bill, not because it means our work is done, not because it means that we are going to end systemic racism, not because what needs to be done is synonymous with a bill that can pass this body in the Senate and get the President's signature.

Vote ''yes'' on this bill so that you can tell your children that George and Breonna and Tamir—Tamir Rice, who would have turned 18 today—and Trayvon, and Amadou, and Ahmaud, and Emmett, and so many others, vote ''yes'' so that you can tell your children that they did not die in vain.

RICHARD BARBER: MAN OF THE YEAR

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. KUSTOFF) for 5 minutes.

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today to recognize a really fine man, Richard Barber from Jackson, Tennessee.

Richard runs the Aspell Recovery Center in Jackson, and he was recently honored as the Jackson Exchange Club's Man of the Year, a title very much deserved.

I first met Richard through a really good friend of mine, Dr. Ron Kirkland. Ron is a board member of Aspell and wanted me to see the great work that Aspell does in Jackson and the west Tennessee community, treating, mentoring, and loving those who need it the most. Most of the staff members working at Aspell have also traveled the path to recovery.

Richard Barber has been a strong leader in the community, and he has a true commitment to helping those in need.

I have seen firsthand how hard Richard has worked to make changes in the drug and rehabilitation field for those suffering from addiction.

Richard has literally changed lives through Aspell, where he was instrumental in the development of two new expansions: A Mother's Love in Humboldt and the Savannah/Hardin County intensive outpatient care unit.

There is no doubt that without Aspell, so many folks in west Tennessee wouldn't get the care and the wherewithal that they need to survive. Without Richard Barber, there would be no Aspell as we know it today.

Congratulations, Richard. Through your hard work and your incredible humility, you are the right pick for the Exchange Club's Man of the Year. There is no doubt that west Tennessee and the city of Jackson are better because of you.

RECOGNIZING THE BLACK DOCTORS CONSORTIUM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Pennsylvania (Ms. SCANLON) for 5 minutes.

Ms. SCANLON. Mr. Speaker, I rise today to share with you the inspiring story of a Philadelphia doctor who has gone above and beyond the call of duty in this extraordinary time to combat the disproportionate impact of COVID–19 on Black and Brown communities in my district and across the country.

As evidence mounted that Black Americans were suffering both from greater exposure to COVID–19 and from less access to testing, Dr. Ala Stanford, a board certified surgeon, was done waiting. She took the community into her own hands, as so many Black women have done when our institutions have failed them, and she recruited a group of Black healthcare workers to form the Black Doctors Consortium.

Staffed by Black doctors, med students, and nurses on their days off, the Black Doctors Consortium has spent the past few months using their own resources to test thousands of patients in church parking lots, union halls, and rec centers, going into our communities to deliver testing services where they are most needed.

The group recently received a $1 million grant to expand and plans to start testing 250 to 350 people a day.

Looking ahead, the Black Doctors Consortium plans to use their successful community-based approach to distribute COVID vaccines once they become available.

Dr. Stanford represents the very best of who we are and the leadership we so desperately need in times of crisis.

I thank Dr. Stanford and her entire group for their courage and commitment to addressing inequality with direct action.

WAKE UP, AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan (Mr. WALBERG) for 5 minutes.

Mr. WALBERG. Mr. Speaker, what in the world is happening in our God blessed country? A lengthy pandemic decimating our economy and taking over 121,00 precious American lives, followed by the horrific murder of Mr. George Floyd by a bad cop, leading to nationwide protests and demonstrations of people wanting to be heard.

Sadly, all of this has been overshadowed by the violence, looting, destruction, and lawless mayhem in America's major cities.

We have even seen weak and feckless Democrat government leaders acquiesce to anti-American warlords setting up their own countries at the expense of residents and shopkeepers.

This is taking place under the influence of shadowy, anti-American organizations and individuals. We know who they are, so I will not distinguish them by saying their names.

America is awake and willing to address major concerns.

Despite the hundreds of heroic police officers who have been injured, paralyzed, or killed just doing their jobs for us, violent punks continue hijacking the sad event that began all this foment we grieve over. Their goal is to literally tear down and destroy our history and freedoms.

America is under attack. We must wake up before it is too late. These evil forces of destruction are showing us that we can't stop them. Or can we?

John Witherspoon, a signer of the Declaration of Independence, said this: ''A republic once equally poised, must either preserve its virtue or lose its liberty.''

I don't know his position on slavery at that time, though even as a minister and President of Princeton, I am sure he had his flaws. Yet this message rings true as we view in live time our Nation's loss of virtue and liberty.

The key purpose of government is to reward the doer of good and punish the doer of evil.

Today, the forces of division and anarchy are rejecting this purpose, calling for the defunding and/or ending of police.

While Republicans are offering workable and commonsense justice reform, the Democrat leadership digs in saying ''no'' to any negotiation. Yet they continue to support or remain silent about the senseless destruction of our cities and history.

Chances are if you were to list the greatest Americans, you may think of George Washington, Teddy Roosevelt, and Ulysses Grant, men who have made tremendous positive impacts on our country, and in doing so, the entire history of humanity. Yet this week, enlightened leftists have gone after statues of these men, attempting to rewrite history and tarnish America's overwhelmingly positive legacy for humanity.

As with other humans, these men are not perfect, but none of these monuments were erected to honor their shortcomings or faults; they were erected to honor their extraordinary contributions to society.

These men are responsible for some of the most important distinctives: freedom of speech, freedom of religion, the ending of slavery, victory over the Confederacy, and conservation of America's greatest natural treasures.

Ironically, the rights these vandals and anarchists enjoy, like the right to assemble, would not be possible if not for the very men they ignorantly tear down.

Even the Lincoln Memorial was vandalized recently, the Great Emancipator, who was the first President nominated and elected by the party formed in my district in 1854 Under the Oaks in Jackson, Michigan, the Emancipation/Republican Party.

Make no mistake: this is an attack on America itself, not an attempt to make reforms or anything else the defenders of these cowardly acts may claim.

Few in the Democratic Party have spoken out against these acts, which leads me to wonder, at what point did pride in America become a partisan issue?

□ 0945

Is it because these anarchist acts are taking place in Democrat-run cities?

Is it because these are the same people that they have directed all of their so-called antipoverty, social welfare, Big-Government-will-take-care-of-you programs toward?

Or is it because Democrat leadership fears crossing the big-moneyed, sinister individuals and organizations masterminding radical societal change?

What exactly is the endgame of these attempts to erase and rewrite history? Could it be the destruction of the American idea or America itself?

I call for my colleagues, Democrat and Republican, and America-loving patriots to stand with me as proud Americans in our fight against anarchy and ignorance. May we be people who, with courage and humility, echo the words of our Framers in pledging ''our lives, our fortunes, and our sacred honor'' to defending and perfecting America.

ELEVATING VOICES OF BLACK LEADERS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Mr. Speaker, the recent killings of George Floyd, Breonna Taylor, and Rayshard Brooks by police officers have highlighted the anguish and injustices that Black communities have experienced for generations; have shook our Nation to its core; and made evident, starkly, the racial injustice in our Nation.

As we watch the unrest, as we hear the pain, it is imperative we ask ourselves: What are we doing about it?

It is more important than ever that we have the difficult but necessary conversations to address racially targeted excessive use of force and racial profiling by police who do not follow their own professional code of conduct. There must be dialogue. There must be a humble willingness to listen, reflect, and come together to make change.

In the last few weeks, that is exactly what we have done in my district, in California's 36th. Over the past few weeks, I held listening sessions and roundtables to elevate the voices and experiences of leaders in the Black community. They shared their stories, perspectives, and recommendations for change.

I also convened an important dialogue between African-American leaders and our local police chiefs. Our local police chiefs have come to the table with open ears and a willingness to be part of that change that we seek.

These conversations were impactful and productive. We outlined next steps, steps like banning choke holds, expanding the use of body cameras, increasing transparency and accountability, increasing community engagement, and annual mental health wellness checks for police officers.

I am encouraged by the progress, and I look forward to the hard work that will lead to real change in our community, change that will move our community and Nation from internalizing despair to externalizing hope and action for change.

SUPPORTING ACA ENHANCEMENT

Mr. RUIZ. Mr. Speaker, as an emergency physician, I have seen the faces of failed healthcare policies. I have looked into the eyes of the suffering when they couldn't afford care. I have cried with families who have lost a loved one, knowing it could have been prevented with routine care if only they had health insurance.

Even now, I have gone into hard-to-reach and high-risk communities and personally conducted COVID–19 testing, watching the health inequities and disparities play out in real time, seeing disproportionately higher rates of transmission and deaths in low-income, uninsured, Latino, farmworker, and the homeless communities.

As a physician and humanitarian, I find it unconscionable, repulsive, that during a global pandemic, while millions are infected by COVID–19 and millions more are unemployed and struggling economically, that the Trump administration is actively working to repeal the Affordable Care Act through the Supreme Court.

Repealing the ACA would be a disaster, leading to millions of families facing financial hardships and many, many more deaths from COVID–19.

Repealing the ACA would eliminate protections for people with preexisting conditions, the very same conditions that render a person more likely to die from COVID–19.

Repealing the ACA would take away health insurance from millions of Americans who, for the first time, have health insurance because of the Medicaid expansion.

It is precisely during this time that we must work to expand healthcare access and make it affordable, which is what H.R. 1425, the Patient Protection and Affordable Care Enhancement Act, would do.

It is precisely now that we need to lower healthcare premiums for middle-class families, encourage States to expand Medicaid, strengthen protections for preexisting conditions, and lower the cost of prescription drugs.

I support this bill for the people, and I will continue fighting for the people to make healthcare more accessible and affordable for the people.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 49 minutes a.m.), the House stood in recess.

□ 1000

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CARSON of Indiana) at 10 a.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Lord of us all, thank You for giving us another day.

With the House back at the Capitol, we ask Your protection on them and all who work for and with them in their important work. The ravages of the coronavirus are spreading still in various sections of our Nation, sections from which Members have returned to gather here.

Bless and inspire those who labor to bring treatments and cures to those suffering from and threatened by COVID–19.

In these days, pour forth Your spirit of wisdom and insight that Members from all the corners of our country can find reform solutions for peacekeeping in our communities. Americans everywhere know that love and respect, rather than fear and force, must be the basis of our commonweal.

Bless the people's House, collectively and each Member, and may all that is done be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 4(a) of House Resolution 967, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Virginia (Ms. WEXTON) come forward and lead the House in the Pledge of Allegiance.

Ms. WEXTON 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

POLICE REFORM

(Ms. WEXTON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WEXTON. Mr. Speaker, the horrifying murder of George Floyd awoke the conscience of America to a generations-old system of racial injustice. Since then, Americans—led mostly by young people—in all 50 States and in every part of my district have taken to the streets to demand action, and that gives me hope.

The Justice in Policing Act is an important step towards real change. This bill will implement meaningful reforms to increase transparency and accountability in policing: banning chokeholds, stopping no-knock warrants, establishing new standards for policing, combating racial profiling, reforming qualified immunity, and much more.

As a former prosecutor and defense attorney, I have witnessed firsthand the unequal application of justice toward Black Americans, and I know more needs to be done. But the Justice in Policing Act provides concrete legislative solutions that will help reform a deeply unequal system of policing right now.

I urge my colleagues on both sides of the aisle to support this bill today. What we are witnessing is a once-in-a-generation call to action. Let's not fail to answer the call.

KALEB FARMERY ACADEMY NOMINATION

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to congratulate Kaleb Farmery of Marion Center, Indiana County, Pennsylvania, for accepting a fully qualified appointment to the United States Air Force Academy.

Kaleb is the son of Wyatt and Jessica Farmery and a senior at Marion Center High School. During his time in school, Kaleb was involved with the Air Force Junior ROTC and Future Business Leaders of America.

Kaleb is a salutatorian of his senior class. Throughout his time in school, Kaleb has served as class president, a senior patrol leader in the Boy Scouts, and as both a chapter and region president of FBLA.

Kaleb has committed his time as a student to service and academic excellence. His drive and determination will serve him well as he embarks on this exciting new chapter with the United States Air Force Academy.

COVID–19 IN PENNSYLVANIA NURSING HOMES

(Mr. SMUCKER asked and was given permission to address the House for 1 minute.)

Mr. SMUCKER. Mr. Speaker, I rise today to ask for answers from Pennsylvania's Governor Tom Wolf and his administration, answers as to why his administration allowed COVID–19 to spread like wildfire in Pennsylvania's nursing homes, long-term care and assisted living facilities, and answers as to why he required these facilities to admit patients who tested positive for COVID–19 but couldn't be quarantined from healthy residents.

Far too many Pennsylvania seniors have died, tragically, to date, 4,476 from COVID–19. Sixty-eight percent of all deaths in Pennsylvania have occurred in these facilities.

It didn't need to be this way. Forty-five States took a far different approach.

To make matters worse, at the same time as the Pennsylvania Department of Health was enforcing this order, the Secretary of Health, Dr. Rachel Levine, had her mother removed from a personal care home and had her checked into a hotel.

Now Governor Wolf and his administration are choosing to ignore my colleagues who are members of the House of Representatives Select Subcommittee on the Coronavirus Crisis. The committee sent a letter asking for answers to these questions.

I ask the Governor to address this letter. It is important for the residents of Pennsylvania, who deserve an answer.

POLICE REFORM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as America has been shocked at the murder of George Floyd in Minneapolis, I agree with Governor Andrew Cuomo of New York that 99.9 percent of police are dedicated public servants.

Reaffirmation of appreciation of law enforcement has been provided by Senator TIM SCOTT with the Just and Unifying Solutions to Invigorate Communities Everywhere, JUSTICE, Act. This reform legislation will provide more resources and de-escalation training.

Senator SCOTT has correctly identified that the police department is a part of our community. I am grateful to cosponsor the House companion legislation, led by Congressman PETE STAUBER, a veteran police officer.

Now is the time for Republicans and Democrats to work together to restore trust in our police and reduce divisions which destroy families.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

I am grateful to Chief Andrew Richburg and Chief Dennis Tyndall.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1154

Mr. GALLEGO. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor from H.R. 1154.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

CONGRATULATING DR. RICHARD MICHEL

(Mr. ABRAHAM asked and was given permission to address the House for 1 minute.)

Mr. ABRAHAM. Mr. Speaker, I rise today to congratulate Dr. Richard Michel of Marksville, Louisiana, on his retirement after 60 years of service to his community.

Dr. Michel spent much of his career serving as both a doctor and as mayor, which earned him the title of Doctor Mayor. He was valedictorian of his high school class and attended LSU Medical School before joining the Air Force in 1957.

A cattle rancher in his spare time, Dr. Michel found himself in a hospital bed after breaking two vertebrae in his back in 1976. This was when he decided to run for public office. He was elected mayor of Marksville in 1978 and served four terms before leaving office. In 1998, he ran again to serve another three terms, for a total of 28 years as mayor of Marksville.

Please join me in congratulating Dr. Richard Michel on his lifelong career as a doctor, mayor, cattle rancher, and airman.

HAPPY BIRTHDAY, BELLA

(Mr. OLSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OLSON. Mr. Speaker, 2020 was a big year for a young lady who lives six houses from me. Her name is Isabella Johnson, Bella, to friends.

Bella had a special birthday in April. She was going to be 10 years old, but her plans for her 10th birthday changed dramatically when her school closed because of the COVID–19 pandemic crisis.

Now, her birthday may have only been with a few friends at her home—Bella is okay with that—but her mom, Juli; dad, Andy; family; and friends would not let that suffice. They would not let COVID–19 mar Bella's special day.

So around 5 o'clock on April 20, they started lining up on the street outside of my house. Then the signs came out, the horns started honking, and a parade of 30 cars crawled by Bella's house.

Bella was full of joy, as you can see.

Happy, happy, happy 10th birthday, Bella. We all love you.

HONORING LESLIE LAMAR WILKES, JR., MD

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember and honor the life of Dr. Leslie Lamar Wilkes, Jr., who went to be with the Lord on April 4.

Les and I attended church together at Wesley Monumental United Methodist Church in Savannah, Georgia, and he was always a devoted member who took every opportunity he could to serve for over 40 years.

He was born and raised in Georgia and eventually received his MD degree from the Medical College of Georgia in 1965, before becoming a surgeon for the U.S. Navy.

Dr. Wilkes was an amazing person with a true passion for the medical field, being one of the first surgeons in Georgia to perform arthroscopic knee surgery and, all in all, performed about 15,000 operations.

He received numerous accolades throughout his life, including the Savannah's Best Doctor Award numerous times, and the Georgia Medical Society awarded him the Health Care Hero Award in 2010 as well as the Lifetime Achievement Award in 2012. He was active in various medical organizations as well as community service organizations, like the Savannah Rotary Club.

Dr. Wilkes embodied what it means to be a steadfast and humble servant. He used every area of his life to help others, including his patients, community, fellow church members, friends, family, and his country.

His family, friends, and all those impacted by him will be in my thoughts and prayers during this most difficult time.

RECOGNIZING COLONEL BRIAN LAIDLAW

(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Mr. Speaker, I rise today to recognize an exceptional Air Force leader for his outstanding service. Colonel Brian Laidlaw is the commander of the 325th Fighter Wing at Tyndall Air Force Base.

In 2018, as Hurricane Michael descended on us, Colonel Laidlaw accomplished the evacuation of Tyndall Air Force Base in just 22 hours. His decisive leadership saved over 11,000 airmen, their families, and over $21 billion in Air Force assets.

After the storm, Colonel Laidlaw personally forged the ''base of the future'' vision for rebuilding Tyndall to the President of the United States. For his outstanding leadership, the Air Force Association awarded him the Waterman Award for the single most significant contribution to the Air Force during the past year.

Colonel Laidlaw reflects the highest standards of leadership and conduct and is a credit to the United States military. I wish him and his family the best of luck as they proceed to their next assignment.

□ 1015

PROVIDING FOR CONSIDERATION OF H.R. 51, WASHINGTON, D.C. ADMISSION ACT; PROVIDING FOR CONSIDERATION OF H.R. 1425, STATE HEALTH CARE PREMIUM REDUCTION ACT; PROVIDING FOR CONSIDERATION OF H.R. 5332, PROTECTING YOUR CREDIT SCORE ACT OF 2019; PROVIDING FOR CONSIDERATION OF H.R. 7120, GEORGE FLOYD JUSTICE IN POLICING ACT OF 2020; PROVIDING FOR CONSIDERATION OF H.R. 7301, EMERGENCY HOUSING PROTECTIONS AND RELIEF ACT OF 2020; PROVIDING FOR CONSIDERATION OF H.J. RES. 90, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF RULE SUBMITTED BY OFFICE OF THE COMPTROLLER OF THE CURRENCY RELATING TO ''COMMUNITY REINVESTMENT ACT REGULATIONS''; AND FOR OTHER PURPOSES

Mr. HASTINGS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1017 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1017

Providing for consideration of the bill (H.R. 51) to provide for the admission of the State of Washington, D.C. into the Union; providing for consideration of the bill (H.R. 1425) to amend the Patient Protection and Affordable Care Act to provide for a Improve Health Insurance Affordability Fund to provide for certain reinsurance payments to lower premiums in the individual health insurance market; providing for consideration of the bill (H.R. 5332) to amend the Fair Credit Reporting Act to ensure that consumer reporting agencies are providing fair and accurate information reporting in consumer reports, and for other purposes; providing for consideration of the bill (H.R. 7120) to hold law enforcement accountable for misconduct in court, improve transparency through data collection, and reform police training and policies; providing for consideration of the bill (H.R. 7301) to prevent evictions, foreclosures, and unsafe housing conditions resulting from the COVID-19 pandemic, and for other purposes; providing for consideration of the joint resolution (H.J. Res. 90) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of the Currency relating to ''Community Reinvestment Act Regulations''; and for other purposes.

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 51) to provide for the admission of the State of Washington, D.C. into the Union. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-55, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1425) to amend the Patient Protection and Affordable Care Act to provide for a Improve Health Insurance Affordability Fund to provide for certain reinsurance payments to lower premiums in the individual health insurance market. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–56, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) three hours of debate equally divided among and controlled by the respective chairs and ranking minority members of the Committees on Education and Labor, Energy and Commerce, and Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5332) to amend the Fair Credit Reporting Act to ensure that consumer reporting agencies are providing fair and accurate information reporting in consumer reports, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill, modified by the amendment printed in part C of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.

SEC. 4. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7120) to hold law enforcement accountable for misconduct in court, improve transparency through data collection, and reform police training and policies. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part D of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) four hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit with or without instructions.

SEC. 5. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 7301) to prevent evictions, foreclosures, and unsafe housing conditions resulting from the COVID-19 pandemic, and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 6. Upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 90) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of the Comptroller of the Currency relating to ''Community Reinvestment Act Regulations''. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit.

SEC. 7. The provisions of section 125(c) of the Uruguay Round Agreements Act shall not apply during the remainder of the One Hundred Sixteenth Congress.

SEC. 8. House Resolution 967, agreed to May 15, 2020, is amended—

(1) in section 4, by striking ''July 21, 2020'' and inserting ''July 31, 2020'';

(2) in section 11, by striking ''calendar day of July 19, 2020'' and inserting ''legislative day of July 31, 2020''; and

(3) in section 12, by striking ''July 21, 2020'' and inserting ''July 31, 2020''.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. HASTINGS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Georgia (Mr. WOODALL), my friend, pending which I yield myself such time as I may consume.

Mr. Speaker, none of us know what the future holds, but my friend from Georgia has indicated that he is not going to return after this session. He and I serve actively on the Rules Committee and have gotten to know each other and share moments of frivolity, as well as serious debate. I am going to miss him. I don't know whether he and I will be in debate on another rule because we have a rotational system up there, but just in case, I wish him well in his endeavors in the future.

Mr. Speaker, during consideration of this resolution, all time yielded is for purposes of debate only.

GENERAL LEAVE

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HASTINGS. Mr. Speaker, on Wednesday, the Rules Committee met for 7½ hours and reported a rule, House Resolution 1017, providing for consideration of six measures, each under a closed rule.

For H.R. 51, the rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Reform and self-executes a manager's amendment.

For H.R. 1425, the rule provides 3 hours of debate equally divided among and controlled by the chairs and ranking minority members of the Committee on Education and Labor, Committee on Energy and Commerce, and Committee on Ways and Means, and self-executes a manager's amendment.

Mr. Speaker, for H.R. 5332, the rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services, and self-executes a manager's amendment.

For H.R. 7120, the rule provides 4 hours of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and self-executes a manager's amendment.

For H.R. 7301, the rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

For H.J. Res. 90, the rule provides 1 hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The rule provides one motion to recommit for each measure.

Lastly, the rule provides that the provisions of section 125(c) of the Uruguay Round Agreements Act shall not apply for the remainder of the Congress, and extends recess instructions, suspension authority, and same-day authority all through the legislative day of July 31, 2020.

Mr. Speaker, we come together today still struggling in the long shadow of a pandemic that has taken the lives of over 121,000 Americans. With no end in sight, and—even in my judgment—less leadership from the White House than the last time we were together, we again see cases of COVID–19 spiking across the country and in my beloved State of Florida. If ever there was a time when an occupant of the White House has so abjectly failed to meet the moment to lead us to a safer, healthier, and better future, this is it.

We must never forget one simple truth: It never had to be this way. Countless Americans never had to lose a father, a mother, brothers, sisters, grandparents, or dear friends—or even young ones.

In the long shadow cast by the ongoing devastation wrought by a pandemic that has so overwhelmingly affected communities of color, we are witnessing again and again, day in and day out, the images of Black people being brutalized by officers who have taken an oath to serve and protect. Let me make it very clear: I have friends that are police officers. All police officers are not brutal. All police officers do not conduct themselves the way that we have seen some conduct themselves.

My friends, the question is a fair one:

How much of this do you expect us to take?

How much of this would you take?

How much would you allow your children and grandchildren to take?

Reflect on that, please.

Now, I imagine many of my friends on the other side of the aisle—I heard some of it yesterday—are going to say that the George Floyd Justice in Policing bill ''doesn't do this'' and ''it could do that.'' Simply because this bill may not be the reflection of the perfect vision of all Members of this body, does not mean it is therefore unworthy of the support of Members of this body. Currently, in this place, the George Floyd Justice in Policing Act is worthy of every Member's support.

Mr. Speaker, there is another issue at the heart of achieving racial justice in this country. At the heart of ensuring that all American citizens know the liberty the Founders wrote of, and that is the cause of D.C. statehood.

The District is overwhelmingly one of people of color, and the residents have, for years, vociferously, with over 80 percent voting in the affirmative, called for D.C. statehood.

Over 700,000 Americans live in Washington, D.C. They pay Federal taxes, but do not have a say in this Chamber or the upper Chamber on how those dollars are spent. Residents of the District register for, and are subject to, the draft but have no voice in this Chamber as to whether we should declare war.

Indeed, the District has sent 200,000 brave men and women to fight for the ideals and benefits of a democracy they are denied here at home—2,000 of those gave the ultimate sacrifice, and we will never forget them.

□ 1030

It really is a tribute to ELEANOR HOLMES NORTON that she has continued this fight on behalf of her constituents.

The Supreme Court and the Federal bench in general render judgment after judgment that limit or expand the rights of D.C. residents, yet they are denied the right to elect the Senators who will confirm all these judges. Others will make the argument more fully today. They will note the constitutional, legal, and moral evidence that clearly and convincingly makes the case for statehood.

But I would be remiss to let go unsaid the following, having gone to school in the District of Columbia at Howard University, from being the birthplace of Duke Ellington, the hotspot of jazz innovation for decades, Chuck Brown and go-go music, to the District's role in the civil rights movement, going way back with some to Cecilia's and Faces, to Ben's Chili Bowl and the Florida Avenue Grill, let us mute D.C. no more. Let us be about the business of expanding liberty today and pass H.R. 51.

Mr. Speaker, I reserve the balance of my time.

Mr. WOODALL. Mr. Speaker, I yield myself such time as I may consume. I want to thank the gentleman from Florida, not just for yielding the time, but for his friendship over these 10 years that I have had the honor of serving here.

Mr. Speaker, he may not remember because he is just the kind of man that he is, but when I was assigned to the Rules Committee back in 2011, there were four Democrats on the Rules Committee and four freshman Republicans on Rules Committee. And Mr. HASTINGS came over to the four of us who were sitting on the Republican side of the aisle, introduced himself, and offered his advice and his counsel. He told us we were in for quite a treat, being on the Rules Committee, and he, of course, was absolutely right about that.

I have made a lot of bad decisions in Congress, and I have made a lot of good decisions in Congress. Accepting Mr. HASTINGS' hand of friendship early on in this tenure and having been the beneficiary of his mentorship over these 10 years in Congress has been one of the best decisions that I have made. I am grateful to him for doing that.

Mr. Speaker, we have six bills wrapped up in this rule today. I have the 30 minutes that the gentleman from Florida yielded me. That gives me 5 minutes to talk about racial justice, 5 minutes to talk about adding a new State to the Union, 5 minutes to talk about reassigning a half a trillion dollars in healthcare spending from one pot to another, and on and on.

We are not going to be able to have that conversation today, and I understand that, because this is our first day back in the month of June. This is the first voting day the United States Congress has had in the month of June. So, we have a lot of things to do.

By separating these bills up into different rules, the Members all know that means having to come back down here for another round of votes. So I don't fault the Rules Committee, as I sometimes might, for stuffing so many things into this provision.

But I will say, Mr. Speaker, that I am surprised that we are back, in all the crises and concerns that the gentleman from Florida reflected on, for our first voting day in June. The bills we have before us are bills that, if they moved through committee at all, moved through with absolutely no Republican amendments accepted, and then the Rules Committee made absolutely no Republican amendments even available for consideration here on the floor.

The crises the gentleman from Florida recognized are real. The solutions to those crises are generally found in partnership and consensus, and we find none of that in the underlying rule today.

For that reason, I am going to ask my colleagues to defeat the rule. It is not a reflection on the merits of the underlying issues. The merits of the issues are real. But the opportunity to solve those issues comes with passing legislation, not just in the House, but also through the Senate, having the President's signature put on that, or overriding a veto here in the House.

We don't have the process that allows us to build that consensus before us today. It is a shame because I know how hard all of my colleagues have been working remotely on legislation over these past weeks. I would have expected partnership and consensus bills to be the order of business today, instead of the take-it-or-leave-it bills we have before us.

Mr. Speaker, I mentioned that there are six bills before us. That half-a-trillion-dollar healthcare bill I mentioned is actually a compilation of 24 separate bills that have all been rolled together into one.

We are not going to put these bills on the President's desk. We are not going to have these bills considered in the Senate. We will most certainly pass these bills out of the House today. All of us who ran seeking solutions, as opposed to seeking statements, are going to be disappointed by this process.

Mr. Speaker, my friend from Florida talked about things that were worthy of this institution. I recognize the efforts that have gone into crafting this legislation. From the Delegate from the District of Columbia, ELEANOR HOLMES NORTON, and the work she has done on D.C. statehood over the years, to the leadership of KAREN BASS and the Congressional Black Caucus on putting together a criminal justice police reform bill, the effort that has gone into here is unquestioned. It has been done with all the best of intentions.

It is the partnership that has been lacking, and it is my great hope—because I know what we do today is not going to be the end of any of these processes; it is only going to be the beginning. We cannot reach the President's desk and a signature and the law of the land that we all seek by ignoring one another. We can only do it by engaging one another.

I do believe that this process is not worthy of the institution because, by definition, it leaves out hundreds of Members and millions of Americans who want to participate in this.

I am encouraged, as we talked through this in the Rules Committee, certainly, as we talked about our differences, we learned a whole lot about things that we have in common, not just on criminal justice reform, not just on D.C. statehood, not just on healthcare, but across the board, places where we can come together and make a difference for those constituents that we serve.

I tell my colleagues, please vote ''no'' on the rule today because we have a chance to go back and do these in partnership right now. But should these bills pass the House today, we will still have a partnership opportunity coming forward.

I hope that folks will not harden their positions today, having gone through a partisan beginning. We all seek successful conclusions. Those will only be done together.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI), a distinguished member of the Rules Committee and my friend.

Ms. MATSUI. Mr. Speaker, I rise today in support of the rule for the George Floyd Justice in Policing Act. I stand with those across the country who have lifted their voices, shared their pain, and called on us to enact meaningful change.

With the comprehensive reforms of this legislation, we seek to fundamentally shift our Nation's failed approach of policing, an approach that, for especially Black and Brown communities and other communities of color, assumes guilt and normalizes racial profiling.

We cannot remain complicit in a system that systematically oppresses people of color. We must acknowledge our repeated failures and proactively reinvest in community-based training programs.

There has been plenty of time for discussion. Today, we finally take a step forward.

My district of Sacramento is all too familiar with this pain. We are still mourning the death of Stephon Clark. There are others we have mourned whose families still seek justice. Yet, the resounding response of our community is wonderful. People of all races, ages, and backgrounds have marched side-by-side with a united voice to tell the Nation that we can and must do better.

The George Floyd Justice in Policing Act is a step toward building trust between law enforcement and our communities.

Through this legislation, we will ban the use of deadly techniques like the chokehold and no-knock warrants.

We will end the Pentagon's program of giving local police departments military-grade weapons. The contrasting images of MRAP military vehicles overpowering civilian protestors have no place in America.

We will create new thresholds of transparency, and we will require accountability. We will end qualified immunity that has prevented change in police departments throughout this Nation, and we will streamline Federal law to prosecute excessive force.

America continues to find ways to right our historical wrongs. Together, we must fight for a more equitable future. This legislation is a positive step toward a safer, more equal, and more just America.

I look forward to supporting this bill and others provided by this rule.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BURGESS), who serves on the Rules Committee.

Mr. BURGESS. Mr. Speaker, let me just say, to start, I don't often agree with my colleague from Florida, Mr. HASTINGS, but I find myself in agreement with him on two points this morning. One was his eloquent praise for the gentleman from Georgia, and we will indeed miss his eloquence here on the floor. It is always hard to follow the gentleman from Georgia, which I frequently do in the Rules Committee, because he is able to speak so clearly on an issue.

Another point I would agree with the gentleman from Florida on is that we did spend a long time in the Rules Committee yesterday. It was a marathon hearing, but it was important because so many of these things had had no hearing and no chance for debate in the so-called regular order.

About 60 or 70 percent of the bill, H.R. 1425, the Patient Protection and Affordable Care Enhancement Act, which, as the gentleman from Georgia points out, allocates a significant sum of money to the Affordable Care Act in order to save the Affordable Care Act, something that is now over a decade old. It is a sign that the law has failed and failed to provide for Americans as it was originally described.

The House of Representatives should be leading at a time of crisis. We shouldn't be making a halfhearted attempt to fix a broken law as a present for its 10th birthday, and we certainly shouldn't do that without the proper work from the authorization committee; in this case, the Committee on Energy and Commerce.

Last fall, before we could have ever predicted the emergence of this novel coronavirus, we debated a proposal here on this House floor. It was called H.R. 3. It was a Speaker's proposal that would require the government to set drug prices. In the consequence, if American innovation was a casualty of that, then that was judged to be acceptable collateral damage toward their political goal. But it was a bad bill; it was the wrong time.

Unfortunately, some of those very same policies have found their way and have been intruded into this bill. In fact, I very much regret that such policies would receive any consideration during this pandemic.

Let's be very clear: American biomedical innovation in the form of new treatments and cures is going to lead us to victory over this novel coronavirus. We will beat this virus. We always do. We will emerge on the other side victorious. But one of the paths to that victory is American innovation, American biomedical innovation, American pharmaceutical innovation.

A vote for this bill today is a vote against a cure for the novel coronavirus. A vote for this bill today is a vote against a vaccine to prevent this or future illnesses.

If this body wants to make an impact on drug prices, there are ways to do that. We could sit down—in fact, our ranking member of the full committee, Mr. WALDEN, has a bill, H.R. 19, which has a number of bipartisan proposals, which means they have both a Republican and a Democratic cosponsor, and it does so in a way that doesn't harm innovation.

So what does this bill do to States? Well, it really hurts States when they are already down. State Medicaid budgets are really, really out of control right now. In fact, we should be helping, not hurting, the States.

The Foundation for Government Accountability published a report in June of this year titled ''States are about to be hit by a Medicaid tidal wave,'' saying that this coronavirus is putting extra budget pressure on States at the same time their general revenues, because of demand destruction by the virus, are expected—State tax collections are expected to decrease by 20 percent.

The bill before us today would reduce State's administrative FMAP if they do not expand Medicaid. Punishing States in this way would further hurt State budgets that are already being pushed to the limits.

□ 1045

So many of us remember the Supreme Court case in 2012, the case titled National Federation of Independent Business v. Sebelius. The Court ruled that threatening States' Medicaid funding for not expanding that program is, in fact, unconstitutional.

Sections 204 and 205 of this bill would violate the same principles and coerce States, rather than incentivize States, into expanding Medicaid. This bill will actively damage State Medicaid programs like those in Texas.

H.R. 1425 also wastes taxpayer dollars on Affordable Care Act outreach and enrollment and navigators that have already been proven to not have a high return on investment.

It is one thing if they want to improve policies, but let's not go back to bringing policies back from the dead that, in fact, are not working.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. WOODALL. Mr. Speaker, I yield an additional 1 minute to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Lastly, this bill fails to protect life. The bill establishes a Federal reinsurance fund, and this reinsurance fund is for individuals in ACA exchange plans. The fund is fiscally irresponsible. It is $10 billion a year forever, so we don't even know what the final CBO score is. But it also does not include longstanding Hyde protections and, therefore, fails to ensure that Federal dollars would never be used to pay for abortions.

The Energy and Commerce Committee has worked in a bipartisan way this Congress on numerous policies that would make a real difference in American healthcare. It is disappointing that the Democratic leadership is pushing this partisan proposal ahead of providing Americans with real support.

Mr. Speaker, I thank the gentleman from Georgia for his kindness.

Mr. HASTINGS. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Wisconsin (Mr. POCAN).

Mr. POCAN. Mr. Speaker, look, I can't tell you specifically what it must be like to have the police called on you at your home or a friend's house or a business simply because of the color of your skin.

I can't tell you personally what it must feel like to know that just because of your race, you are significantly more likely to get killed by police simply by encountering them.

But all of these mere facts should bring rage to all of us. We must rethink public safety in America.

Police shouldn't respond with violence just because they can. And unfortunately, impunity has empowered a militarized police force.

The ugly reality is, we have a criminal justice and policing system that disproportionally targets and kills Black people. And when a system isn't performing for the people it is supposed to serve, it is time to fix it. In fact, it is way overdue for that change.

Today, we can do more than just give lip service to the words ''Black Lives Matter.'' We can give those words meaning. We do that by passing the Justice in Policing Act today.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentlewoman from Arizona (Mrs. LESKO), a Rules Committee member and a distinguished leader on the Judiciary Committee.

Mrs. LESKO. Mr. Speaker, all of us—all of us—believe what happened to George Floyd was horrible, and justice must be served.

Bad cops that do bad things must be held accountable. I have listened to Blacks who have been discriminated against, and I believe discrimination is real.

Congressman HASTINGS yesterday, in the Rules Committee, shared with us things that had happened to him, things that happened to people he knew, and it was horrible. We can't let those types of things continue in our society.

But I also know that the vast majority of law enforcement officers are good people, good people doing good things, helping people in the community, and protecting our communities.

That is why I think it is really important that we address the problems we are having in our Nation in a bipartisan fashion, because this is so important. America needs to heal.

Unfortunately, the bill before us today, part of the rule and the policing bill, was not negotiated with Republicans. So there are portions of the bill that I support, that other Republicans support, and that I believe President Trump would support and sign into law. But there are other portions of the bill that I cannot vote for, nor can other Republicans.

The reason is because I have spoken to a wide variety of law enforcement officers and police chiefs. They have all said that there are portions of this bill that would undermine their ability to do their job in protecting our communities.

I would like to read a portion of a letter that we received from the National Association of Police Organizations that oppose the underlying bill, H.R. 7120, in this rule. It says:

Our most significant concerns include amending section 242 of title 18, United States Code, to lower the standard for mens rea, and the practical elimination of qualified immunity for law enforcement officers. Combined, these two provisions take away any legal protections for officers while making it easier to prosecute them for mistakes on the job, not just criminal acts. With the change to qualified immunity, an officer can go to prison for an unintentional act that unknowingly broke an unknown law. We believe in holding officers accountable for their actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith.

This organization represents 241,000 sworn law enforcement officers.

The other law enforcement officers I have spoken to, and chiefs, said they have problems with other portions of the bill. Specifically, the banning, outright banning, on chokeholds and carotid holds.

In Arizona, it is used as a last resort, a lethal force, and that is what is in the Senate bill. But in this bill, it outright bans it. The police officers have said: Don't take that option off the table because if you take that option off the table, we will be forced to shoot someone, which I believe is the opposite of what we want to do.

Also, eliminating no-knock warrants, the officers want you to know that no-knock warrants have to go through a court, that they have to go through a judge, and that, often, they are used when going after drug cartels that are heavily armed and you need the element of surprise. So banning them would possibly hurt law enforcement officers, and the drugs would be taken away.

They also were concerned about the outright banning in this bill of law enforcement agencies getting surplus military equipment at little or no cost. They say they don't use this equipment to ride down the roads, you know, like showing military force. In Arizona, they often use this equipment when there are flash floods, and they need to rescue people or need to clear roads.

So, it is disappointing that we can't have a bipartisan bill in front of us today. I hope we can. They didn't talk to Republicans on the bill, that I am aware of, and the Democrats in the Judiciary Committee voted down all of our amendments.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. WOODALL. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Arizona (Mrs. LESKO).

Mrs. LESKO. Particularly, I had an amendment that said if a city allows an autonomous zone, like what is happening in Seattle, they can't get law enforcement grants from the Federal Government. It seems common sense. They voted it down.

I had another amendment that said if a city wants to defund, dismantle, disband police, they shouldn't get Federal law enforcement grants. That is just wrong.

So I call on all Members, all Members on both sides, to speak out against the violence that is happening in our streets, the violence, the tearing down of statues, statues of Ulysses Grant, who was with the Union, statues of religious figures. This is wrong. Stop the dismantling, defunding calls for police. Stop the looting. It is not peaceful protest when that happens.

Let's work on a bipartisan bill and get something real done.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), the distinguished chair of the Committee on Rules and my friend.

Mr. MCGOVERN. Mr. Speaker, there are many timely measures in this bill to: strengthen our healthcare system; help people stay in their homes; modernize our credit reporting system during this COVID–19 pandemic; protect our civil right laws; and, finally, give full representation to Washington, D.C., so that no President can ever again send in Federal troops to crack down on peaceful, constitutional speech. Each one responds to the urgent needs of the American people during this unprecedented time.

But there is one measure in particular here that I want to focus on that is a direct result of public pressure, the George Floyd Justice in Policing Act. Americans of all backgrounds have been taking to the streets in unprecedented numbers with a single refrain: Black Lives Matter.

People are demanding an end to police brutality, not encouraging an end to it, not recommending an end to it, but, finally, demanding an end to it once and for all.

That is what H.R. 7120 is all about, fixing the broken status quo that has allowed racial injustice and police brutality to continue year after year after year. It is about damn time.

I would never presume to know what it is like to be Black in America today, but I have seen injustice in my own State. I have held grieving community members. I have marched with those calling for change. I have heard their pain.

True allies do more than listen, Mr. Speaker. They take action.

Now, no one at all is suggesting that all police officers are racist and break the law. But the sad reality is that if you are Black in America today, you are three times more likely to be killed by the police compared to a White person. Yet, it is the exception, not the norm, when officers who commit a crime are brought to justice.

There are systemic problems here that require systematic solutions.

Now, I am not naive, Mr. Speaker. This bill alone will not end racism in America. We have so many issues that must be addressed for that to happen. So many communities in Black America aren't getting the investments that they need today. But this bill is an important step forward, and I encourage all of my colleagues to listen to the voices of those demanding change right now.

This is what we were sent here to do, Mr. Speaker, to act on behalf of the people we represent.

While our Constitution begins with the words ''We the People,'' that didn't include all the people when those words were written. It included people who looked like me. But by expanding the reach of our democracy and looking toward a more just and fair country for everyone, we have gotten one step closer to achieving the promise of America for all people.

That is what this bill is about. I urge all of my colleagues to support it.

Mr. WOODALL. Madam Speaker, if we defeat the previous question, I will amend the rule to provide for consideration of H. Res. 1023, a resolution by Mr. STEUBE.

Madam Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. JORDAN), the ranking member and one of the great advocates on our side of the aisle.

□ 1100

Mr. JORDAN. Madam Speaker, I thank the gentleman from Georgia for yielding.

I, too, want to urge a ''no'' vote on the previous question so we can address Mr. STEUBE's resolution and hopefully pass Mr. STEUBE's resolution, a resolution which is very basic, has four basic components to it:

Justice for George Floyd's family. What happened in Minneapolis we all know was a tragedy and never should have happened, wrong as wrong could be, and George Floyd's family deserves justice, and our resolution calls for that.

It also calls for justice for police officers and others who have suffered violence, police officers like Patrick Underwood, who, along with George Floyd's brother, Patrick Underwood's sister came and testified just 2 weeks ago in front of the Judiciary Committee, serving his community as a law enforcement officer, attacked and killed.

The resolution that would happen if we vote ''no'' on the previous question also condemns all violence and the creation of autonomous zones. There is a big difference between peaceful protest, exercising our First Amendment liberties guaranteed to us under our great Constitution, the greatest constitution ever, there is a big difference between peaceful protest and rioting. There is a big difference between peaceful protest and violence. There is a big difference between peaceful protest and attacking police officers. And there is certainly a big difference between peaceful protest and forming CHAZ or CHOP or any type of autonomous zones separating from our great country. This resolution condemns that kind of practice, as well.

And, finally, our resolution strongly opposes what I think is one of the craziest public policy proposals I have ever seen, this idea that we are going to defund the police. You know, it is funny because I hear some Democrats say defund the police doesn't mean defund the police. Well, change the sentence. It is three words. That is exactly what it means.

Our biggest cities, the mayor of New York, de Blasio, has already said he is going to defund the police a billion dollars. He got rid of the plainclothes unit in their department.

Garcetti, the mayor of our second largest city, said he is going to defund the police $150 million.

Baltimore, Hartford, Minneapolis, they went a step further. Minneapolis, the supermajority of their city council—it is interesting to point out, 13 people on the city council, guess how many of them are Republicans? Twelve Democrats—well, excuse me, 12 on the city council, I think. No, 13, that is right. Twelve Democrats, and one Green Party. They have already decided they are going to abolish the police department.

This is crazy. Let's vote ''no'' on this previous question. Let's bring up a resolution that I think is consistent, where American values are consistent with the problems we face, consistent with the serious situation we are in. Let's vote ''no'' on the previous question.

I will finish with this, Madam Speaker.

We had a witness the last couple weeks in two different hearings, a Judiciary hearing and then an Oversight hearing. Dan Bongino, former NYPD, Secret Service, protected Presidents Clinton, Bush, Obama, worked in the NYPD, worked in the neighborhood in Brooklyn, he talked about if you do this, if we allow this concept, this defund the police concept to happen, to take root and to actually take place, it will not only be tough for police officers—we all know that—but the communities they serve. What will happen there is frightening.

So I urge a ''no'' vote on the previous question. Let's take up the Steube resolution.

Mr. HASTINGS. Madam Speaker, I take notice that the Speaker pro tempore has changed, and I am very pleased that one of the leaders of the legislation that we are taking up today is now serving as Speaker pro tempore.

Madam Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON), whom I have known all of my career and consider a friend and mentor.

Ms. NORTON. Madam Speaker, I thank the gentleman for yielding. I didn't know until he indicated he had gone to Howard University here; that is just another plus mark because he has already got a lot of pluses as far as I am concerned.

Madam Speaker, the rule before us for the D.C. statehood bill is no ordinary rule. It is the prelude to the passage of a historic bill, and I use those words advisedly. For the 219 years since the District of Columbia first became the capital of these United States, countless bills that have deeply affected D.C. residents have been enacted not only without their consent, but without their participation.

Indeed, for the greater part of the existence of the Nation's capital, there was neither representation in either the House or the Senate nor even the right of District residents to govern themselves locally. Local home rule.

In other words, the residents of our Nation's capital were excluded entirely from American democracy for most of its existence as the capital. Nevertheless, D.C. residents have always paid the same Federal taxes as other Americans, today ranked number one in Federal taxes paid, and have fought in all of the Nation's wars, including the war that created the United States of America.

Throughout its existence, the country has flattered itself by saluting itself as a democracy. With the passage of this rule and then the D.C. statehood bill, that flattery at least will be deserved.

The SPEAKER pro tempore (Ms. BASS). The time of the gentlewoman has expired.

Mr. HASTINGS. Madam Speaker, I yield the gentlewoman from the District of Columbia an additional 30 seconds.

Ms. NORTON. Madam Speaker, I speak of the flattery we give ourselves of democracy here and around the world. With the passage of this rule and of the D.C. statehood bill, that flattery at least and at last will be deserved.

Mr. WOODALL. Madam Speaker, I would say to my friend from Florida, I don't believe we have any further speakers coming to the floor, so I will reserve the balance of my time and wait to close.

Mr. HASTINGS. Madam Speaker, would you be good enough to tell both sides how much time we have remaining.

The SPEAKER pro tempore. The gentleman from Florida has 11½ minutes remaining. The gentleman from Georgia has 8½ minutes remaining.

Mr. HASTINGS. Madam Speaker, I yield 2½ minutes to the gentlewoman from California (Mrs. TORRES), my good friend and distinguished member of the Rules Committee.

Mrs. TORRES of California. Madam Speaker, with one word—one word—George Floyd spoke to the conscience of this Nation in a way that countless cries for justice were met with deaf ears before.

When George Floyd called out, ''Mama, Mama,'' he activated every mother who saw that horrible video. We saw our own child with a police officer's knee on their neck. We saw our own child being murdered slowly, painfully.

As someone who spent 17½ years as a 911 dispatcher for LAPD telling people, ''Don't worry. It will be okay. The police are on their way,'' as someone with that background, my disgust is palpable for any police officer who would harm the very same people they have sworn to protect.

This was not an isolated incident. We don't have just a few bad apples. We know the names of Breonna Taylor, Ahmaud Arbery, Philando Castile, and Michael Brown because George Floyd was far from the first. And we know Rayshard Brooks' name because George Floyd is far from being last.

So the Justice in Policing Act is long overdue and urgently needed. It reforms qualified immunity so everyone who faces discriminatory policing or

excessive force has an avenue for recourse. It creates a national police misconduct registry to track officer misconduct. It improves training and practices to make sure that officers are properly prepared for the situations that we ask them to address, and much more.

I commend my colleagues for delivering this bill, and I thank Chairman NADLER for working with me to strengthen the misconduct registry included in it.

We have a long way to go as a country to heal the wounds that cut back for generations. The Justice in Policing Act is an important first step. I look forward to seeing it passed today and to the many steps that will follow in the march for justice.

Mr. WOODALL. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Madam Speaker, I am proud to stand with Members of the House and Senate leadership and members of the Congressional Black Caucus to introduce the George Floyd Justice in Policing Act. I am proud to be an original cosponsor of the legislation.

This legislation is a timely, critical, bold, and transformative start to addressing the issues millions of Americans have been protesting about. I believe we also need to reorganize funding activities for law enforcement in a way that works to bring police and communities closer together, not further apart.

We must also change our laws to enable swift action to prosecute misconduct by police officers, improve training and transparency, and create a national use of force standard for police who are charged to protect and serve our communities, all of which are included in the George Floyd Justice in Policing Act. We owe it to those who have died and those who have honored them.

So let us vote ''yes,'' and let us vote to continue working on these critical issues.

Mr. WOODALL. Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS. Madam Speaker, yesterday, before we began our proceedings in the Rules Committee, I asked one of my good friends if he would speak on this rule. It is for the reason that I consider him one of the preeminent constitutional scholars in this institution that I made that request.

I yield 3 minutes to the gentleman from Maryland (Mr. RASKIN), a distinguished member of the Rules Committee and my good friend.

Mr. RASKIN. Madam Speaker, I thank the gentleman for yielding.

In ''Leaves of Grass,'' Walt Whitman wrote that ''the United States themselves are essentially the greatest poem.'' So each of our States is like a stanza, a line in the remarkable and always unfinished American poem, a lyrical whole far greater than the sum of its parts.

Four years ago, the more than 700,000 of our countrymen and women living in Washington, D.C. exercised their rights and their powers under the Ninth Amendment and the Tenth Amendment to vote to form a new State and to petition us for admission to the Union. That vote carried by a 6–1 margin.

Washingtonians ask us today to pierce the sound barrier of propaganda in 2020 to hear once again, and to recall in our hearts, the poetry that is America.

We began as 13 States, but Congress has exercised our powers under Article IV, Section 3, 37 different times, to admit 37 new States, all of them by simple legislative acts, none of them by constitutional amendment. Each one was controversial in its own way:

They said Texas couldn't be admitted because it was a separate republic; West Virginia used to be part of Virginia; Utah was too Mormon; New Mexico was too Catholic; and, of course, everyone knew it was unconstitutional to admit Hawaii and Alaska in 1959 because they weren't contiguous.

Washingtonians do not ask us to convert the Federal district into a State. They ask us, rather, to redraw the boundaries of the Federal district, to shrink it to the White House, the Capitol, the Supreme Court, and The Mall, to effectuate an exodus of the people from direct Federal control, from the condition of being ruled in ''all cases whatsoever'' by other people's elected representatives without equal rights of self-government and representative participation.

If you have ever met any Washingtonians, you will know they are sick and tired of being governed by other people's representatives. And who wouldn't be?

That is how you get cheated out of $750 million in the CARES Act.

That is how your State militia gets turned against you with pepper spray and tear gas and rubber bullets.

That is how the choices you make locally about reproductive freedom, adoption, and public safety get trampled and rewritten by politicians from other places who know nothing of the community whose decisions they insist on controlling. This is called virtual representation, and we fought a revolution to destroy that principle.

□ 1115

Those who are taxed, those who are governed, must be represented directly in government by their own voting representatives.

Washington asks us to do something that is not only perfectly constitutional, but time-honored. Congress has drawn and redrawn the boundaries of the Federal District several times before. The passage of the Organic Act in 1801 did not freeze the boundaries of the Federal District, which by its own terms may be ''no more than 10 miles square'' but has no minimum size set in the Constitution.

That is why Congress was able to redraw the Federal District in 1847 to shrink it and return Alexandria, Arlington, and Fairfax County to the Commonwealth of Virginia.

It is true this was done to placate the slave masters who foresaw the coming abolition of the slave traffic in the Federal city. That is what Abraham Lincoln argued for.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HASTINGS. Madam Speaker, when I asked the gentleman to speak, I didn't mean for him to take my time. I yield an additional 15 seconds to the gentleman from Maryland (Mr. RASKIN) for closing purposes.

Mr. RASKIN. Madam Speaker, if Congress can redraw the boundaries of the Federal District to protect the property rights of a few hundred slave masters in the 19th century, surely we can redraw the boundaries of the Federal District to protect the democratic rights of hundreds of thousands of Americans of all races and ethnicities living in the Capital City in the 21st century.

Mr. WOODALL. Madam Speaker, while I don't always agree with what my friend from Maryland has to say, I do agree with my friend from Florida about his scholarly expertise. We don't talk about the Ninth and Tenth Amendments enough down here on the floor of the House. I suspect this will be the only time in the second quarter that we mention the Ninth and Tenth Amendments, and I am grateful to my friend for his words.

Madam Speaker, I reserve the balance of my time.

Mr. HASTINGS. Madam Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. SCANLON), my friend and a distinguished member of the Rules Committee.

Ms. SCANLON. Madam Speaker, on this busy legislative day, I would like to focus my attention on both the George Floyd Justice in Policing Act and the Emergency Housing and Relief Act.

The sickening police murders of George Floyd, Breonna Taylor, Rayshard Brooks, Ahmaud Arbery, Elijah McClain, and so many other Black Americans have rightfully brought our country to a place of moral reckoning that is long overdue. We must confront the harsh truths about racism in our country.

Black lives do matter and changing our systems will take each and every one of us. This bill is a start.

The George Floyd Justice in Policing Act will end no-knock warrants, ban chokeholds, it will limit the transfer of military-grade machinery in local police forces, it will create a national registry to prevent the worst police officers from simply transferring to another police force when they have been found guilty of misconduct.

The Justice in Policing Act is the reform that Americans are demanding to

enact real change. This bill must be the starting point for negotiations with the Senate, not empty gestures from Senate Republicans or the White House.

We are a country in desperate need of leadership, both to make the change needed for a civil society and to navigate the economic and health challenges of the COVID–19 pandemic.

My colleagues on the other side of the aisle may choose to deny that we are in the middle of a pandemic, but we have seen in recent days that we are far from out of the woods.

Our constituents are struggling, in no small part due to the White House's single-minded focus on the stock market rather than American families, but while the White House and congressional Republicans are denying science and peddling in conspiracy theories, House Democrats are working to help American families.

The Emergency Housing and Relief Act will help those families by providing rental assistance, helping landlords, homeowners, and those experiencing homelessness by providing billions in grants to help cover rent and other fees, as well as expanding the moratorium on evictions and foreclosure.

Madam Speaker, I urge my colleagues to support this legislation, because it is vital to the health and well-being of American families.

Mr. WOODALL. Madam Speaker, I am prepared to close if there are no further speakers remaining.

Mr. HASTINGS. Madam Speaker, I would advise the gentleman that I have no further speakers, and I too am prepared to close.

Mr. WOODALL. Madam Speaker, may I inquire how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Georgia has 8 minutes remaining. The gentleman from Florida has 2 minutes remaining.

Mr. WOODALL. Madam Speaker, I yield myself 6 minutes.

Madam Speaker, I told you at the beginning all of the things that this rule did not include. It did not include partnership at the committee level or any Republican input whatsoever. It did not include any partnership in the Rules Committee, or any Republican amendments made in order.

We have got as many bills as I have ever seen jammed into a single rule, and, again, not done in any way that creates any consensus, that provides any opportunity for being able to move a bill to the Senate and on to the President's desk.

That is disappointing, because as I have heard from colleagues on both sides of the aisle, the American people want action on all of these issues, and we are not going to be able to provide that in this way. That is what is not in here.

But, Madam Speaker, it is particularly important to me that we find you in the chair today, as my friend from Florida recognized. What this might be is one of those moments we look back on as when something got started.

You don't ever know how things get started. You know how they finish, but it is sometimes hard to understand how they got started.

I am absolutely certain that the bill we have before us today isn't going to the President's desk on police reform, I absolutely am, as are my Democratic colleagues.

One of my friends on the Judiciary Committee, SHEILA JACKSON LEE, was quoted in the Hill today saying:

> Ultimately there will probably be a conference, but I don't want to take any issue with Democrats saying, You know we have the stronger bill.

Of course, that is true. Folks have the opportunity to start the process where they want to start the process.

The House majority whip, JAMES CLYBURN, went on to state further:

> A cleaner road to compromise would have been to have the Senate negotiators smooth out the wrinkles between Senator SCOTT's bill and the one championed by Democrats Corey Booker and Kamala Harris. It could very well have been that they could have come to some kind of a compromise that will fly in the House. Why worry about going to conference between the two bodies if you can work it out together.

Well, of course that is true. The gentleman from South Carolina (Mr. CLYBURN) has been a successful legislator on this floor for decades. You work it out together, you find that consensus, you find that compromise.

It is not lost on me that my Democratic friends in the House have come today to say, ''Please accept this police reform bill, even though you have gotten no Republican amendments whatsoever.''

My friend from Florida asked us not to make the perfect the enemy of the good in that way. I understand those words.

But my friend from South Carolina, TIM SCOTT, offered the very same proposal to Senate Democrats. In fact, he offered them 20 amendments to his bill, and the Democratic leadership in the Senate said, ''No, that is not good enough. We are going to walk away.''

Well, 20 amendments aren't good enough. Certainly, no amendments aren't good enough. It frustrates me, because we all know we want to move forward.

My friend from Florida recognized yesterday, Madam Speaker, that he is the oldest member of the Rules Committee. I won't name names here—83—but he is the eldest member of the Rules Committee. I think I am the youngest member of the Rules Committee.

I don't believe the gentleman from Florida has spent one second thinking about what this bill will mean to him in his life. I think he has spent all this time thinking about what the bill that you have championed is going to mean to that child born in a Washington area hospital today and what will it mean to him or her in their life.

I was born 2 years after Martin Luther King was murdered. His work and his impact on the country I was the beneficiary of, but I was not around during that. I know that is where folks' hearts and minds are focused.

While I am certain this bill is not starting the way I would have wanted it to start, I am hopeful that I am going to look back one day and say, KAREN BASS and ALCEE HASTINGS and I were on the floor of the House on that very first day that legislation was moving across the House floor that made this difference in the country that 330 million Americans want to see made.

I don't have to like the way that it starts. I like even less that it hasn't started already.

All the comments you will hear today from our side of the aisle are based not on an opposition to our goals, but a great hope that we will get to our goals faster.

Madam Speaker, I urge defeat of the previous question and defeat of the rule, for an opportunity for partnership, and I yield the balance of my time to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS. Madam Speaker, I yield myself the balance of my time, and I thank my good friend from Georgia for yielding me time. I believe I will be able to wrap up in a shorter period of time if I stick to the script.

Madam Speaker, my friends across the aisle, some of them like to act as though they have no hesitancy in saying ''Black Lives Matter.''

The problem is there is always a ''but'' after ''Matter,'' and the sentence typically ends with ''All Lives Matter.''

I want to be clear about something: The only way ''All Lives Matter'' is if ''Black Lives Matter.''

The last thing I will say about this is that we better doggone well agree that ''Matter'' is a bare minimum.

Madam Speaker, it strikes me that this is the first time we can gather here and note the recent celebration of Juneteenth, a celebration and a time for reflection in these trying days, to be sure.

Indeed, we ought to take stock of and celebrate all that we have accomplished since that June day in Galveston, Texas, when General Gordon Granger read General Order No. 3 informing all who listened to carry forth that all slaves were now emancipated.

The abomination of slavery ended, my ancestors moved forward with the hope of a better future and, I am sure, the knowledge that new and dire challenges would be waiting for them and their progeny, and that has indeed been the case.

Whether it has been the harsh consequences of a reconstruction abandoned too easily and too quickly, Jim Crow, the violent resistance of the civil rights movement, the war on drugs, or the relentless police brutality conducted by some police officers directed

at Black people, we have stood strong, we have stood together, and through prayer and perseverance, we have endeavored to ensure that access to the American Dream, that is rightly ours to attain, is ever growing for our children and grandchildren.

As I have always done, I welcome all colors, creeds, and religions to this righteous march.

Madam Speaker, I thank the gentleman from Georgia (Mr. WOODALL), all of the persons who have spoken, the distinguished staff on both sides for putting together this matter, and you, Madam Speaker, along with our colleagues in the various caucuses and, particularly, the Congressional Black Caucus, and the Speaker of the House of Representatives for moving this matter forward.

Like my friend from Georgia, I don't see this today as the end, but it is a privilege for me to be on the floor with him and you, Madam Speaker. And I am sure down the road, it will reflect in this historical record that we were here to make a difference.

Madam Speaker, I urge a ''yes'' vote on the rule and the previous question.

The material previously referred to by Mr. WOODALL is as follows:

AMENDMENT TO HOUSE RESOLUTION 1017

At the end of the resolution, add the following:

SEC. 9 Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 1023) calling for justice for George Floyd and others, and condemning violence and rioting. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 1023.

Mr. HASTINGS. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 231, nays 176, not voting 23, as follows:

[Roll No. 116]

YEAS—231

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—176

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Bacon
Baird
Balderson
Banks
Bergman
Biggs
Bilirakis
Bishop (NC)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Dunn
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Garcia (CA)
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger
Kustoff (TN)
LaMalfa
Lamborn
Latta
Lesko
Long
Lucas
Luetkemeyer
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiffany
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—23

Arrington
Babin
Barr
Bishop (UT)
Carter (TX)
Curtis
Duncan
Emmer
Gallagher
Holding
Joyce (OH)
King (IA)
LaHood
Loudermilk
Marchant
Marshall
Mullin
Palazzo
Rogers (AL)
Rooney (FL)
Ryan
Sensenbrenner
Webster (FL)

□ 1217

Ms. SPEIER changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. MARSHALL. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted ''nay'' on rollcall No. 116.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Axne (Raskin)
Cárdenas (Gomez)
DeSaulnier (Matsui)
Deutch (Rice (NY))
Engel (Nadler)
Frankel (Kuster (NH))
Garamendi (Boyle, Brendan F.)
Johnson (TX) (Jeffries)
Khanna (Gomez)
Kind (Beyer)
Kirkpatrick (Gallego)
Langevin (Lynch)
Lawson (FL) (Evans)
Lewis (Kildee)
Lieu, Ted (Beyer)
Lipinski (Cooper)
Lofgren (Boyle, Brendan F.)
Lowenthal (Beyer)
Lowey (Meng)
Moore (Beyer)
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Kuster (NH))
Rush (Underwood)
Sánchez (Roybal-Allard)
Serrano (Meng)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Hayes)

The SPEAKER pro tempore (Ms. JACKSON LEE). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WOODALL. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 230, nays 180, not voting 20, as follows:

[Roll No. 117]

YEAS—230

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—180

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Bacon
Baird
Balderson
Banks
Bergman
Biggs
Bilirakis
Bishop (NC)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Dunn
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Garcia (CA)
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
King (NY)
Kinzinger
Kustoff (TN)
LaMalfa
Lamborn
Latta
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Marshall
Massie
Mast
McAdams
McCarthy
McCaul
McClintock
McHenry
McKinley
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiffany
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—20

Arrington
Babin
Barr
Bishop (UT)
Carter (TX)
Curtis
Duncan
Emmer
Gallagher
Heck
Joyce (OH)
King (IA)
LaHood
Marchant
Mullin
Palazzo
Rogers (AL)
Rooney (FL)
Sensenbrenner
Webster (FL)

□ 1311

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Axne (Raskin)
Cárdenas (Gomez)
DeSaulnier (Matsui)
Deutch (Rice (NY))
Engel (Nadler)
Frankel (Kuster (NH))
Garamendi (Boyle, Brendan F.)
Johnson (TX) (Jeffries)
Khanna (Gomez)
Kind (Beyer)
Kirkpatrick (Gallego)
Langevin (Lynch)
Lawson (FL) (Evans)
Lewis (Kildee)
Lieu, Ted (Beyer)
Lipinski (Cooper)
Lofgren (Boyle, Brendan F.)
Lowenthal (Beyer)
Lowey (Meng)
Moore (Beyer)
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Kuster (NH))
Rush (Underwood)
Sánchez (Roybal-Allard)
Serrano (Meng)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Hayes)

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 14 minutes p.m.), the House stood in recess.

□ 1329

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. UNDERWOOD) at 1 o'clock and 29 minutes p.m.

ANTITRUST CRIMINAL PENALTY ENHANCEMENT AND REFORM PERMANENT EXTENSION ACT

Mr. NADLER. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (H.R. 7036) to amend the Anitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The text of the bill is as follows:

H.R. 7036

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 ''Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Conspiracies among competitors to fix prices, rig bids, and allocate markets are categorically and irredeemably anticompetitive and contravene the competition policy of the United States.

(2) Cooperation incentives are important to the efforts of the Antitrust Division of the Department of Justice to prosecute and deter the offenses described in paragraph (1).

(b) PURPOSE.—The purpose of this Act, and the amendments made by this Act, is to strengthen public and private antitrust enforcement by providing incentives for antitrust violators to cooperate fully with government prosecutors and private litigants through the repeal of the sunset provision of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note).

SEC. 3. REPEAL OF SUNSET PROVISION.

(a) IN GENERAL.—Section 211 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 212 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is amended—

(1) by striking paragraph (6); and

(2) by redesignating paragraph (7) as paragraph (6).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE FLOYD JUSTICE IN POLICING ACT OF 2020

Mr. NADLER. Madam Speaker, pursuant to House Resolution 1017, I call up the bill (H.R. 7120) to hold law enforcement accountable for misconduct

in court, improve transparency through data collection, and reform police training and policies, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1017, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, modified by the amendment printed in part D of House Report 116–436, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 7120

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''George Floyd Justice in Policing Act of 2020''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) BYRNE GRANT PROGRAM.—The term ''Byrne grant program'' means any grant program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.), without regard to whether the funds are characterized as being made available under the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(2) COPS GRANT PROGRAM.—The term ''COPS grant program'' means the grant program authorized under section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381).

(3) FEDERAL LAW ENFORCEMENT AGENCY.—The term ''Federal law enforcement agency'' means any agency of the United States authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal criminal law.

(4) FEDERAL LAW ENFORCEMENT OFFICER.—The term ''Federal law enforcement officer'' has the meaning given the term in section 115 of title 18, United States Code.

(5) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(6) LOCAL LAW ENFORCEMENT OFFICER.—The term ''local law enforcement officer'' means any officer, agent, or employee of a State or unit of local government authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law.

(7) STATE.—The term ''State'' has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(8) TRIBAL LAW ENFORCEMENT OFFICER.—The term ''tribal law enforcement officer'' means any officer, agent, or employee of an Indian tribe, or the Bureau of Indian Affairs, authorized by law or by a government agency to engage in or supervise the prevention, detection, or investigation of any violation of criminal law.

(9) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(10) DEADLY FORCE.—The term ''deadly force'' means that force which a reasonable person would consider likely to cause death or serious bodily harm, including—

(A) the discharge of a firearm;

(B) a maneuver that restricts blood or oxygen flow to the brain, including chokeholds, strangleholds, neck restraints, neckholds, and carotid artery restraints; and

(C) multiple discharges of an electronic control weapon.

(11) USE OF FORCE.—The term ''use of force'' includes—

(A) the use of a firearm, electronic control weapon, explosive device, chemical agent (such as pepper spray), baton, impact projectile, blunt instrument, hand, fist, foot, canine, or vehicle against an individual;

(B) the use of a weapon, including a personal body weapon, chemical agent, impact weapon, extended range impact weapon, sonic weapon, sensory weapon, conducted energy device, or firearm, against an individual; or

(C) any intentional pointing of a firearm at an individual.

(12) LESS LETHAL FORCE.—The term ''less lethal force'' means any degree of force that is not likely to cause death or serious bodily injury.

(13) FACIAL RECOGNITION.—The term ''facial recognition'' means an automated or semiautomated process that analyzes biometric data of an individual from video footage to identify or assist in identifying an individual.

TITLE I—POLICE ACCOUNTABILITY

Subtitle A—Holding Police Accountable in the Courts

SEC. 101. DEPRIVATION OF RIGHTS UNDER COLOR OF LAW.

Section 242 of title 18, United States Code, is amended—

(1) by striking ''willfully'' and inserting ''knowingly or recklessly'';

(2) by striking '', or may be sentenced to death''; and

(3) by adding at the end the following: ''For purposes of this section, an act shall be considered to have resulted in death if the act was a substantial factor contributing to the death of the person.''.

SEC. 102. QUALIFIED IMMUNITY REFORM.

Section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended by adding at the end the following: ''It shall not be a defense or immunity in any action brought under this section against a local law enforcement officer (as such term is defined in section 2 of the George Floyd Justice in Policing Act of 2020), or in any action under any source of law against a Federal investigative or law enforcement officer (as such term is defined in section 2680(h) of title 28, United States Code), that—

''(1) the defendant was acting in good faith, or that the defendant believed, reasonably or otherwise, that his or her conduct was lawful at the time when the conduct was committed; or

''(2) the rights, privileges, or immunities secured by the Constitution and laws were not clearly established at the time of their deprivation by the defendant, or that at such time, the state of the law was otherwise such that the defendant could not reasonably have been expected to know whether his or her conduct was lawful.''.

SEC. 103. PATTERN AND PRACTICE INVESTIGATIONS.

(a) SUBPOENA AUTHORITY.—Section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601) is amended—

(1) in subsection (a), by inserting '', by prosecutors,'' after ''conduct by law enforcement officers'';

(2) in subsection (b), by striking ''paragraph (1)'' and inserting ''subsection (a)''; and

(3) by adding at the end the following:

''(c) SUBPOENA AUTHORITY.—In carrying out the authority in subsection (b), the Attorney General may require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data in any medium (including electronically stored information), as well as any tangible thing and documentary evidence, and the attendance and testimony of witnesses necessary in the performance of the Attorney General under subsection (b). Such a subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate district court of the United States.

''(d) CIVIL ACTION BY STATE ATTORNEYS GENERAL.—Whenever it shall appear to the attorney general of any State, or such other official as a State may designate, that a violation of subsection (a) has occurred within their State, the State attorney general or official, in the name of the State, may bring a civil action in the appropriate district court of the United States to obtain appropriate equitable and declaratory relief to eliminate the pattern or practice. In carrying out the authority in this subsection, the State attorney general or official shall have the same subpoena authority as is available to the Attorney General under subsection (c).

''(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit the authority of the Attorney General under subsection (b) in any case in which a State attorney general has brought a civil action under subsection (d).

''(f) REPORTING REQUIREMENTS.—On the date that is one year after the enactment of the George Floyd Justice in Policing Act of 2020, and annually thereafter, the Civil Rights Division of the Department of Justice shall make publicly available on an internet website a report on, during the previous year—

''(1) the number of preliminary investigations of violations of subsection (a) that were commenced;

''(2) the number of preliminary investigations of violations of subsection (a) that were resolved; and

''(3) the status of any pending investigations of violations of subsection (a).''.

(b) GRANT PROGRAM.—

(1) GRANTS AUTHORIZED.—The Attorney General may award a grant to a State to assist the State in conducting pattern and practice investigations under section 210401(d) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601).

(2) APPLICATION.—A State seeking a grant under paragraph (1) shall submit an application in such form, at such time, and containing such information as the Attorney General may require.

(3) FUNDING.—There are authorized to be appropriated $100,000,000 to the Attorney General for each of fiscal years 2021 through 2023 to carry out this subsection.

(c) DATA ON EXCESSIVE USE OF FORCE.—Section 210402 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12602) is amended—

(1) in subsection (a)—

(A) by striking ''The Attorney General'' and inserting the following:

''(1) FEDERAL COLLECTION OF DATA.—The Attorney General''; and

(B) by adding at the end the following:

''(2) STATE COLLECTION OF DATA.—The attorney general of a State may, through appropriate means, acquire data about the use of excessive force by law enforcement officers and such data may be used by the attorney general in conducting investigations under section 210401. This data may not contain any information that may reveal the identity of the victim or any law enforcement officer.''; and

(2) by amending subsection (b) to read as follows:

''(b) LIMITATION ON USE OF DATA ACQUIRED BY THE ATTORNEY GENERAL.—Data acquired under subsection (a)(1) shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of the victim or any law enforcement officer.''.

(d) ENFORCEMENT OF PATTERN OR PRACTICE RELIEF.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government that receives funds under the Byrne grant program or the COPS grant program during a fiscal year may not make available any amount of such funds to a local law enforcement agency if that local law enforcement agency enters into or renews any contractual arrangement, including a collective bargaining agreement with a labor organization, that—

(1) would prevent the Attorney General from seeking or enforcing equitable or declaratory relief against a law enforcement agency engaging in a pattern or practice of unconstitutional misconduct; or

(2) conflicts with any terms or conditions contained in a consent decree.

SEC. 104. INDEPENDENT INVESTIGATIONS.

(a) IN GENERAL.—

(1) DEFINITIONS.—In this subsection:

(A) INDEPENDENT INVESTIGATION.—The term ''independent investigation'' means a criminal investigation or prosecution of a law enforcement officer's use of deadly force, including one or more of the following:

(i) Using an agency or civilian review board that investigates and independently reviews all allegations of use of deadly force made against law enforcement officers in the jurisdiction.

(ii) Assigning of the attorney general of the State in which the alleged use of deadly force was committed to conduct the criminal investigation and prosecution.

(iii) Adopting a procedure under which an independent prosecutor is assigned to investigate and prosecute the case, including a procedure under which an automatic referral is made to an independent prosecutor appointed and overseen by the attorney general of the State in which the alleged use of deadly force was committed.

(iv) Adopting a procedure under which an independent prosecutor is assigned to investigate and prosecute the case.

(v) Having law enforcement agencies agree to and implement memoranda of understanding with other law enforcement agencies under which the other law enforcement agencies—

(I) shall conduct the criminal investigation into the alleged use of deadly force; and

(II) upon conclusion of the criminal investigation, shall file a report with the attorney general of the State containing a determination regarding whether—

(aa) the use of deadly force was appropriate; and

(bb) any action should be taken by the attorney general of the State.

(vi) Any substantially similar procedure to ensure impartiality in the investigation or prosecution.

(B) INDEPENDENT INVESTIGATION OF LAW ENFORCEMENT STATUTE.—The term ''independent investigation of law enforcement statute'' means a statute requiring an independent investigation in a criminal matter in which—

(i) one or more of the possible defendants is a law enforcement officer;

(ii) one or more of the alleged offenses involves the law enforcement officer's use of deadly force in the course of carrying out that officer's duty; and

(iii) the non-Federal law enforcement officer's use of deadly force resulted in a death or injury.

(C) INDEPENDENT PROSECUTOR.—The term ''independent prosecutor'' means, with respect to a criminal investigation or prosecution of a law enforcement officer's use of deadly force, a prosecutor who—

(i) does not oversee or regularly rely on the law enforcement agency by which the law enforcement officer under investigation is employed; and

(ii) would not be involved in the prosecution in the ordinary course of that prosecutor's duties.

(2) GRANT PROGRAM.—The Attorney General may award grants to eligible States and Indian Tribes to assist in implementing an independent investigation of law enforcement statute.

(3) ELIGIBILITY.—To be eligible for a grant under this subsection, a State or Indian Tribe shall have in effect an independent investigation of law enforcement statute.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $750,000,000 for fiscal years 2021 through 2023 to carry out this subsection.

(b) COPS GRANT PROGRAM USED FOR CIVILIAN REVIEW BOARDS.—Part Q of title I of the of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381 et seq.) is amended—

(1) in section 1701(b) (34 U.S.C. 10381(b))—

(A) by redesignating paragraphs (22) and (23) as paragraphs (23) and (24), respectively;

(B) in paragraph (23), as so redesignated, by striking ''(21)'' and inserting ''(22)''; and

(C) by inserting after paragraph (21) the following:

''(22) to develop best practices for and to create civilian review boards;''; and

(2) in section 1709 (34 U.S.C. 10389), by adding at the end the following:

''(8) 'civilian review board' means an administrative entity that investigates civilian complaints against law enforcement officers and—

''(A) is independent and adequately funded;

''(B) has investigatory authority and subpoena power;

''(C) has representative community diversity;

''(D) has policy making authority;

''(E) provides advocates for civilian complainants;

''(F) may conduct hearings; and

''(G) conducts statistical studies on prevailing complaint trends.''.

Subtitle B—Law Enforcement Trust and Integrity Act

SEC. 111. SHORT TITLE.

This subtitle may be cited as the ''Law Enforcement Trust and Integrity Act of 2020''.

SEC. 112. DEFINITIONS.

In this subtitle:

(1) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' means a grassroots organization that monitors the issue of police misconduct and that has a local or national presence and membership, such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), UnidosUS, the National Urban League, the National Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC).

(2) LAW ENFORCEMENT ACCREDITATION ORGANIZATION.—The term ''law enforcement accreditation organization'' means a professional law enforcement organization involved in the development of standards of accreditation for law enforcement agencies at the national, State, regional, or Tribal level, such as the Commission on Accreditation for Law Enforcement Agencies (CALEA).

(3) LAW ENFORCEMENT AGENCY.—The term ''law enforcement agency'' means a State, local, Indian tribal, or campus public agency engaged in the prevention, detection, investigation, prosecution, or adjudication of violations of criminal laws.

(4) PROFESSIONAL LAW ENFORCEMENT ASSOCIATION.—The term ''professional law enforcement association'' means a law enforcement membership association that works for the needs of Federal, State, local, or Indian tribal law enforcement agencies and with the civilian community on matters of common interest, such as the Hispanic American Police Command Officers Association (HAPCOA), the National Asian Pacific Officers Association (NAPOA), the National Black Police Association (NBPA), the National Latino Peace Officers Association (NLPOA), the National Organization of Black Law Enforcement Executives (NOBLE), Women in Law Enforcement, the Native American Law Enforcement Association (NALEA), the International Association of Chiefs of Police (IACP), the National Sheriffs' Association (NSA), the Fraternal Order of Police (FOP), or the National Association of School Resource Officers.

(5) PROFESSIONAL CIVILIAN OVERSIGHT ORGANIZATION.—The term ''professional civilian oversight organization'' means a membership organization formed to address and advance civilian oversight of law enforcement and whose members are from Federal, State, regional, local, or Tribal organizations that review issues or complaints against law enforcement agencies or officers, such as the National Association for Civilian Oversight of Law Enforcement (NACOLE).

SEC. 113. ACCREDITATION OF LAW ENFORCEMENT AGENCIES.

(a) STANDARDS.—

(1) INITIAL ANALYSIS.—The Attorney General shall perform an initial analysis of existing accreditation standards and methodology developed by law enforcement accreditation organizations nationwide, including national, State, regional, and Tribal accreditation organizations. Such an analysis shall include a review of the recommendations of the Final Report of the President's Taskforce on 21st Century Policing, issued by the Department of Justice, in May 2015.

(2) DEVELOPMENT OF UNIFORM STANDARDS.—After completion of the initial review and analysis under paragraph (1), the Attorney General shall—

(A) recommend, in consultation with law enforcement accreditation organizations and community-based organizations, the adoption of additional standards that will result in greater community accountability of law enforcement agencies and an increased focus on policing with a guardian mentality, including standards relating to—

(i) early warning systems and related intervention programs;

(ii) use of force procedures;

(iii) civilian review procedures;

(iv) traffic and pedestrian stop and search procedures;

(v) data collection and transparency;

(vi) administrative due process requirements;

(vii) video monitoring technology;

(viii) youth justice and school safety; and

(ix) recruitment, hiring, and training; and

(B) recommend additional areas for the development of national standards for the accreditation of law enforcement agencies in consultation with existing law enforcement accreditation organizations, professional law enforcement associations, labor organizations, community-based organizations, and professional civilian oversight organizations.

(3) CONTINUING ACCREDITATION PROCESS.—The Attorney General shall adopt policies and procedures to partner with law enforcement accreditation organizations, professional law enforcement associations, labor organizations, community-based organizations, and professional civilian oversight organizations to—

(A) continue the development of further accreditation standards consistent with paragraph (2); and

(B) encourage the pursuit of accreditation of Federal, State, local, and Tribal law enforcement agencies by certified law enforcement accreditation organizations.

(b) USE OF FUNDS REQUIREMENTS.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)) is amended by adding at the end the following:

''(7) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to assist law enforcement agencies of the applicant, including campus public safety departments, gain or maintain accreditation from certified law enforcement accreditation organizations in accordance with section 113 of the Law Enforcement Trust and Integrity Act of 2020.''.

(c) ELIGIBILITY FOR CERTAIN GRANT FUNDS.—The Attorney General shall, as appropriate and consistent with applicable law, allocate Department of Justice discretionary grant funding only to States or units of local government that require law enforcement agencies of that State or unit of local government to gain and maintain accreditation from certified law enforcement accreditation organizations in accordance with this section.

SEC. 114. LAW ENFORCEMENT GRANTS.

(a) USE OF FUNDS REQUIREMENT.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as amended by section 113, is amended by adding at the end the following:

''(8) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to study and implement effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies in accordance with section 114 of the Law Enforcement Trust and Integrity Act of 2020.''.

(b) GRANT PROGRAM FOR COMMUNITY ORGANIZATIONS.—The Attorney General may make grants to community-based organizations to study and implement—

(1) effective management, training, recruiting, hiring, and oversight standards and programs to promote effective community and problem solving strategies for law enforcement agencies; or

(2) effective strategies and solutions to public safety, including strategies that do not rely on Federal and local law enforcement agency responses.

(c) USE OF FUNDS.—Grant amounts described in paragraph (8) of section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as added by subsection (a) of this section, and grant amounts awarded under subsection (b) shall be used to—

(1) study management and operations standards for law enforcement agencies, including standards relating to administrative due process, residency requirements, compensation and benefits, use of force, racial profiling, early warning and intervention systems, youth justice, school safety, civilian review boards or analogous procedures, or research into the effectiveness of existing programs, projects, or other activities designed to address misconduct; and

(2) develop pilot programs and implement effective standards and programs in the areas of training, hiring and recruitment, and oversight that are designed to improve management and address misconduct by law enforcement officers.

(d) COMPONENTS OF PILOT PROGRAM.—A pilot program developed under subsection (c)(2) shall include implementation of the following:

(1) TRAINING.—The implementation of policies, practices, and procedures addressing training and instruction to comply with accreditation standards in the areas of—

(A) the use of deadly force, less lethal force, and de-escalation tactics and techniques;

(B) investigation of officer misconduct and practices and procedures for referring to prosecuting authorities allegations of officer use of excessive force or racial profiling;

(C) disproportionate contact by law enforcement with minority communities;

(D) tactical and defensive strategy;

(E) arrests, searches, and restraint;

(F) professional verbal communications with civilians;

(G) interactions with—

(i) youth;

(ii) individuals with disabilities;

(iii) individuals with limited English proficiency; and

(iv) multi-cultural communities;

(H) proper traffic, pedestrian, and other enforcement stops; and

(I) community relations and bias awareness.

(2) RECRUITMENT, HIRING, RETENTION, AND PROMOTION OF DIVERSE LAW ENFORCEMENT OFFICERS.—Policies, procedures, and practices for—

(A) the hiring and recruitment of diverse law enforcement officers who are representative of the communities they serve;

(B) the development of selection, promotion, educational, background, and psychological standards that comport with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.); and

(C) initiatives to encourage residency in the jurisdiction served by the law enforcement agency and continuing education.

(3) OVERSIGHT.—Complaint procedures, including the establishment of civilian review boards or analogous procedures for jurisdictions across a range of sizes and agency configurations, complaint procedures by community-based organizations, early warning systems and related intervention programs, video monitoring technology, data collection and transparency, and administrative due process requirements inherent to complaint procedures for members of the public and law enforcement.

(4) YOUTH JUSTICE AND SCHOOL SAFETY.—Uniform standards on youth justice and school safety that include best practices for law enforcement interaction and communication with children and youth, taking into consideration adolescent development and any disability, including—

(A) the right to effective and timely notification of a parent or legal guardian of any law enforcement interaction, regardless of the immigration status of the individuals involved; and

(B) the creation of positive school climates by improving school conditions for learning by—

(i) eliminating school-based arrests and referrals to law enforcement;

(ii) using evidence-based preventative measures and alternatives to school-based arrests and referrals to law enforcement, such as restorative justice and healing practices; and

(iii) using school-wide positive behavioral interventions and supports.

(5) VICTIM SERVICES.—Counseling services, including psychological counseling, for individuals and communities impacted by law enforcement misconduct.

(e) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Attorney General may provide technical assistance to States and community-based organizations in furtherance of the purposes of this section.

(2) MODELS FOR REDUCTION OF LAW ENFORCEMENT MISCONDUCT.—The technical assistance

provided by the Attorney General may include the development of models for States and community-based organizations to reduce law enforcement officer misconduct. Any development of such models shall be in consultation with community-based organizations.

(f) USE OF COMPONENTS.—The Attorney General may use any component or components of the Department of Justice in carrying out this section.

(g) APPLICATIONS.—An application for a grant under subsection (b) shall be submitted in such form, and contain such information, as the Attorney General may prescribe by rule.

(h) PERFORMANCE EVALUATION.—

(1) MONITORING COMPONENTS.—

(A) IN GENERAL.—Each program, project, or activity funded under this section shall contain a monitoring component, which shall be developed pursuant to rules made by the Attorney General.

(B) REQUIREMENT.—Each monitoring component required under subparagraph (A) shall include systematic identification and collection of data about activities, accomplishments, and programs throughout the duration of the program, project, or activity and presentation of such data in a usable form.

(2) EVALUATION COMPONENTS.—

(A) IN GENERAL.—Selected grant recipients shall be evaluated on the local level or as part of a national evaluation, pursuant to rules made by the Attorney General.

(B) REQUIREMENTS.—An evaluation conducted under subparagraph (A) may include independent audits of police behavior and other assessments of individual program implementations. For community-based organizations in selected jurisdictions that are able to support outcome evaluations, the effectiveness of funded programs, projects, and activities may be required.

(3) PERIODIC REVIEW AND REPORTS.—The Attorney General may require a grant recipient to submit biannually to the Attorney General the results of the monitoring and evaluations required under paragraphs (1) and (2) and such other data and information as the Attorney General determines to be necessary.

(i) REVOCATION OR SUSPENSION OF FUNDING.—If the Attorney General determines, as a result of monitoring under subsection (h) or otherwise, that a grant recipient under the Byrne grant program or under subsection (b) is not in substantial compliance with the requirements of this section, the Attorney General may revoke or suspend funding of that grant, in whole or in part.

(j) CIVILIAN REVIEW BOARD DEFINED.—In this section, the term ''civilian review board'' means an administrative entity that investigates civilian complaints against law enforcement officers and—

(1) is independent and adequately funded;

(2) has investigatory authority and subpoena power;

(3) has representative community diversity;

(4) has policy making authority;

(5) provides advocates for civilian complainants;

(6) may conduct hearings; and

(7) conducts statistical studies on prevailing complaint trends.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $25,000,000 for fiscal year 2021 to carry out the grant program authorized under subsection (b).

SEC. 115. ATTORNEY GENERAL TO CONDUCT STUDY.

(a) STUDY.—

(1) IN GENERAL.—The Attorney General shall conduct a nationwide study of the prevalence and effect of any law, rule, or procedure that allows a law enforcement officer to delay the response to questions posed by a local internal affairs officer, or review board on the investigative integrity and prosecution of law enforcement misconduct, including pre-interview warnings and termination policies.

(2) INITIAL ANALYSIS.—The Attorney General shall perform an initial analysis of existing State laws, rules, and procedures to determine whether, at a threshold level, the effect of the type of law, rule, or procedure that raises material investigatory issues that could impair or hinder a prompt and thorough investigation of possible misconduct, including criminal conduct.

(3) DATA COLLECTION.—After completion of the initial analysis under paragraph (2), and considering material investigatory issues, the Attorney General shall gather additional data nationwide on similar laws, rules, and procedures from a representative and statistically significant sample of jurisdictions, to determine whether such laws, rules, and procedures raise such material investigatory issues.

(b) REPORTING.—

(1) INITIAL ANALYSIS.—Not later than 120 days after the date of the enactment of this Act, the Attorney General shall—

(A) submit to Congress a report containing the results of the initial analysis conducted under subsection (a)(2);

(B) make the report submitted under subparagraph (A) available to the public; and

(C) identify the jurisdictions for which the study described in subsection (a)(3) is to be conducted.

(2) DATA COLLECTED.—Not later than 2 years after the date of the enactment of this Act, the Attorney General shall submit to Congress a report containing the results of the data collected under this section and publish the report in the Federal Register.

SEC. 116. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal year 2021, in addition to any other sums authorized to be appropriated—

(1) $25,000,000 for additional expenses relating to the enforcement of section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), criminal enforcement under sections 241 and 242 of title 18, United States Code, and administrative enforcement by the Department of Justice of such sections, including compliance with consent decrees or judgments entered into under such section 210401; and

(2) $3,300,000 for additional expenses related to conflict resolution by the Department of Justice's Community Relations Service.

SEC. 117. NATIONAL TASK FORCE ON LAW ENFORCEMENT OVERSIGHT.

(a) ESTABLISHMENT.—There is established within the Department of Justice a task force to be known as the Task Force on Law Enforcement Oversight (hereinafter in this section referred to as the ''Task Force'').

(b) COMPOSITION.—The Task Force shall be composed of individuals appointed by the Attorney General, who shall appoint not less than 1 individual from each of the following:

(1) The Special Litigation Section of the Civil Rights Division.

(2) The Criminal Section of the Civil Rights Division.

(3) The Federal Coordination and Compliance Section of the Civil Rights Division.

(4) The Employment Litigation Section of the Civil Rights Division.

(5) The Disability Rights Section of the Civil Rights Division.

(6) The Office of Justice Programs.

(7) The Office of Community Oriented Policing Services (COPS).

(8) The Corruption/Civil Rights Section of the Federal Bureau of Investigation.

(9) The Community Relations Service.

(10) The Office of Tribal Justice.

(11) The unit within the Department of Justice assigned as a liaison for civilian review boards.

(c) POWERS AND DUTIES.—The Task Force shall consult with professional law enforcement associations, labor organizations, and community-based organizations to coordinate the process of the detection and referral of complaints regarding incidents of alleged law enforcement misconduct.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each fiscal year to carry out this section.

SEC. 118. FEDERAL DATA COLLECTION ON LAW ENFORCEMENT PRACTICES.

(a) AGENCIES TO REPORT.—Each Federal, State, Tribal, and local law enforcement agency shall report data of the practices enumerated in subsection (c) of that agency to the Attorney General.

(b) BREAKDOWN OF INFORMATION BY RACE, ETHNICITY, AND GENDER.—For each practice enumerated in subsection (c), the reporting law enforcement agency shall provide a breakdown of the numbers of incidents of that practice by race, ethnicity, age, and gender of the officers of the agency and of members of the public involved in the practice.

(c) PRACTICES TO BE REPORTED ON.—The practices to be reported on are the following:

(1) Traffic violation stops.

(2) Pedestrian stops.

(3) Frisk and body searches.

(4) Instances where law enforcement officers used deadly force, including—

(A) a description of when and where deadly force was used, and whether it resulted in death;

(B) a description of deadly force directed against an officer and whether it resulted in injury or death; and

(C) the law enforcement agency's justification for use of deadly force, if the agency determines it was justified.

(d) RETENTION OF DATA.—Each law enforcement agency required to report data under this section shall maintain records relating to any matter reported for not less than 4 years after those records are created.

(e) PENALTY FOR STATES FAILING TO REPORT AS REQUIRED.—

(1) IN GENERAL.—For any fiscal year, a State shall not receive any amount that would otherwise be allocated to that State under section 505(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10156(a)), or any amount from any other law enforcement assistance program of the Department of Justice, unless the State has ensured, to the satisfaction of the Attorney General, that the State and each local law enforcement agency of the State is in substantial compliance with the requirements of this section.

(2) REALLOCATION.—Amounts not allocated by reason of this subsection shall be reallocated to States not disqualified by failure to comply with this section.

(f) REGULATIONS.—The Attorney General shall prescribe regulations to carry out this section.

TITLE II—POLICING TRANSPARENCY THROUGH DATA

Subtitle A—National Police Misconduct Registry

SEC. 201. ESTABLISHMENT OF NATIONAL POLICE MISCONDUCT REGISTRY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall establish a National Police Misconduct Registry to be compiled and maintained by the Department of Justice.

(b) CONTENTS OF REGISTRY.—The Registry required to be established under subsection (a) shall contain the following data with respect to all Federal and local law enforcement officers:

(1) Each complaint filed against a law enforcement officer, aggregated by—

(A) complaints that were found to be credible or that resulted in disciplinary action against the law enforcement officer, disaggregated by whether the complaint involved a use of force or racial profiling (as such term is defined in section 302);

(B) complaints that are pending review, disaggregated by whether the complaint involved a use of force or racial profiling; and

(C) complaints for which the law enforcement officer was exonerated or that were determined to be unfounded or not sustained, disaggregated by whether the complaint involved a use of force or racial profiling.

(2) Discipline records, disaggregated by whether the complaint involved a use of force or racial profiling.

(3) Termination records, the reason for each termination, disaggregated by whether the complaint involved a use of force or racial profiling.

(4) Records of certification in accordance with section 202.

(5) Records of lawsuits against law enforcement officers and settlements of such lawsuits.

(6) Instances where a law enforcement officer resigns or retires while under active investigation related to the use of force.

(c) FEDERAL AGENCY REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, and every 6 months thereafter, the head of each Federal law enforcement agency shall submit to the Attorney General the information described in subsection (b).

(d) STATE AND LOCAL LAW ENFORCEMENT AGENCY REPORTING REQUIREMENTS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act and each fiscal year thereafter in which a State receives funds under the Byrne grant program, the State shall, once every 180 days, submit to the Attorney General the information described in subsection (b) for the State and each local law enforcement agency within the State.

(e) PUBLIC AVAILABILITY OF REGISTRY.—

(1) IN GENERAL.—In establishing the Registry required under subsection (a), the Attorney General shall make the Registry available to the public on an internet website of the Attorney General in a manner that allows members of the public to search for an individual law enforcement officer's records of misconduct, as described in subsection (b), involving a use of force or racial profiling.

(2) PRIVACY PROTECTIONS.—Nothing in this subsection shall be construed to supersede the requirements or limitations under section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'').

SEC. 202. CERTIFICATION REQUIREMENTS FOR HIRING OF LAW ENFORCEMENT OFFICERS.

(a) IN GENERAL.— Beginning in the first fiscal year that begins after the date that is one year after the date of the enactment of this Act, a State or unit of local government, other than an Indian Tribe, may not receive funds under the Byrne grant program for that fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government has not—

(1) submitted to the Attorney General evidence that the State or unit of local government has a certification and decertification program for purposes of employment as a law enforcement officer in that State or unit of local government that is consistent with the rules made under subsection (c); and

(2) submitted to the National Police Misconduct Registry established under section 201 records demonstrating that all law enforcement officers of the State or unit of local government have completed all State certification requirements during the 1-year period preceding the fiscal year.

(b) AVAILABILITY OF INFORMATION.—The Attorney General shall make available to law enforcement agencies all information in the registry under section 201 for purposes of compliance with the certification and decertification programs described in subsection (a)(1) and considering applications for employment.

(c) RULES.—The Attorney General shall make rules to carry out this section and section 201, including uniform reporting standards.

Subtitle B—PRIDE Act

SEC. 221. SHORT TITLE.

This subtitle may be cited as the ''Police Reporting Information, Data, and Evidence Act of 2020'' or the ''PRIDE Act of 2020''.

SEC. 222. DEFINITIONS.

In this subtitle:

(1) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) LOCAL LAW ENFORCEMENT OFFICER.—The term ''local law enforcement officer'' has the meaning given the term in section 2, and includes a school resource officer.

(3) SCHOOL.—The term ''school'' means an elementary school or secondary school (as those terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

(4) SCHOOL RESOURCE OFFICER.—The term ''school resource officer'' means a sworn law enforcement officer who is—

(A) assigned by the employing law enforcement agency to a local educational agency or school;

(B) contracting with a local educational agency or school; or

(C) employed by a local educational agency or school.

SEC. 223. USE OF FORCE REPORTING.

(a) REPORTING REQUIREMENTS.—

(1) IN GENERAL.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act and each fiscal year thereafter in which a State or Indian Tribe receives funds under a Byrne grant program, the State or Indian Tribe shall—

(A) report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding—

(i) any incident involving the use of deadly force against a civilian by—

(I) a local law enforcement officer who is employed by the State or by a unit of local government in the State; or

(II) a tribal law enforcement officer who is employed by the Indian Tribe;

(ii) any incident involving the shooting of a local law enforcement officer or tribal law enforcement officer described in clause (i) by a civilian;

(iii) any incident involving the death or arrest of a local law enforcement officer or tribal law enforcement officer;

(iv) any incident during which use of force by or against a local law enforcement officer or tribal law enforcement officer described in clause (i) occurs, which is not reported under clause (i), (ii), or (iii);

(v) deaths in custody; and

(vi) uses of force in arrests and booking;

(B) establish a system and a set of policies to ensure that all use of force incidents are reported by local law enforcement officers or tribal law enforcement officers; and

(C) submit to the Attorney General a plan for the collection of data required to be reported under this section, including any modifications to a previously submitted data collection plan.

(2) REPORT INFORMATION REQUIRED.—

(A) IN GENERAL.—The report required under paragraph (1)(A) shall contain information that includes, at a minimum—

(i) the national origin, sex, race, ethnicity, age, disability, English language proficiency, and housing status of each civilian against whom a local law enforcement officer or tribal law enforcement officer used force;

(ii) the date, time, and location, including whether it was on school grounds, and the zip code, of the incident and whether the jurisdiction in which the incident occurred allows for the open-carry or concealed-carry of a firearm;

(iii) whether the civilian was armed, and, if so, the type of weapon the civilian had;

(iv) the type of force used against the officer, the civilian, or both, including the types of weapons used;

(v) the reason force was used;

(vi) a description of any injuries sustained as a result of the incident;

(vii) the number of officers involved in the incident;

(viii) the number of civilians involved in the incident; and

(ix) a brief description regarding the circumstances surrounding the incident, which shall include information on—

(I) the type of force used by all involved persons;

(II) the legitimate police objective necessitating the use of force;

(III) the resistance encountered by each local law enforcement officer or tribal law enforcement officer involved in the incident;

(IV) the efforts by local law enforcement officers or tribal law enforcement officers to—

(aa) de-escalate the situation in order to avoid the use of force; or

(bb) minimize the level of force used; and

(V) if applicable, the reason why efforts described in subclause (IV) were not attempted.

(B) INCIDENTS REPORTED UNDER DEATH IN CUSTODY REPORTING ACT.—A State or Indian Tribe is not required to include in a report under subsection (a)(1) an incident reported by the State or Indian Tribe in accordance with section 20104(a)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12104(a)(2)).

(C) RETENTION OF DATA.—Each law enforcement agency required to report data under this section shall maintain records relating to any matter so reportable for not less than 4 years after those records are created.

(3) AUDIT OF USE-OF-FORCE REPORTING.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, each State or Indian Tribe described in paragraph (1) shall—

(A) conduct an audit of the use of force incident reporting system required to be established under paragraph (1)(B); and

(B) submit a report to the Attorney General on the audit conducted under subparagraph (A).

(4) COMPLIANCE PROCEDURE.—Prior to submitting a report under paragraph (1)(A), the State or Indian Tribe submitting such report shall compare the information compiled to be reported pursuant to clause (i) of paragraph (1)(A) to publicly available sources, and shall revise such report to include any incident determined to be missing from the report based on such comparison. Failure to comply with the procedures described in the previous sentence shall be considered a failure to comply with the requirements of this section.

(b) INELIGIBILITY FOR FUNDS.—

(1) IN GENERAL.—For any fiscal year in which a State or Indian Tribe fails to comply with this section, the State or Indian Tribe, at the discretion of the Attorney General, shall be subject to not more than a 10-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State or Indian Tribe under a Byrne grant program.

(2) REALLOCATION.—Amounts not allocated under a Byrne grant program in accordance with paragraph (1) to a State for failure to comply with this section shall be reallocated under the Byrne grant program to States that have not failed to comply with this section.

(3) INFORMATION REGARDING SCHOOL RESOURCE OFFICERS.—The State or Indian Tribe shall ensure that all schools and local educational agencies within the jurisdiction of the State or Indian Tribe provide the State or Indian Tribe with the information needed regarding school resource officers to comply with this section.

(c) PUBLIC AVAILABILITY OF DATA.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall publish,

and make available to the public, a report containing the data reported to the Attorney General under this section.

(2) PRIVACY PROTECTIONS.—Nothing in this subsection shall be construed to supersede the requirements or limitations under section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'').

(d) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Director of the Federal Bureau of Investigation, shall issue guidance on best practices relating to establishing standard data collection systems that capture the information required to be reported under subsection (a)(2), which shall include standard and consistent definitions for terms.

SEC. 224. USE OF FORCE DATA REPORTING.

(a) TECHNICAL ASSISTANCE GRANTS AUTHORIZED.—The Attorney General may make grants to eligible law enforcement agencies to be used for the activities described in subsection (c).

(b) ELIGIBILITY.—In order to be eligible to receive a grant under this section a law enforcement agency shall—

(1) be a tribal law enforcement agency or be located in a State that receives funds under a Byrne grant program;

(2) employ not more that 100 local or tribal law enforcement officers;

(3) demonstrate that the use of force policy for local law enforcement officers or tribal law enforcement officers employed by the law enforcement agency is publicly available; and

(4) establish and maintain a complaint system that—

(A) may be used by members of the public to report incidents of use of force to the law enforcement agency;

(B) makes all information collected publicly searchable and available; and

(C) provides information on the status of an investigation related to a use of force complaint.

(c) ACTIVITIES DESCRIBED.—A grant made under this section may be used by a law enforcement agency for—

(1) the cost of assisting the State or Indian Tribe in which the law enforcement agency is located in complying with the reporting requirements described in section 223;

(2) the cost of establishing necessary systems required to investigate and report incidents as required under subsection (b)(4);

(3) public awareness campaigns designed to gain information from the public on use of force by or against local and tribal law enforcement officers, including shootings, which may include tip lines, hotlines, and public service announcements; and

(4) use of force training for law enforcement agencies and personnel, including training on de-escalation, implicit bias, crisis intervention techniques, and adolescent development.

SEC. 225. COMPLIANCE WITH REPORTING REQUIREMENTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall conduct an audit and review of the information provided under this subtitle to determine whether each State or Indian Tribe described in section 223(a)(1) is in compliance with the requirements of this subtitle.

(b) CONSISTENCY IN DATA REPORTING.—

(1) IN GENERAL.—Any data reported under this subtitle shall be collected and reported—

(A) in a manner consistent with existing programs of the Department of Justice that collect data on local law enforcement officer encounters with civilians; and

(B) in a manner consistent with civil rights laws for distribution of information to the public.

(2) GUIDELINES.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall—

(A) issue guidelines on the reporting requirement under section 223; and

(B) seek public comment before finalizing the guidelines required under subparagraph (A).

SEC. 226. FEDERAL LAW ENFORCEMENT REPORTING.

The head of each Federal law enforcement agency shall submit to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, the information required to be reported by a State or Indian Tribe under section 223.

SEC. 227. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as are necessary to carry out this subtitle.

TITLE III—IMPROVING POLICE TRAINING AND POLICIES

Subtitle A—End Racial and Religious Profiling Act

SEC. 301. SHORT TITLE.

This subtitle may be cited as the ''End Racial and Religious Profiling Act of 2020'' or ''ERRPA''.

SEC. 302. DEFINITIONS.

In this subtitle:

(1) COVERED PROGRAM.—The term ''covered program'' means any program or activity funded in whole or in part with funds made available under—

(A) a Byrne grant program; and

(B) the COPS grant program, except that no program, project, or other activity specified in section 1701(b)(13) of part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381 et seq.) shall be a covered program under this paragraph.

(2) GOVERNMENTAL BODY.—The term ''governmental body'' means any department, agency, special purpose district, or other instrumentality of Federal, State, local, or Indian Tribal government.

(3) HIT RATE.—The term ''hit rate'' means the percentage of stops and searches in which a law enforcement agent finds drugs, a gun, or something else that leads to an arrest. The hit rate is calculated by dividing the total number of searches by the number of searches that yield contraband. The hit rate is complementary to the rate of false stops.

(4) LAW ENFORCEMENT AGENCY.—The term ''law enforcement agency'' means any Federal, State, or local public agency engaged in the prevention, detection, or investigation of violations of criminal, immigration, or customs laws.

(5) LAW ENFORCEMENT AGENT.—The term ''law enforcement agent'' means any Federal, State, or local official responsible for enforcing criminal, immigration, or customs laws, including police officers and other agents of a law enforcement agency.

(6) RACIAL PROFILING.—

(A) IN GENERAL.—The term ''racial profiling'' means the practice of a law enforcement agent or agency relying, to any degree, on actual or perceived race, ethnicity, national origin, religion, gender, gender identity, or sexual orientation in selecting which individual to subject to routine or spontaneous investigatory activities or in deciding upon the scope and substance of law enforcement activity following the initial investigatory procedure, except when there is trustworthy information, relevant to the locality and timeframe, that links a person with a particular characteristic described in this paragraph to an identified criminal incident or scheme.

(B) EXCEPTION.—For purposes of subparagraph (A), a tribal law enforcement officer exercising law enforcement authority within Indian country, as that term is defined in section 1151 of title 18, United States Code, is not considered to be racial profiling with respect to making key jurisdictional determinations that are necessarily tied to reliance on actual or perceived race, ethnicity, or tribal affiliation.

(7) ROUTINE OR SPONTANEOUS INVESTIGATORY ACTIVITIES.—The term ''routine or spontaneous investigatory activities'' means the following activities by a law enforcement agent:

(A) Interviews.

(B) Traffic stops.

(C) Pedestrian stops.

(D) Frisks and other types of body searches.

(E) Consensual or nonconsensual searches of the persons, property, or possessions (including vehicles) of individuals using any form of public or private transportation, including motorists and pedestrians.

(F) Data collection and analysis, assessments, and predicated investigations.

(G) Inspections and interviews of entrants into the United States that are more extensive than those customarily carried out.

(H) Immigration-related workplace investigations.

(I) Such other types of law enforcement encounters compiled for or by the Federal Bureau of Investigation or the Department of Justice Bureau of Justice Statistics.

(8) REASONABLE REQUEST.—The term ''reasonable request'' means all requests for information, except for those that—

(A) are immaterial to the investigation;

(B) would result in the unnecessary disclosure of personal information; or

(C) would place a severe burden on the resources of the law enforcement agency given its size.

PART I—PROHIBITION OF RACIAL PROFILING

SEC. 311. PROHIBITION.

No law enforcement agent or law enforcement agency shall engage in racial profiling.

SEC. 312. ENFORCEMENT.

(a) REMEDY.—The United States, or an individual injured by racial profiling, may enforce this part in a civil action for declaratory or injunctive relief, filed either in a State court of general jurisdiction or in a district court of the United States.

(b) PARTIES.—In any action brought under this part, relief may be obtained against—

(1) any governmental body that employed any law enforcement agent who engaged in racial profiling;

(2) any agent of such body who engaged in racial profiling; and

(3) any person with supervisory authority over such agent.

(c) NATURE OF PROOF.—Proof that the routine or spontaneous investigatory activities of law enforcement agents in a jurisdiction have had a disparate impact on individuals with a particular characteristic described in section 302(6) shall constitute prima facie evidence of a violation of this part.

(d) ATTORNEY'S FEES.—In any action or proceeding to enforce this part against any governmental body, the court may allow a prevailing plaintiff, other than the United States, reasonable attorney's fees as part of the costs, and may include expert fees as part of the attorney's fee. The term ''prevailing plaintiff'' means a plaintiff that substantially prevails pursuant to a judicial or administrative judgment or order, or an enforceable written agreement.

PART II—PROGRAMS TO ELIMINATE RACIAL PROFILING BY FEDERAL LAW ENFORCEMENT AGENCIES

SEC. 321. POLICIES TO ELIMINATE RACIAL PROFILING.

(a) IN GENERAL.—Federal law enforcement agencies shall—

(1) maintain adequate policies and procedures designed to eliminate racial profiling; and

(2) cease existing practices that permit racial profiling.

(b) POLICIES.—The policies and procedures described in subsection (a)(1) shall include—

(1) a prohibition on racial profiling;

(2) training on racial profiling issues as part of Federal law enforcement training;

(3) the collection of data in accordance with the regulations issued by the Attorney General under section 341;

(4) procedures for receiving, investigating, and responding meaningfully to complaints alleging racial profiling by law enforcement agents; and

(5) any other policies and procedures the Attorney General determines to be necessary to eliminate racial profiling by Federal law enforcement agencies.

PART III—PROGRAMS TO ELIMINATE RACIAL PROFILING BY STATE AND LOCAL LAW ENFORCEMENT AGENCIES

SEC. 331. POLICIES REQUIRED FOR GRANTS.

(a) IN GENERAL.—An application by a State or a unit of local government for funding under a covered program shall include a certification that such State, unit of local government, and any law enforcement agency to which it will distribute funds—

(1) maintains adequate policies and procedures designed to eliminate racial profiling; and

(2) has eliminated any existing practices that permit or encourage racial profiling.

(b) POLICIES.—The policies and procedures described in subsection (a)(1) shall include—

(1) a prohibition on racial profiling;

(2) training on racial profiling issues as part of law enforcement training;

(3) the collection of data in accordance with the regulations issued by the Attorney General under section 341; and

(4) participation in an administrative complaint procedure or independent audit program that meets the requirements of section 332.

(c) EFFECTIVE DATE.—This section shall take effect 12 months after the date of enactment of this Act.

SEC. 332. INVOLVEMENT OF ATTORNEY GENERAL.

(a) REGULATIONS.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act and in consultation with stakeholders, including Federal, State, and local law enforcement agencies and community, professional, research, and civil rights organizations, the Attorney General shall issue regulations for the operation of administrative complaint procedures and independent audit programs to ensure that such procedures and programs provide an appropriate response to allegations of racial profiling by law enforcement agents or agencies.

(2) GUIDELINES.—The regulations issued under paragraph (1) shall contain guidelines that ensure the fairness, effectiveness, and independence of the administrative complaint procedures and independent auditor programs.

(b) NONCOMPLIANCE.—If the Attorney General determines that the recipient of a grant from any covered program is not in compliance with the requirements of section 331 or the regulations issued under subsection (a), the Attorney General shall withhold, in whole or in part (at the discretion of the Attorney General), funds for one or more grants to the recipient under the covered program, until the recipient establishes compliance.

(c) PRIVATE PARTIES.—The Attorney General shall provide notice and an opportunity for private parties to present evidence to the Attorney General that a recipient of a grant from any covered program is not in compliance with the requirements of this part.

SEC. 333. DATA COLLECTION DEMONSTRATION PROJECT.

(a) TECHNICAL ASSISTANCE GRANTS FOR DATA COLLECTION.—

(1) IN GENERAL.—The Attorney General may, through competitive grants or contracts, carry out a 2-year demonstration project for the purpose of developing and implementing data collection programs on the hit rates for stops and searches by law enforcement agencies. The data collected shall be disaggregated by race, ethnicity, national origin, gender, and religion.

(2) NUMBER OF GRANTS.—The Attorney General shall provide not more than 5 grants or contracts under this section.

(3) ELIGIBLE GRANTEES.—Grants or contracts under this section shall be awarded to law enforcement agencies that serve communities where there is a significant concentration of racial or ethnic minorities and that are not already collecting data voluntarily.

(b) REQUIRED ACTIVITIES.—Activities carried out with a grant under this section shall include—

(1) developing a data collection tool and reporting the compiled data to the Attorney General; and

(2) training of law enforcement personnel on data collection, particularly for data collection on hit rates for stops and searches.

(c) EVALUATION.—Not later than 3 years after the date of enactment of this Act, the Attorney General shall enter into a contract with an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) to analyze the data collected by each of the grantees funded under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out activities under this section—

(1) $5,000,000, over a 2-year period, to carry out the demonstration program under subsection (a); and

(2) $500,000 to carry out the evaluation under subsection (c).

SEC. 334. DEVELOPMENT OF BEST PRACTICES.

(a) USE OF FUNDS REQUIREMENT.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as amended by sections 113 and 114, is amended by adding at the end the following:

''(9) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 10 percent of the total amount of the grant award for the fiscal year to develop and implement best practice devices and systems to eliminate racial profiling in accordance with section 334 of the End Racial and Religious Profiling Act of 2020.''.

(b) DEVELOPMENT OF BEST PRACTICES.—Grant amounts described in paragraph (9) of section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as added by subsection (a) of this section, shall be for programs that include the following:

(1) The development and implementation of training to prevent racial profiling and to encourage more respectful interaction with the public.

(2) The acquisition and use of technology to facilitate the accurate collection and analysis of data.

(3) The development and acquisition of feedback systems and technologies that identify law enforcement agents or units of agents engaged in, or at risk of engaging in, racial profiling or other misconduct.

(4) The establishment and maintenance of an administrative complaint procedure or independent auditor program.

SEC. 335. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as are necessary to carry out this part.

PART IV—DATA COLLECTION

SEC. 341. ATTORNEY GENERAL TO ISSUE REGULATIONS.

(a) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Attorney General, in consultation with stakeholders, including Federal, State, and local law enforcement agencies and community, professional, research, and civil rights organizations, shall issue regulations for the collection and compilation of data under sections 321 and 331.

(b) REQUIREMENTS.—The regulations issued under subsection (a) shall—

(1) provide for the collection of data on all routine and spontaneous investigatory activities;

(2) provide that the data collected shall—

(A) be disaggregated by race, ethnicity, national origin, gender, disability, and religion;

(B) include the date, time, and location of such investigatory activities;

(C) include detail sufficient to permit an analysis of whether a law enforcement agency is engaging in racial profiling; and

(D) not include personally identifiable information;

(3) provide that a standardized form shall be made available to law enforcement agencies for the submission of collected data to the Department of Justice;

(4) provide that law enforcement agencies shall compile data on the standardized form made available under paragraph (3), and submit the form to the Civil Rights Division and the Department of Justice Bureau of Justice Statistics;

(5) provide that law enforcement agencies shall maintain all data collected under this subtitle for not less than 4 years;

(6) include guidelines for setting comparative benchmarks, consistent with best practices, against which collected data shall be measured;

(7) provide that the Department of Justice Bureau of Justice Statistics shall—

(A) analyze the data for any statistically significant disparities, including—

(i) disparities in the percentage of drivers or pedestrians stopped relative to the proportion of the population passing through the neighborhood;

(ii) disparities in the hit rate; and

(iii) disparities in the frequency of searches performed on racial or ethnic minority drivers and the frequency of searches performed on nonminority drivers; and

(B) not later than 3 years after the date of enactment of this Act, and annually thereafter—

(i) prepare a report regarding the findings of the analysis conducted under subparagraph (A);

(ii) provide such report to Congress; and

(iii) make such report available to the public, including on a website of the Department of Justice, and in accordance with accessibility standards under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(8) protect the privacy of individuals whose data is collected by—

(A) limiting the use of the data collected under this subtitle to the purposes set forth in this subtitle;

(B) except as otherwise provided in this subtitle, limiting access to the data collected under this subtitle to those Federal, State, or local employees or agents who require such access in order to fulfill the purposes for the data set forth in this subtitle;

(C) requiring contractors or other nongovernmental agents who are permitted access to the data collected under this subtitle to sign use agreements incorporating the use and disclosure restrictions set forth in subparagraph (A); and

(D) requiring the maintenance of adequate security measures to prevent unauthorized access to the data collected under this subtitle.

SEC. 342. PUBLICATION OF DATA.

The Director of the Bureau of Justice Statistics of the Department of Justice shall provide to Congress and make available to the public, together with each annual report described in section 341, the data collected pursuant to this subtitle, excluding any personally identifiable information described in section 343.

SEC. 343. LIMITATIONS ON PUBLICATION OF DATA.

The name or identifying information of a law enforcement agent, complainant, or any other individual involved in any activity for which data is collected and compiled under this subtitle shall not be—

(1) released to the public;

(2) disclosed to any person, except for—

(A) such disclosures as are necessary to comply with this subtitle;

(B) disclosures of information regarding a particular person to that person; or

(C) disclosures pursuant to litigation; or

(3) subject to disclosure under section 552 of title 5, United States Code (commonly known as

the Freedom of Information Act), except for disclosures of information regarding a particular person to that person.

PART V—DEPARTMENT OF JUSTICE REGULATIONS AND REPORTS ON RACIAL PROFILING IN THE UNITED STATES

SEC. 351. ATTORNEY GENERAL TO ISSUE REGULATIONS AND REPORTS.

(a) REGULATIONS.—In addition to the regulations required under sections 333 and 341, the Attorney General shall issue such other regulations as the Attorney General determines are necessary to implement this subtitle.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Attorney General shall submit to Congress a report on racial profiling by law enforcement agencies.

(2) SCOPE.—Each report submitted under paragraph (1) shall include—

(A) a summary of data collected under sections 321(b)(3) and 331(b)(3) and from any other reliable source of information regarding racial profiling in the United States;

(B) a discussion of the findings in the most recent report prepared by the Department of Justice Bureau of Justice Statistics under section 341(b)(7);

(C) the status of the adoption and implementation of policies and procedures by Federal law enforcement agencies under section 321 and by the State and local law enforcement agencies under sections 331 and 332; and

(D) a description of any other policies and procedures that the Attorney General believes would facilitate the elimination of racial profiling.

Subtitle B—Additional Reforms

SEC. 361. TRAINING ON RACIAL BIAS AND DUTY TO INTERVENE.

(a) IN GENERAL.—The Attorney General shall establish—

(1) a training program for law enforcement officers to cover racial profiling, implicit bias, and procedural justice; and

(2) a clear duty for Federal law enforcement officers to intervene in cases where another law enforcement officer is using excessive force against a civilian, and establish a training program that covers the duty to intervene.

(b) MANDATORY TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS.—The head of each Federal law enforcement agency shall require each Federal law enforcement officer employed by the agency to complete the training programs established under subsection (a).

(c) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the Byrne grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not require each law enforcement officer in the State or unit of local government to complete the training programs established under subsection (a).

(d) GRANTS TO TRAIN LAW ENFORCEMENT OFFICERS ON USE OF FORCE.—Section 501(a)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(a)(1)) is amended by adding at the end the following:

''(I) Training programs for law enforcement officers, including training programs on use of force and a duty to intervene.''.

SEC. 362. BAN ON NO-KNOCK WARRANTS IN DRUG CASES.

(a) BAN ON FEDERAL WARRANTS IN DRUG CASES.—Section 509 of the Controlled Substances Act (21 U.S.C. 879) is amended by adding at the end the following: ''A search warrant authorized under this section shall require that a law enforcement officer execute the search warrant only after providing notice of his or her authority and purpose.''.

(b) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits the issuance of a no-knock warrant in a drug case.

(c) DEFINITION.—In this section, the term ''no-knock warrant'' means a warrant that allows a law enforcement officer to enter a property without requiring the law enforcement officer to announce the presence of the law enforcement officer or the intention of the law enforcement officer to enter the property.

SEC. 363. INCENTIVIZING BANNING OF CHOKEHOLDS AND CAROTID HOLDS.

(a) DEFINITION.—In this section, the term ''chokehold or carotid hold'' means the application of any pressure to the throat or windpipe, the use of maneuvers that restrict blood or oxygen flow to the brain, or carotid artery restraints that prevent or hinder breathing or reduce intake of air of an individual.

(b) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, a State or unit of local government may not receive funds under the Byrne grant program or the COPS grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that prohibits law enforcement officers in the State or unit of local government from using a chokehold or carotid hold.

(c) CHOKEHOLDS AS CIVIL RIGHTS VIOLATIONS.—

(1) SHORT TITLE.—This subsection may be cited as the ''Eric Garner Excessive Use of Force Prevention Act''.

(2) CHOKEHOLDS AS CIVIL RIGHTS VIOLATIONS.—Section 242 of title 18, United States Code, as amended by section 101, is amended by adding at the end the following: ''For the purposes of this section, the application of any pressure to the throat or windpipe, use of maneuvers that restrict blood or oxygen flow to the brain, or carotid artery restraints which prevent or hinder breathing or reduce intake of air is a punishment, pain, or penalty.''.

SEC. 364. PEACE ACT.

(a) SHORT TITLE.—This section may be cited as the ''Police Exercising Absolute Care With Everyone Act of 2020'' or the ''PEACE Act of 2020''.

(b) USE OF FORCE BY FEDERAL LAW ENFORCEMENT OFFICERS.—

(1) DEFINITIONS.—In this subsection:

(A) DEESCALATION TACTICS AND TECHNIQUES.—The term ''deescalation tactics and techniques'' means proactive actions and approaches used by a Federal law enforcement officer to stabilize the situation so that more time, options, and resources are available to gain a person's voluntary compliance and reduce or eliminate the need to use force, including verbal persuasion, warnings, tactical techniques, slowing down the pace of an incident, waiting out a subject, creating distance between the officer and the threat, and requesting additional resources to resolve the incident.

(B) NECESSARY.—The term ''necessary'' means that another reasonable Federal law enforcement officer would objectively conclude, under the totality of the circumstances, that there was no reasonable alternative to the use of force.

(C) REASONABLE ALTERNATIVES.—

(i) IN GENERAL.—The term ''reasonable alternatives'' means tactics and methods used by a Federal law enforcement officer to effectuate an arrest that do not unreasonably increase the risk posed to the law enforcement officer or another person, including verbal communication, distance, warnings, deescalation tactics and techniques, tactical repositioning, and other tactics and techniques intended to stabilize the situation and reduce the immediacy of the risk so that more time, options, and resources can be called upon to resolve the situation without the use of force.

(ii) DEADLY FORCE.—With respect to the use of deadly force, the term ''reasonable alternatives'' includes the use of less lethal force.

(D) TOTALITY OF THE CIRCUMSTANCES.—The term ''totality of the circumstances'' means all credible facts known to the Federal law enforcement officer leading up to and at the time of the use of force, including the actions of the person against whom the Federal law enforcement officer uses such force and the actions of the Federal law enforcement officer.

(2) PROHIBITION ON LESS LETHAL FORCE.—A Federal law enforcement officer may not use any less lethal force unless—

(A) the form of less lethal force used is necessary and proportional in order to effectuate an arrest of a person who the officer has probable cause to believe has committed a criminal offense; and

(B) reasonable alternatives to the use of the form of less lethal force have been exhausted.

(3) PROHIBITION ON DEADLY USE OF FORCE.—A Federal law enforcement officer may not use deadly force against a person unless—

(A) the form of deadly force used is necessary, as a last resort, to prevent imminent and serious bodily injury or death to the officer or another person;

(B) the use of the form of deadly force creates no substantial risk of injury to a third person; and

(C) reasonable alternatives to the use of the form of deadly force have been exhausted.

(4) REQUIREMENT TO GIVE VERBAL WARNING.—When feasible, prior to using force against a person, a Federal law enforcement officer shall identify himself or herself as a Federal law enforcement officer, and issue a verbal warning to the person that the Federal law enforcement officer seeks to apprehend, which shall—

(A) include a request that the person surrender to the law enforcement officer; and

(B) notify the person that the law enforcement officer will use force against the person if the person resists arrest or flees.

(5) GUIDANCE ON USE OF FORCE.—Not later than 120 days after the date of enactment of this Act, the Attorney General, in consultation with impacted persons, communities, and organizations, including representatives of civil and human rights organizations, victims of police use of force, and representatives of law enforcement associations, shall provide guidance to Federal law enforcement agencies on—

(A) the types of less lethal force and deadly force that are prohibited under paragraphs (2) and (3); and

(B) how a Federal law enforcement officer can—

(i) assess whether the use of force is appropriate and necessary; and

(ii) use the least amount of force when interacting with—

(I) pregnant individuals;

(II) children and youth under 21 years of age;

(III) elderly persons;

(IV) persons with mental, behavioral, or physical disabilities or impairments;

(V) persons experiencing perceptual or cognitive impairments due to use of alcohol, narcotics, hallucinogens, or other drugs;

(VI) persons suffering from a serious medical condition; and

(VII) persons with limited English proficiency.

(6) TRAINING.—The Attorney General shall provide training to Federal law enforcement officers on interacting people described in subclauses (I) through (VII) of paragraph (5)(B)(ii).

(7) LIMITATION ON JUSTIFICATION DEFENSE.—

(A) IN GENERAL.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

''§ 1123. Limitation on justification defense for Federal law enforcement officers

''(a) IN GENERAL.—It is not a defense to an offense under section 1111 or 1112 that the use of less lethal force or deadly force by a Federal law enforcement officer was justified if—

''(1) that officer's use of use of such force was inconsistent with section 364(b) of the George Floyd Justice in Policing Act of 2020; or

''(2) that officer's gross negligence, leading up to and at the time of the use of force, contributed to the necessity of the use of such force.

''(b) DEFINITIONS.—In this section—

''(1) the terms 'deadly force' and 'less lethal force' have the meanings given such terms in section 2 and section 364 of the George Floyd Justice in Policing Act of 2020; and

''(2) the term 'Federal law enforcement officer' has the meaning given such term in section 115.''.

(B) CLERICAL AMENDMENT.—The table of sections for chapter 51 of title 18, United States Code, is amended by inserting after the item relating to section 1122 the following:

''1123. Limitation on justification defense for Federal law enforcement officers.''.

(c) LIMITATION ON THE RECEIPT OF FUNDS UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—

(1) LIMITATION.—A State or unit of local government, other than an Indian Tribe, may not receive funds that the State or unit of local government would otherwise receive under a Byrne grant program for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have in effect a law that is consistent with subsection (b) of this section and section 1123 of title 18, United States Code, as determined by the Attorney General.

(2) SUBSEQUENT ENACTMENT.—

(A) IN GENERAL.—If funds described in paragraph (1) are withheld from a State or unit of local government pursuant to paragraph (1) for 1 or more fiscal years, and the State or unit of local government enacts or puts in place a law described in paragraph (1), and demonstrates substantial efforts to enforce such law, subject to subparagraph (B), the State or unit of local government shall be eligible, in the fiscal year after the fiscal year during which the State or unit of local government demonstrates such substantial efforts, to receive the total amount that the State or unit of local government would have received during each fiscal year for which funds were withheld.

(B) LIMIT ON AMOUNT OF PRIOR YEAR FUNDS.—A State or unit of local government may not receive funds under subparagraph (A) in an amount that is more than the amount withheld from the State or unit of local government during the 5-fiscal-year period before the fiscal year during which funds are received under subparagraph (A).

(3) GUIDANCE.—Not later than 120 days after the date of enactment of this Act, the Attorney General, in consultation with impacted persons, communities, and organizations, including representatives of civil and human rights organizations, individuals against whom a law enforcement officer used force, and representatives of law enforcement associations, shall make guidance available to States and units of local government on the criteria that the Attorney General will use in determining whether the State or unit of local government has in place a law described in paragraph (1).

(4) APPLICATION.—This subsection shall apply to the first fiscal year that begins after the date that is 1 year after the date of the enactment of this Act, and each fiscal year thereafter.

SEC. 365. STOP MILITARIZING LAW ENFORCEMENT ACT.

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

(1) Under section 2576a of title 10, United States Code, the Department of Defense is authorized to provide excess property to local law enforcement agencies. The Defense Logistics Agency, administers such section by operating the Law Enforcement Support Office program.

(2) New and used material, including mine-resistant ambush-protected vehicles and weapons determined by the Department of Defense to be ''military grade'' are transferred to Federal, Tribal, State, and local law enforcement agencies through the program.

(3) As a result local law enforcement agencies, including police and sheriff's departments, are acquiring this material for use in their normal operations.

(4) As a result of the wars in Iraq and Afghanistan, military equipment purchased for, and used in, those wars has become excess property and has been made available for transfer to local and Federal law enforcement agencies.

(5) In Fiscal Year 2017, $504,000,000 worth of property was transferred to law enforcement agencies.

(6) More than $6,800,000,000 worth of weapons and equipment have been transferred to police organizations in all 50 States and four territories through the program.

(7) In May 2012, the Defense Logistics Agency instituted a moratorium on weapons transfers through the program after reports of missing equipment and inappropriate weapons transfers.

(8) Though the moratorium was widely publicized, it was lifted in October 2013 without adequate safeguards.

(9) On January 16, 2015, President Barack Obama issued Executive Order 13688 to better coordinate and regulate the federal transfer of military weapons and equipment to State, local, and Tribal law enforcement agencies.

(10) In July, 2017, the Government Accountability Office reported that the program's internal controls were inadequate to prevent fraudulent applicants' access to the program.

(11) On August, 28, 2017, President Donald Trump rescinded Executive Order 13688 despite a July 2017 Government Accountability Office report finding deficiencies with the administration of the 1033 program.

(12) As a result, Federal, State, and local law enforcement departments across the country are eligible again to acquire free ''military-grade'' weapons and equipment that could be used inappropriately during policing efforts in which people and taxpayers could be harmed.

(13) The Department of Defense categorizes equipment eligible for transfer under the 1033 program as ''controlled'' and ''un-controlled'' equipment. ''Controlled equipment'' includes weapons, explosives such as flash-bang grenades, mine-resistant ambush-protected vehicles, long-range acoustic devices, aircraft capable of being modified to carry armament that are combat coded, and silencers, among other military grade items.

(b) LIMITATION ON DEPARTMENT OF DEFENSE TRANSFER OF PERSONAL PROPERTY TO LOCAL LAW ENFORCEMENT AGENCIES.—

(1) IN GENERAL.—Section 2576a of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)(A), by striking ''counterdrug, counterterrorism, and border security activities'' and inserting ''counterterrorism''; and

(ii) in paragraph (2), by striking '', the Director of National Drug Control Policy,'';

(B) in subsection (b)—

(i) in paragraph (5), by striking ''and'' at the end;

(ii) in paragraph (6), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following new paragraphs:

''(7) the recipient submits to the Department of Defense a description of how the recipient expects to use the property;

''(8) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the recipient, the recipient will return the property to the Department of Defense;

''(9) with respect to a recipient that is not a Federal agency, the recipient certifies to the Department of Defense that the recipient notified the local community of the request for personal property under this section by—

''(A) publishing a notice of such request on a publicly accessible Internet website;

''(B) posting such notice at several prominent locations in the jurisdiction of the recipient; and

''(C) ensuring that such notices were available to the local community for a period of not less than 30 days; and

''(10) the recipient has received the approval of the city council or other local governing body to acquire the personal property sought under this section.'';

(C) by striking subsection (d);

(D) by redesignating subsections (e) and (f) as subsections (o) and (p), respectively; and

(E) by inserting after subsection (c) the following new subsections:

''(d) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) For each fiscal year, the Secretary shall submit to Congress certification in writing that each Federal or State agency to which the Secretary has transferred property under this section—

''(A) has provided to the Secretary documentation accounting for all controlled property, including arms and ammunition, that the Secretary has transferred to the agency, including any item described in subsection (f) so transferred before the date of the enactment of the George Floyd Justice in Policing Act of 2020; and

''(B) with respect to a non-Federal agency, carried out each of paragraphs (5) through (8) of subsection (b).

''(2) If the Secretary does not provide a certification under paragraph (1) for a Federal or State agency, the Secretary may not transfer additional property to that agency under this section.

''(e) ANNUAL REPORT ON EXCESS PROPERTY.—Before making any property available for transfer under this section, the Secretary shall annually submit to Congress a description of the property to be transferred together with a certification that the transfer of the property would not violate this section or any other provision of law.

''(f) LIMITATIONS ON TRANSFERS.—(1) The Secretary may not transfer to Federal, Tribal, State, or local law enforcement agencies the following under this section:

''(A) Firearms, ammunition, bayonets, grenade launchers, grenades (including stun and flash-bang),and explosives.

''(B) Vehicles, except for passenger automobiles (as such term is defined in section 32901(a)(18) of title 49, United States Code) and bucket trucks.

''(C) Drones.

''(D) Controlled aircraft that—

''(i) are combat configured or combat coded; or

''(ii) have no established commercial flight application.

''(E) Silencers.

''(F) Long-range acoustic devices.

''(G) Items in the Federal Supply Class of banned items.

''(2) The Secretary may not require, as a condition of a transfer under this section, that a Federal or State agency demonstrate the use of any small arms or ammunition.

''(3) The limitations under this subsection shall also apply with respect to the transfer of previously transferred property of the Department of Defense from one Federal or State agency to another such agency.

''(4)(A) The Secretary may waive the applicability of paragraph (1) to a vehicle described in subparagraph (B) of such paragraph (other than a mine-resistant ambush-protected vehicle), if the Secretary determines that such a

waiver is necessary for disaster or rescue purposes or for another purpose where life and public safety are at risk, as demonstrated by the proposed recipient of the vehicle.

''(B) If the Secretary issues a waiver under subparagraph (A), the Secretary shall—

''(i) submit to Congress notice of the waiver, and post such notice on a public Internet website of the Department, by not later than 30 days after the date on which the waiver is issued; and

''(ii) require, as a condition of the waiver, that the recipient of the vehicle for which the waiver is issued provides public notice of the waiver and the transfer, including the type of vehicle and the purpose for which it is transferred, in the jurisdiction where the recipient is located by not later than 30 days after the date on which the waiver is issued.

''(5) The Secretary may provide for an exemption to the limitation under subparagraph (D) of paragraph (1) in the case of parts for aircraft described in such subparagraph that are transferred as part of regular maintenance of aircraft in an existing fleet.

''(6) The Secretary shall require, as a condition of any transfer of property under this section, that the Federal or State agency that receives the property shall return the property to the Secretary if the agency—

''(A) is investigated by the Department of Justice for any violation of civil liberties; or

''(B) is otherwise found to have engaged in widespread abuses of civil liberties.

''(g) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to Congress certification that for the preceding fiscal year that—

''(1) each Federal or State agency that has received controlled property transferred under this section has—

''(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

''(B) been suspended from the program pursuant to paragraph (4);

''(2) with respect to each non-Federal agency that has received controlled property under this section, the State coordinator responsible for each such agency has verified that the coordinator or an agent of the coordinator has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended from the program pursuant to paragraph (4);

''(3) with respect to each Federal agency that has received controlled property under this section, the Secretary of Defense or an agent of the Secretary has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended from the program pursuant to paragraph (4);

''(4) the eligibility of any agency that has received controlled property under this section for which 100 percent of the property was not accounted for during an inventory described in paragraph (1) or (2), as applicable, to receive any property transferred under this section has been suspended; and

''(5) each State coordinator has certified, for each non-Federal agency located in the State for which the State coordinator is responsible that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended; and

''(6) the Secretary of Defense has certified, for each Federal agency that has received property under this section that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended.

''(h) PROHIBITION ON OWNERSHIP OF CONTROLLED PROPERTY.—A Federal or State agency that receives controlled property under this section may not take ownership of the property.

''(i) NOTICE TO CONGRESS OF PROPERTY DOWNGRADES.—Not later than 30 days before downgrading the classification of any item of personal property from controlled or Federal Supply Class, the Secretary shall submit to Congress notice of the proposed downgrade.

''(j) NOTICE TO CONGRESS OF PROPERTY CANNIBALIZATION.—Before the Defense Logistics Agency authorizes the recipient of property transferred under this section to cannibalize the property, the Secretary shall submit to Congress notice of such authorization, including the name of the recipient requesting the authorization, the purpose of the proposed cannibalization, and the type of property proposed to be cannibalized.

''(k) QUARTERLY REPORTS ON USE OF CONTROLLED EQUIPMENT.—Not later than 30 days after the last day of a fiscal quarter, the Secretary shall submit to Congress a report on any uses of controlled property transferred under this section during that fiscal quarter.

''(l) REPORTS TO CONGRESS.—Not later than 30 days after the last day of a fiscal year, the Secretary shall submit to Congress a report on the following for the preceding fiscal year:

''(1) The percentage of equipment lost by recipients of property transferred under this section, including specific information about the type of property lost, the monetary value of such property, and the recipient that lost the property.

''(2) The transfer of any new (condition code A) property transferred under this section, including specific information about the type of property, the recipient of the property, the monetary value of each item of the property, and the total monetary value of all such property transferred during the fiscal year.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to any transfer of property made after the date of the enactment of this Act.

SEC. 366. PUBLIC SAFETY INNOVATION GRANTS.

(a) BYRNE GRANTS USED FOR LOCAL TASK FORCES ON PUBLIC SAFETY INNOVATION.—Section 501(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151(a)), as amended by this Act, is further amended by adding at the end the following:

''(3) LOCAL TASK FORCES ON PUBLIC SAFETY INNOVATION.—

''(A) IN GENERAL.—A law enforcement program under paragraph (1)(A) may include the development of best practices for and the creation of local task forces on public safety innovation, charged with exploring and developing new strategies for public safety, including non-law enforcement strategies.

''(B) DEFINITION.—The term 'local task force on public safety innovation' means an administrative entity, created from partnerships between community-based organizations and other local stakeholders, that may develop innovative law enforcement and non-law enforcement strategies to enhance just and equitable public safety, repair breaches of trust between law enforcement agencies and the community they pledge to serve, and enhance accountability of law enforcement officers.''.

(b) CRISIS INTERVENTION TEAMS.—Section 501(c) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(c)) is amended by adding at the end the following:

''(3) In the case of crisis intervention teams funded under subsection (a)(1)(H), a program assessment under this subsection shall contain a report on best practices for crisis intervention.''.

(c) USE OF COPS GRANT PROGRAM TO HIRE LAW ENFORCEMENT OFFICERS WHO ARE RESIDENTS OF THE COMMUNITIES THEY SERVE.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)), as amended by this Act, is further amended—

(1) by redesignating paragraphs (23) and (24) as paragraphs (26) and (27), respectively;

(2) in paragraph (26), as so redesignated, by striking ''(22)'' and inserting ''(25)''; and

(3) by inserting after paragraph (22) the following:

''(23) to recruit, hire, incentivize, retain, develop, and train new, additional career law enforcement officers or current law enforcement officers who are willing to relocate to communities—

''(A) where there are poor or fragmented relationships between police and residents of the community, or where there are high incidents of crime; and

''(B) that are the communities that the law enforcement officers serve, or that are in close proximity to the communities that the law enforcement officers serve;

''(24) to collect data on the number of law enforcement officers who are willing to relocate to the communities where they serve, and whether such law enforcement officer relocations have impacted crime in such communities;

''(25) to develop and publicly report strategies and timelines to recruit, hire, promote, retain, develop, and train a diverse and inclusive law enforcement workforce, consistent with merit system principles and applicable law;''.

Subtitle C—Law Enforcement Body Cameras

PART 1—FEDERAL POLICE CAMERA AND ACCOUNTABILITY ACT

SEC. 371. SHORT TITLE.

This part may be cited as the ''Federal Police Camera and Accountability Act''.

SEC. 372. REQUIREMENTS FOR FEDERAL LAW ENFORCEMENT OFFICERS REGARDING THE USE OF BODY CAMERAS.

(a) DEFINITIONS.—In this section:

(1) MINOR.—The term ''minor'' means any individual under 18 years of age.

(2) SUBJECT OF THE VIDEO FOOTAGE.—The term ''subject of the video footage''—

(A) means any identifiable Federal law enforcement officer or any identifiable suspect, victim, detainee, conversant, injured party, or other similarly situated person who appears on the body camera recording; and

(B) does not include people who only incidentally appear on the recording.

(3) VIDEO FOOTAGE.—The term ''video footage'' means any images or audio recorded by a body camera.

(b) REQUIREMENT TO WEAR BODY CAMERA.—

(1) IN GENERAL.—Federal law enforcement officers shall wear a body camera.

(2) REQUIREMENT FOR BODY CAMERA.—A body camera required under paragraph (1) shall—

(A) have a field of view at least as broad as the officer's vision; and

(B) be worn in a manner that maximizes the camera's ability to capture video footage of the officer's activities.

(c) REQUIREMENT TO ACTIVATE.—

(1) IN GENERAL.—Both the video and audio recording functions of the body camera shall be activated whenever a Federal law enforcement officer is responding to a call for service or at the initiation of any other law enforcement or investigative stop (as such term is defined in section 373) between a Federal law enforcement officer and a member of the public, except that when an immediate threat to the officer's life or safety makes activating the camera impossible or dangerous, the officer shall activate the camera at the first reasonable opportunity to do so.

(2) ALLOWABLE DEACTIVATION.—The body camera shall not be deactivated until the stop has fully concluded and the Federal law enforcement officer leaves the scene.

(d) NOTIFICATION OF SUBJECT OF RECORDING.—A Federal law enforcement officer who is wearing a body camera shall notify any subject of the recording that he or she is being recorded by a body camera as close to the inception of the stop as is reasonably possible.

(e) REQUIREMENTS.—Notwithstanding subsection (c), the following shall apply to the use of a body camera:

(1) Prior to entering a private residence without a warrant or in non-exigent circumstances, a Federal law enforcement officer shall ask the occupant if the occupant wants the officer to discontinue use of the officer's body camera. If the occupant responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

(2) When interacting with an apparent crime victim, a Federal law enforcement officer shall, as soon as practicable, ask the apparent crime victim if the apparent crime victim wants the officer to discontinue use of the officer's body camera. If the apparent crime victim responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

(3) When interacting with a person seeking to anonymously report a crime or assist in an ongoing law enforcement investigation, a Federal law enforcement officer shall, as soon as practicable, ask the person seeking to remain anonymous, if the person seeking to remain anonymous wants the officer to discontinue use of the officer's body camera. If the person seeking to remain anonymous responds affirmatively, the Federal law enforcement officer shall immediately discontinue use of the body camera.

(f) RECORDING OF OFFERS TO DISCONTINUE USE OF BODY CAMERA.—Each offer of a Federal law enforcement officer to discontinue the use of a body camera made pursuant to subsection (e), and the responses thereto, shall be recorded by the body camera prior to discontinuing use of the body camera.

(g) LIMITATIONS ON USE OF BODY CAMERA.—Body cameras shall not be used to gather intelligence information based on First Amendment protected speech, associations, or religion, or to record activity that is unrelated to a response to a call for service or a law enforcement or investigative stop between a law enforcement officer and a member of the public, and shall not be equipped with or employ any facial recognition technologies.

(h) EXCEPTIONS.—Federal law enforcement officers—

(1) shall not be required to use body cameras during investigative or enforcement stops with the public in the case that—

(A) recording would risk the safety of a confidential informant, citizen informant, or undercover officer;

(B) recording would pose a serious risk to national security; or

(C) the officer is a military police officer, a member of the United States Army Criminal Investigation Command, or a protective detail assigned to a Federal or foreign official while performing his or her duties; and

(2) shall not activate a body camera while on the grounds of any public, private or parochial elementary or secondary school, except when responding to an imminent threat to life or health.

(i) RETENTION OF FOOTAGE.—

(1) IN GENERAL.—Body camera video footage shall be retained by the law enforcement agency that employs the officer whose camera captured the footage, or an authorized agent thereof, for 6 months after the date it was recorded, after which time such footage shall be permanently deleted.

(2) RIGHT TO INSPECT.—During the 6-month retention period described in paragraph (1), the following persons shall have the right to inspect the body camera footage:

(A) Any person who is a subject of body camera video footage, and their designated legal counsel.

(B) A parent or legal guardian of a minor subject of body camera video footage, and their designated legal counsel.

(C) The spouse, next of kin, or legally authorized designee of a deceased subject of body camera video footage, and their designated legal counsel.

(D) A Federal law enforcement officer whose body camera recorded the video footage, and their designated legal counsel, subject to the limitations and restrictions in this part.

(E) The superior officer of a Federal law enforcement officer whose body camera recorded the video footage, subject to the limitations and restrictions in this part.

(F) Any defense counsel who claims, pursuant to a written affidavit, to have a reasonable basis for believing a video may contain evidence that exculpates a client.

(3) LIMITATION.—The right to inspect subject to subsection (j)(1) shall not include the right to possess a copy of the body camera video footage, unless the release of the body camera footage is otherwise authorized by this part or by another applicable law. When a body camera fails to capture some or all of the audio or video of an incident due to malfunction, displacement of camera, or any other cause, any audio or video footage that is captured shall be treated the same as any other body camera audio or video footage under this part.

(j) ADDITIONAL RETENTION REQUIREMENTS.—Notwithstanding the retention and deletion requirements in subsection (i), the following shall apply to body camera video footage under this part:

(1) Body camera video footage shall be automatically retained for not less than 3 years if the video footage captures an interaction or event involving—

(A) any use of force; or

(B) an stop about which a complaint has been registered by a subject of the video footage.

(2) Body camera video footage shall be retained for not less than 3 years if a longer retention period is voluntarily requested by—

(A) the Federal law enforcement officer whose body camera recorded the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value in an ongoing investigation;

(B) any Federal law enforcement officer who is a subject of the video footage, if that officer reasonably asserts the video footage has evidentiary or exculpatory value;

(C) any superior officer of a Federal law enforcement officer whose body camera recorded the video footage or who is a subject of the video footage, if that superior officer reasonably asserts the video footage has evidentiary or exculpatory value;

(D) any Federal law enforcement officer, if the video footage is being retained solely and exclusively for police training purposes;

(E) any member of the public who is a subject of the video footage;

(F) any parent or legal guardian of a minor who is a subject of the video footage; or

(G) a deceased subject's spouse, next of kin, or legally authorized designee.

(k) PUBLIC REVIEW.—For purposes of subparagraphs (E), (F), and (G) of subsection (j)(2), any member of the public who is a subject of video footage, the parent or legal guardian of a minor who is a subject of the video footage, or a deceased subject's next of kin or legally authorized designee, shall be permitted to review the specific video footage in question in order to make a determination as to whether they will voluntarily request it be subjected to a minimum 3-year retention period.

(l) DISCLOSURE.—

(1) IN GENERAL.—Except as provided in paragraph (2), all video footage of an interaction or event captured by a body camera, if that interaction or event is identified with reasonable specificity and requested by a member of the public, shall be provided to the person or entity making the request in accordance with the procedures for requesting and providing government records set forth in the section 552a of title 5, United States Code.

(2) EXCEPTIONS.—The following categories of video footage shall not be released to the public in the absence of express written permission from the non-law enforcement subjects of the video footage:

(A) Video footage not subject to a minimum 3-year retention period pursuant to subsection (j).

(B) Video footage that is subject to a minimum 3-year retention period solely and exclusively pursuant to paragraph (1)(B) or (2) of subsection (j).

(3) PRIORITY OF REQUESTS.—Notwithstanding any time periods established for acknowledging and responding to records requests in section 552a of title 5, United States Code, responses to requests for video footage that is subject to a minimum 3-year retention period pursuant to subsection (j)(1)(A), where a subject of the video footage is recorded being killed, shot by a firearm, or grievously injured, shall be prioritized and, if approved, the requested video footage shall be provided as expeditiously as possible, but in no circumstances later than 5 days following receipt of the request.

(4) USE OF REDACTION TECHNOLOGY.—

(A) IN GENERAL.—Whenever doing so is necessary to protect personal privacy, the right to a fair trial, the identity of a confidential source or crime victim, or the life or physical safety of any person appearing in video footage, redaction technology may be used to obscure the face and other personally identifying characteristics of that person, including the tone of the person's voice, provided the redaction does not interfere with a viewer's ability to fully, completely, and accurately comprehend the events captured on the video footage.

(B) REQUIREMENTS.—The following requirements shall apply to redactions under subparagraph (A):

(i) When redaction is performed on video footage pursuant to this paragraph, an unedited, original version of the video footage shall be retained pursuant to the requirements of subsections (i) and (j).

(ii) Except pursuant to the rules for the redaction of video footage set forth in this subsection or where it is otherwise expressly authorized by this Act, no other editing or alteration of video footage, including a reduction of the video footage's resolution, shall be permitted.

(m) PROHIBITED WITHHOLDING OF FOOTAGE.—Body camera video footage may not be withheld from the public on the basis that it is an investigatory record or was compiled for law enforcement purposes where any person under investigation or whose conduct is under review is a police officer or other law enforcement employee and the video footage relates to that person's conduct in their official capacity.

(n) ADMISSIBILITY.—Any video footage retained beyond 6 months solely and exclusively pursuant to subsection (j)(2)(D) shall not be admissible as evidence in any criminal or civil legal or administrative proceeding.

(o) CONFIDENTIALITY.—No government agency or official, or law enforcement agency, officer, or official may publicly disclose, release, or share body camera video footage unless—

(1) doing so is expressly authorized pursuant to this part or another applicable law; or

(2) the video footage is subject to public release pursuant to subsection (l), and not exempted from public release pursuant to subsection (l)(1).

(p) LIMITATION ON FEDERAL LAW ENFORCEMENT OFFICER VIEWING OF BODY CAMERA FOOTAGE.—No Federal law enforcement officer shall review or receive an accounting of any body camera video footage that is subject to a minimum 3-year retention period pursuant to subsection (j)(1) prior to completing any required initial reports, statements, and interviews regarding the recorded event, unless doing so is

necessary, while in the field, to address an immediate threat to life or safety.

(q) ADDITIONAL LIMITATIONS.—Video footage may not be—

(1) in the case of footage that is not subject to a minimum 3-year retention period, viewed by any superior officer of a Federal law enforcement officer whose body camera recorded the footage absent a specific allegation of misconduct; or

(2) divulged or used by any law enforcement agency for any commercial or other non-law enforcement purpose.

(r) THIRD PARTY MAINTENANCE OF FOOTAGE.—Where a law enforcement agency authorizes a third party to act as its agent in maintaining body camera footage, the agent shall not be permitted to independently access, view, or alter any video footage, except to delete videos as required by law or agency retention policies.

(s) ENFORCEMENT.—

(1) IN GENERAL.—If any Federal law enforcement officer, or any employee or agent of a Federal law enforcement agency fails to adhere to the recording or retention requirements contained in this part, intentionally interferes with a body camera's ability to accurately capture video footage, or otherwise manipulates the video footage captured by a body camera during or after its operation—

(A) appropriate disciplinary action shall be taken against the individual officer, employee, or agent;

(B) a rebuttable evidentiary presumption shall be adopted in favor of a criminal defendant who reasonably asserts that exculpatory evidence was destroyed or not captured; and

(C) a rebuttable evidentiary presumption shall be adopted on behalf of a civil plaintiff suing the Government, a Federal law enforcement agency, or a Federal law enforcement officer for damages based on misconduct who reasonably asserts that evidence supporting their claim was destroyed or not captured.

(2) PROOF COMPLIANCE WAS IMPOSSIBLE.—The disciplinary action requirement and rebuttable presumptions described in paragraph (1) may be overcome by contrary evidence or proof of exigent circumstances that made compliance impossible.

(t) USE OF FORCE INVESTIGATIONS.—In the case that a Federal law enforcement officer equipped with a body camera is involved in, a witness to, or within viewable sight range of either the use of force by another law enforcement officer that results in a death, the use of force by another law enforcement officer, during which the discharge of a firearm results in an injury, or the conduct of another law enforcement officer that becomes the subject of a criminal investigation—

(1) the law enforcement agency that employs the law enforcement officer, or the agency or department conducting the related criminal investigation, as appropriate, shall promptly take possession of the body camera, and shall maintain such camera, and any data on such camera, in accordance with the applicable rules governing the preservation of evidence;

(2) a copy of the data on such body camera shall be made in accordance with prevailing forensic standards for data collection and reproduction; and

(3) such copied data shall be made available to the public in accordance with subsection (l).

(u) LIMITATION ON USE OF FOOTAGE AS EVIDENCE.—Any body camera video footage recorded by a Federal law enforcement officer that violates this part or any other applicable law may not be offered as evidence by any government entity, agency, department, prosecutorial office, or any other subdivision thereof in any criminal or civil action or proceeding against any member of the public.

(v) PUBLICATION OF AGENCY POLICIES.—Any Federal law enforcement agency policy or other guidance regarding body cameras, their use, or the video footage therefrom that is adopted by a Federal agency or department, shall be made publicly available on that agency's website.

(w) RULE OF CONSTRUCTION.—Nothing in this part shall be construed to preempt any laws governing the maintenance, production, and destruction of evidence in criminal investigations and prosecutions.

SEC. 373. PATROL VEHICLES WITH IN-CAR VIDEO RECORDING CAMERAS.

(a) DEFINITIONS.—In this section:

(1) AUDIO RECORDING.—The term ''audio recording'' means the recorded conversation between a Federal law enforcement officer and a second party.

(2) EMERGENCY LIGHTS.—The term ''emergency lights'' means oscillating, rotating, or flashing lights on patrol vehicles.

(3) ENFORCEMENT OR INVESTIGATIVE STOP.—The term ''enforcement or investigative stop'' means an action by a Federal law enforcement officer in relation to enforcement and investigation duties, including traffic stops, pedestrian stops, abandoned vehicle contacts, motorist assists, commercial motor vehicle stops, roadside safety checks, requests for identification, or responses to requests for emergency assistance.

(4) IN-CAR VIDEO CAMERA.—The term ''in-car video camera'' means a video camera located in a patrol vehicle.

(5) IN-CAR VIDEO CAMERA RECORDING EQUIPMENT.—The term ''in-car video camera recording equipment'' means a video camera recording system located in a patrol vehicle consisting of a camera assembly, recording mechanism, and an in-car video recording medium.

(6) RECORDING.—The term ''recording'' means the process of capturing data or information stored on a recording medium as required under this section.

(7) RECORDING MEDIUM.—The term ''recording medium'' means any recording medium for the retention and playback of recorded audio and video including VHS, DVD, hard drive, solid state, digital, or flash memory technology.

(8) WIRELESS MICROPHONE.—The term ''wireless microphone'' means a device worn by a Federal law enforcement officer or any other equipment used to record conversations between the officer and a second party and transmitted to the recording equipment.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Each Federal law enforcement agency shall install in-car video camera recording equipment in all patrol vehicles with a recording medium capable of recording for a period of 10 hours or more and capable of making audio recordings with the assistance of a wireless microphone.

(2) RECORDING EQUIPMENT REQUIREMENTS.—In-car video camera recording equipment with a recording medium capable of recording for a period of 10 hours or more shall record activities—

(A) whenever a patrol vehicle is assigned to patrol duty;

(B) outside a patrol vehicle whenever—

(i) a Federal law enforcement officer assigned that patrol vehicle is conducting an enforcement or investigative stop;

(ii) patrol vehicle emergency lights are activated or would otherwise be activated if not for the need to conceal the presence of law enforcement; or

(iii) an officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose; and

(C) inside the vehicle when transporting an arrestee or when an officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose.

(3) REQUIREMENTS FOR RECORDING.—

(A) IN GENERAL.—A Federal law enforcement officer shall begin recording for an enforcement or investigative stop when the officer determines an enforcement stop is necessary and shall continue until the enforcement action has been completed and the subject of the enforcement or investigative stop or the officer has left the scene.

(B) ACTIVATION WITH LIGHTS.—A Federal law enforcement officer shall begin recording when patrol vehicle emergency lights are activated or when they would otherwise be activated if not for the need to conceal the presence of law enforcement, and shall continue until the reason for the activation ceases to exist, regardless of whether the emergency lights are no longer activated.

(C) PERMISSIBLE RECORDING.—A Federal law enforcement officer may begin recording if the officer reasonably believes recording may assist with prosecution, enhance safety, or for any other lawful purpose; and shall continue until the reason for recording ceases to exist.

(4) ENFORCEMENT OR INVESTIGATIVE STOPS.—A Federal law enforcement officer shall record any enforcement or investigative stop. Audio recording shall terminate upon release of the violator and prior to initiating a separate criminal investigation.

(c) RETENTION OF RECORDINGS.—Recordings made on in-car video camera recording medium shall be retained for a storage period of at least 90 days. Under no circumstances shall any recording made on in-car video camera recording medium be altered or erased prior to the expiration of the designated storage period. Upon completion of the storage period, the recording medium may be erased and reissued for operational use unless otherwise ordered or if designated for evidentiary or training purposes.

(d) ACCESSIBILITY OF RECORDINGS.—Audio or video recordings made pursuant to this section shall be available under the applicable provisions of section 552a of title 5, United States Code. Only recorded portions of the audio recording or video recording medium applicable to the request will be available for inspection or copying.

(e) MAINTENANCE REQUIRED.—The agency shall ensure proper care and maintenance of in-car video camera recording equipment and recording medium. An officer operating a patrol vehicle must immediately document and notify the appropriate person of any technical difficulties, failures, or problems with the in-car video camera recording equipment or recording medium. Upon receiving notice, every reasonable effort shall be made to correct and repair any of the in-car video camera recording equipment or recording medium and determine if it is in the public interest to permit the use of the patrol vehicle.

SEC. 374. FACIAL RECOGNITION TECHNOLOGY.

No camera or recording device authorized or required to be used under this part may be equipped with or employ facial recognition technology, and footage from such a camera or recording device may not be subjected to facial recognition technology.

SEC. 375. GAO STUDY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on Federal law enforcement officer training, vehicle pursuits, use of force, and interaction with citizens, and submit a report on such study to—

(1) the Committees on the Judiciary of the House of Representatives and of the Senate;

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

(3) the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 376. REGULATIONS.

Not later than 6 months after the date of the enactment of this Act, the Attorney General shall issue such final regulations as are necessary to carry out this part.

SEC. 377. RULE OF CONSTRUCTION.

Nothing in this part shall be construed to impose any requirement on a Federal law enforcement officer outside of the course of carrying out that officer's duty.

PART 2—POLICE CAMERA ACT

SEC. 381. SHORT TITLE.

This part may be cited as the ''Police Creating Accountability by Making Effective Recording

Available Act of 2020'' or the ''Police CAMERA Act of 2020''.

SEC. 382. LAW ENFORCEMENT BODY-WORN CAMERA REQUIREMENTS.

(a) USE OF FUNDS REQUIREMENT.—Section 502(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10153(a)), as amended by section 334, is amended by adding at the end the following:

''(10) An assurance that, for each fiscal year covered by an application, the applicant will use not less than 5 percent of the total amount of the grant award for the fiscal year to develop policies and protocols in compliance with part OO.''.

(b) REQUIREMENTS.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended by adding at the end the following:

''PART OO—LAW ENFORCEMENT BODY-WORN CAMERAS AND RECORDED DATA

''SEC. 3051. USE OF GRANT FUNDS.

''(a) IN GENERAL.—Grant amounts described in paragraph (10) of section 502(a) of this title—

''(1) shall be used—

''(A) to purchase or lease body-worn cameras for use by State, local, and tribal law enforcement officers (as defined in section 2503);

''(B) for expenses related to the implementation of a body-worn camera program in order to deter excessive force, improve accountability and transparency of use of force by law enforcement officers, assist in responding to complaints against law enforcement officers, and improve evidence collection; and

''(C) to implement policies or procedures to comply with the requirements described in subsection (b); and

''(2) may not be used for expenses related to facial recognition technology.

''(b) REQUIREMENTS.—A recipient of a grant under subpart 1 of part E of this title shall—

''(1) establish policies and procedures in accordance with the requirements described in subsection (c) before law enforcement officers use of body-worn cameras;

''(2) adopt recorded data collection and retention protocols as described in subsection (d) before law enforcement officers use of body-worn cameras;

''(3) make the policies and protocols described in paragraphs (1) and (2) available to the public; and

''(4) comply with the requirements for use of recorded data under subsection (f).

''(c) REQUIRED POLICIES AND PROCEDURES.—A recipient of a grant under subpart 1 of part E of this title shall—

''(1) develop with community input and publish for public view policies and protocols for—

''(A) the safe and effective use of body-worn cameras;

''(B) the secure storage, handling, and destruction of recorded data collected by body-worn cameras;

''(C) protecting the privacy rights of any individual who may be recorded by a body-worn camera;

''(D) the release of any recorded data collected by a body-worn camera in accordance with the open records laws, if any, of the State; and

''(E) making recorded data available to prosecutors, defense attorneys, and other officers of the court in accordance with subparagraph (E); and

''(2) conduct periodic evaluations of the security of the storage and handling of the body-worn camera data.

''(d) RECORDED DATA COLLECTION AND RETENTION PROTOCOL.—The recorded data collection and retention protocol described in this paragraph is a protocol that—

''(1) requires—

''(A) a law enforcement officer who is wearing a body-worn camera to provide an explanation if an activity that is required to be recorded by the body-worn camera is not recorded;

''(B) a law enforcement officer who is wearing a body-worn camera to obtain consent to be recorded from a crime victim or witness before interviewing the victim or witness;

''(C) the collection of recorded data unrelated to a legitimate law enforcement purpose be minimized to the greatest extent practicable;

''(D) the system used to store recorded data collected by body-worn cameras to log all viewing, modification, or deletion of stored recorded data and to prevent, to the greatest extent practicable, the unauthorized access or disclosure of stored recorded data;

''(E) any law enforcement officer be prohibited from accessing the stored data without an authorized purpose; and

''(F) the law enforcement agency to collect and report statistical data on—

''(i) incidences of use of force, disaggregated by race, ethnicity, gender, and age of the victim;

''(ii) the number of complaints filed against law enforcement officers;

''(iii) the disposition of complaints filed against law enforcement officers;

''(iv) the number of times camera footage is used for evidence collection in investigations of crimes; and

''(v) any other additional statistical data that the Director determines should be collected and reported;

''(2) allows an individual to file a complaint with a law enforcement agency relating to the improper use of body-worn cameras; and

''(3) complies with any other requirements established by the Director.

''(e) REPORTING.—Statistical data required to be collected under subsection (d)(1)(D) shall be reported to the Director, who shall—

''(1) establish a standardized reporting system for statistical data collected under this program; and

''(2) establish a national database of statistical data recorded under this program.

''(f) USE OR TRANSFER OF RECORDED DATA.—

''(1) IN GENERAL.—Recorded data collected by an entity receiving a grant under a grant under subpart 1 of part E of this title from a body-worn camera shall be used only in internal and external investigations of misconduct by a law enforcement agency or officer, if there is reasonable suspicion that a recording contains evidence of a crime, or for limited training purposes. The Director shall establish rules to ensure that the recorded data is used only for the purposes described in this paragraph.

''(2) PROHIBITION ON TRANSFER.—Except as provided in paragraph (3), an entity receiving a grant under subpart 1 of part E of this title may not transfer any recorded data collected by the entity from a body-worn camera to another law enforcement or intelligence agency.

''(3) EXCEPTIONS.—

''(A) CRIMINAL INVESTIGATION.—An entity receiving a grant under subpart 1 of part E of this title may transfer recorded data collected by the entity from a body-worn camera to another law enforcement agency or intelligence agency for use in a criminal investigation if the requesting law enforcement or intelligence agency has reasonable suspicion that the requested data contains evidence relating to the crime being investigated.

''(B) CIVIL RIGHTS CLAIMS.—An entity receiving a grant under subpart 1 of part E of this title may transfer recorded data collected by the law enforcement agency from a body-worn camera to another law enforcement agency for use in an investigation of the violation of any right, privilege, or immunity secured or protected by the Constitution or laws of the United States.

''(g) AUDIT AND ASSESSMENT.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this part, the Director of the Office of Audit, Assessment, and Management shall perform an assessment of the use of funds under this section and the policies and protocols of the grantees.

''(2) REPORTS.—Not later than September 1 of each year, beginning 2 years after the date of enactment of this part, each recipient of a grant under subpart 1 of part E of this title shall submit to the Director of the Office of Audit, Assessment, and Management a report that—

''(A) describes the progress of the body-worn camera program; and

''(B) contains recommendations on ways in which the Federal Government, States, and units of local government can further support the implementation of the program.

''(3) REVIEW.—The Director of the Office of Audit, Assessment, and Management shall evaluate the policies and protocols of the grantees and take such steps as the Director of the Office of Audit, Assessment, and Management determines necessary to ensure compliance with the program.

''SEC. 3052. BODY-WORN CAMERA TRAINING TOOLKIT.

''(a) IN GENERAL.—The Director shall establish and maintain a body-worn camera training toolkit for law enforcement agencies, academia, and other relevant entities to provide training and technical assistance, including best practices for implementation, model policies and procedures, and research materials.

''(b) MECHANISM.—In establishing the toolkit required to under subsection (a), the Director may consolidate research, practices, templates, and tools that been developed by expert and law enforcement agencies across the country.

''SEC. 3053. STUDY.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of the Police CAMERA Act of 2020, the Director shall conduct a study on—

''(1) the efficacy of body-worn cameras in deterring excessive force by law enforcement officers;

''(2) the impact of body-worn cameras on the accountability and transparency of the use of force by law enforcement officers;

''(3) the impact of body-worn cameras on responses to and adjudications of complaints of excessive force;

''(4) the effect of the use of body-worn cameras on the safety of law enforcement officers on patrol;

''(5) the effect of the use of body-worn cameras on public safety;

''(6) the impact of body-worn cameras on evidence collection for criminal investigations;

''(7) issues relating to the secure storage and handling of recorded data from the body-worn cameras;

''(8) issues relating to the privacy of individuals and officers recorded on body-worn cameras;

''(9) issues relating to the constitutional rights of individuals on whom facial recognition technology is used;

''(10) issues relating to limitations on the use of facial recognition technology;

''(11) issues relating to the public's access to body-worn camera footage;

''(12) the need for proper training of law enforcement officers that use body-worn cameras;

''(13) best practices in the development of protocols for the safe and effective use of body-worn cameras;

''(14) a review of law enforcement agencies that found body-worn cameras to be unhelpful in the operations of the agencies; and

''(15) any other factors that the Director determines are relevant in evaluating the efficacy of body-worn cameras.

''(b) REPORT.—Not later than 180 days after the date on which the study required under subsection (a) is completed, the Director shall submit to Congress a report on the study, which shall include any policy recommendations that the Director considers appropriate.''.

TITLE IV—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE

SEC. 401. SHORT TITLE.

This title may be cited as the ''Closing the Law Enforcement Consent Loophole Act of 2019''.

SEC. 402. PROHIBITION ON ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) IN GENERAL.—Section 2243 of title 18, United States Code, is amended—

*(1) in the section heading, by adding at the end the following: ''**or by any person acting under color of law**'';*

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

''(c) OF AN INDIVIDUAL BY ANY PERSON ACTING UNDER COLOR OF LAW.—

''(1) IN GENERAL.—Whoever, acting under color of law, knowingly engages in a sexual act with an individual, including an individual who is under arrest, in detention, or otherwise in the actual custody of any Federal law enforcement officer, shall be fined under this title, imprisoned not more than 15 years, or both.

''(2) DEFINITION.—In this subsection, the term 'sexual act' has the meaning given the term in section 2246.''; and

(4) in subsection (d), as so redesignated, by adding at the end the following:

''(3) In a prosecution under subsection (c), it is not a defense that the other individual consented to the sexual act.''.

(b) DEFINITION.—Section 2246 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (6) the following:

''(7) the term 'Federal law enforcement officer' has the meaning given the term in section 115.''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 109A of title 18, United States Code, is amended by amending the item related to section 2243 to read as follows:

''2243. Sexual abuse of a minor or ward or by any person acting under color of law.''.

SEC. 403. ENACTMENT OF LAWS PENALIZING ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) IN GENERAL.—Beginning in the first fiscal year that begins after the date that is one year after the date of enactment of this Act, in the case of a State or unit of local government that does not have in effect a law described in subsection (b), if that State or unit of local government that would otherwise receive funds under the COPS grant program, that State or unit of local government shall not be eligible to receive such funds. In the case of a multi-jurisdictional or regional consortium, if any member of that consortium is a State or unit of local government that does not have in effect a law described in subsection (b), if that consortium would otherwise receive funds under the COPS grant program, that consortium shall not be eligible to receive such funds.

(b) DESCRIPTION OF LAW.—A law described in this subsection is a law that—

(1) makes it a criminal offense for any person acting under color of law of the State or unit of local government to engage in a sexual act with an individual, including an individual who is under arrest, in detention, or otherwise in the actual custody of any law enforcement officer; and

(2) prohibits a person charged with an offense described in paragraph (1) from asserting the consent of the other individual as a defense.

(c) REPORTING REQUIREMENT.—A State or unit of local government that receives a grant under the COPS grant program shall submit to the Attorney General, on an annual basis, information on—

(1) the number of reports made to law enforcement agencies in that State or unit of local government regarding persons engaging in a sexual act while acting under color of law during the previous year; and

(2) the disposition of each case in which sexual misconduct by a person acting under color of law was reported during the previous year.

SEC. 404. REPORTS TO CONGRESS.

(a) REPORT BY ATTORNEY GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress a report containing—

(1) the information required to be reported to the Attorney General under section 403(b); and

(2) information on—

(A) the number of reports made, during the previous year, to Federal law enforcement agencies regarding persons engaging in a sexual act while acting under color of law; and

(B) the disposition of each case in which sexual misconduct by a person acting under color of law was reported.

(b) REPORT BY GAO.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall submit to Congress a report on any violations of section 2243(c) of title 18, United States Code, as amended by section 402, committed during the 1-year period covered by the report.

SEC. 405. DEFINITION.

In this title, the term ''sexual act'' has the meaning given the term in section 2246 of title 18, United States Code.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. SEVERABILITY.

If any provision of this Act, or the application of such a provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act and the application of the remaining provisions of this Act to any person or circumstance shall not be affected thereby.

SEC. 502. SAVINGS CLAUSE.

Nothing in this Act shall be construed—

(1) to limit legal or administrative remedies under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983), section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12601), title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10101 et seq.), or title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);

(2) to affect any Federal, State, or Tribal law that applies to an Indian Tribe because of the political status of the Tribe; or

(3) to waive the sovereign immunity of an Indian Tribe without the consent of the Tribe.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 4 hours, equally divided among and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 2 hours.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 7120.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the tragic and brutal death of George Floyd has been a wake-up call for millions of Americans. Across the Nation and around the world, the streets are lined with protesters demanding fundamental change in the culture of law enforcement and meaningful accountability for officers who commit misconduct. Today, we answer their call.

We value and respect the many brave and honorable police officers who put their lives on the line every day to protect us and our communities. We know that most law enforcement officers do their jobs with dignity, selflessness, and honor, and they are deserving of our respect and gratitude for all they do to keep us safe.

But we must also acknowledge that there are too many exceptions. Too many law enforcement officers do not uphold the ethic of protecting and serving their community. Instead, the reality for too many Americans—especially for too many African Americans—is that police officers are perceived as a threat to their liberties, to their dignity, and, all too often, to their safety.

To those who do not believe it, look at these tragic statistics. African Americans are more than twice as likely to be shot and killed by police each year, and Black men between the ages of 15 and 34 are approximately 10 times more likely to be killed by police than other Americans.

This is not a new problem. Our country's history of racism and racially motivated violence is rooted in the original sin of slavery, lynchings, and Jim Crow, and systemic racism continues to haunt our Nation. We see it in the rates of COVID deaths, in our system of mass incarceration, and in the vast chasm of economic inequality, all of which fall disproportionately on the backs of African Americans. We see it in the harassment and excessive force that people of color routinely face by far too many of our police officers.

An unmistakable message has been sent to African Americans in this country that they are second class citizens and that their lives are somehow of less value. Well, let me state clearly and unequivocally that Black lives matter.

George Floyd mattered.
Breonna Taylor mattered.
Eric Garner mattered.
Amadou Diallo mattered.
Tamir Rice mattered.
Walter Scott mattered.
Laquan McDonald and so many others mattered.

Rayshard Brooks mattered, and the countless other people who have lost their lives at the hands of law enforcement mattered.

For far too long, pleas for justice and reform have fallen on deaf ears in Congress. But that changes today. The George Floyd Justice in Policing Act would finally allow for meaningful accountability in cases of police misconduct, and it would begin the process of reimagining policing in the 21st century.

This legislation makes it easier for the Federal Government to successfully prosecute police misconduct

cases. It effectively bans chokeholds, ends racial and religious profiling, encourages prosecutions independent from local police, and eliminates the dubious court-made doctrine of qualified immunity in civil rights lawsuits against law enforcement officers.

At the same time, it works to prevent police violence and bias through a series of front-end approaches aimed at encouraging departments to meet a gold standard in training, hiring, de-escalation strategies, bystander duty, use of body cameras, and other best practices.

The bill also ends no-knock warrants in drug cases, stops the militarization of local policing, and requires the collection of data on a number of key policing matters which would be made public, including the first ever national database on police misconduct incidents to prevent the movement of dangerous officers from department to department.

It also creates a new grant program for community-based organizations to create local commissions and task forces on policing innovation to reimagine how public safety could work in a truly equitable and just way in each community.

I want to thank the sponsor of this legislation, the gentlewoman from California (Ms. BASS), for her tremendous work in crafting a bill that is at once bold and transformative, while also taking a responsible and balanced approach to the many complicated issues associated with policing.

I also want to thank the activists across the country who are leading the protests. It is because of you that we are here today considering the most significant reforms to policing in a generation. It is because of your energy, your determination, and your demands for justice that the Nation has awakened to the need for action.

I know that everyone in this Chamber mourns those who have lost their lives at the hands of law enforcement. But today is our opportunity to offer more than just sympathy. Today is our opportunity to show the world that we are listening and that we will respond with real and lasting reforms.

Thoughts and prayers are not enough. Pledges to study the problem are not enough. Half measures are not enough. Pretend sham measures are not enough.

We must not let this moment slip away. If we do, it will be a terrible stain on our legacy.

Madam Speaker, I urge all of my colleagues to support this vital legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 18, 2020.

Hon. ADAM SMITH,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR CHAIRMAN SMITH: I am writing to you concerning section 365 of H.R. 7120, the ''Justice in Policing Act of 2020.''

I appreciate your willingness to work cooperatively on this legislation. I recognize that section 365 of the bill contains provisions that fall within the jurisdiction of the Committee on Armed Services. I acknowledge that your Committee will not formally consider H.R. 7120 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7120 which fall within your Committee's Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
Washington, DC, June 19, 2020.

Hon. JERROLD NADLER,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER: I am writing to you concerning H.R. 7120, the ''Justice in Policing Act of 2020.'' There are certain provisions in this legislation that fall within the Rule X jurisdiction of the Armed Services Committee.

In the interest of permitting your Committee to proceed expeditiously to floor consideration of this important bill, we will not formally consider H.R. 7120. We do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claims over the subject matters contained in the bill which fall within its Rule X jurisdiction.

Please ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective Committees.

Sincerely,

ADAM SMITH,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 24, 2020.

Hon. FRANK PALLONE, Jr.,
Chairman, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR CHAIRMAN PALLONE: I am writing to you concerning section 362 of H.R. 7120, the ''Justice in Policing Act of 2020.''

I appreciate your willingness to work cooperatively on this legislation. I recognize that section 362 of the bill contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce. I acknowledge that your Committee will not formally consider H.R. 7120 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in H.R. 7120 which fall within your Committee's Rule X jurisdiction.

I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,

JERROLD NADLER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, June 24, 2020.

Hon. JERROLD NADLER,
Chair, Committee on Judiciary,
Washington, DC.

DEAR CHAIRMAN NADLER: I write concerning H.R. 7120, the ''Justice in Policing Act of 2020,'' which was additionally referred to the Committee on Energy and Commerce (Committee).

In recognition of the desire to expedite consideration of H.R. 7120, the Committee agrees to waive formal consideration of the bill as to provisions that fall within the Rule X jurisdiction of the Committee. The Committee takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that the Committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. I also request that you support my request to name members of the Committee to any conference committee to consider such provisions.

Finally, I would appreciate the inclusion of this letter into the Congressional Record during floor consideration of H.R. 7120.

Sincerely,

FRANK PALLONE, Jr.
Chairman.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, what happened to George Floyd last month in Minneapolis was tragic, horrific, and as wrong as wrong could be. His family deserved justice, and I hope they get that swiftly. Bad police officers must be held accountable for their misconduct, and justice must be carried out.

While we focus on rooting out the bad apples, we need to remember that the overwhelming majority of law enforcement officers are good people who put themselves in harm's way to keep the rest of us safe.

We need meaningful legislation that increases training, ensures transparency, holds everyone accountable, and guarantees that tragedies similar to what happened in Minneapolis don't happen again.

This moment in our great Nation's history demands that we work together across the aisle to fashion legislation that works, legislation that actually makes a real and lasting difference.

Unfortunately, Democrats haven't done that, and they show no sign of wanting to do that. They didn't consult us when they put together this legislation.

In committee just last week, Republicans offered 12 thoughtful and good amendments, every single one voted down—every single one.

In the Senate just yesterday, Democrats voted to not even debate a commonsense proposal put forward by Senator SCOTT.

Now, it is interesting. There was some bipartisan support for moving to debate. Two Democrats and one Independent voted with the Republicans, yet Democrats chose partisanship over real reform.

We need reform, but House Democrats have delivered a bill that is designed to keep cops in the car; and when you do that, it makes our communities less safe by preventing good law enforcement officers from being able to do their job. That is what this bill is going to do. Now is not the time to cripple the men and women who so selflessly serve our communities.

This bill has serious due process concerns for law enforcement officers.

Bad officers must be held accountable for their crimes. No one disputes that. But this bill would punish unadjudicated allegations against officers, including officers who may be innocent of those allegations.

This bill will make our law enforcement officers less safe by prohibiting them from obtaining surplus equipment from our Federal Government.

We had an amendment in the committee that says: What about just allowing folks on the border dealing with the cartels, dealing with the terrorists they deal with down there, what about letting those law enforcement agencies have access to surplus military equipment? Democrats said no. That was one of the 12 amendments they said no to.

This equipment allows officers to protect themselves and the communities they serve. For example, armored vehicles in Texas were used to rescue people from rising floodwaters during Hurricane Harvey, and helmets saved the lives of officers who were shot at while responding to the terrorist attack at the Pulse nightclub in Orlando in 2016.

And this bill does nothing to address the calls for defunding and dismantling police departments. Frankly, I have never heard such a crazy idea. This concept, the most insane public policy proposal I have ever heard—and I have been in politics a few years—will certainly make our communities less safe.

It is a real failure of leadership that the Speaker and the chairman chose not to even seek any Republican consensus, any Republican input on the legislation. Rather than working with us in the House to put forward meaningful bipartisan solutions, Democrats have rushed this bill to the floor and have put forward extreme measures, knowing these measures will not pass the Senate and will not get to the President's desk.

Just last week, we held a markup for this bill. As I said, every single one of the Republican amendments were rejected by my Democrat colleagues, all 12 of them.

Fortunately, President Trump has led the way and signed an executive order last week that will invest more energy and resources in police training, recruiting, and community engagement. We have consulted with many of the law enforcement folks on our side, like the sponsor of our legislation, Mr. STAUBER, 20 years as a commander in the Duluth Police Department. That community engagement is essential. That is what is also in the President's executive order, this in addition to his many achievements over the past 3½ years, including record low unemployment, a booming economy, the 2017 tax cuts, the USMCA, the FIRST STEP Act, and the list goes on and on.

Senator SCOTT's bill, which as I said Mr. STAUBER introduced in the House, also gets to the heart of the issue without hamstringing the men and women who faithfully serve our communities. It focuses on training, accountability, and transparency.

It provides additional training for our law enforcement officers in de-escalation tactics and the duty to intervene when an officer is observing excessive use of force. It provides more funding for body cameras and for the storage of the footage.

It prevents bad officers from going from department to department and creates an enhanced penalty for the falsifying of police reports. It is a bill that has the right answers and a bill that should pass the Senate and get signed into law by the President.

Now is the time for us to come together as Americans and continue to make this country the greatest nation ever.

Madam Speaker, I urge my colleagues to oppose this bill, and I reserve the balance of my time.

Mr. NADLER. Madam Speaker, Mr. JORDAN is correct. The Democrats in the Senate did indeed oppose the Republican bill because that bill is a sham designed to look as if it is doing something, designed to look as if it is having some reform while, in fact, doing nothing, just more sham and just more sham histrionics designed to make sure that nothing real passes and that nothing changes.

Madam Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Madam Speaker, I thank the chairman.

Madam Speaker, I rise in support of the George Floyd Justice in Policing Act because Black lives matter.

Police killed George Floyd over a counterfeit $20 bill as if his life didn't matter.

Police in Atlanta, Georgia, killed Rayshard Brooks for running away as if his life didn't matter.

Breonna Taylor, Kathryn Johnston, Tamir Rice, Walter Scott, Philando Castile, Eric Garner, and a long list of others, each killed by police and robbed of their constitutional right to due process.

□ 1345

None of these notorious killings moved Congress to act. It took regular folks of all races, creeds, and colors taking to the streets in every part of this country, even in the face of a global pandemic, to tell the world that we have had enough of police killing Black folks. Our people need to know that we hear them. And Congress knows that on the one hand, President Trump's cronies, like Roger Stone and Michael Flynn, can lie to Federal investigators only to receive a get-out-of-jail free card from the President's protector, Attorney General William Barr. But on the other hand, regular Black folks, like George Floyd and Rayshard Brooks—accosted for broken-taillight types of offenses—get executed by the police acting as judge, jury, and executioner.

The only way that Congress can prove to the American people that we believe that Black lives matter is for all of us—Republicans and Democrats alike—to take legislative action, to stop police from brutalizing and killing Black people—not tomorrow, not next year. Now.

Madam Speaker, in the name of Michael Brown and the citizens of Ferguson, Missouri, let's demilitarize police departments.

In the name of Breonna Taylor and Kathryn Johnston, let's ban no-knock warrants.

In the name of George Floyd and Eric Garner, let's ban chokeholds and make it easier for police departments to fire bad cops.

In the name of Tamir Rice, let's enact a national registry of bad cops.

Madam Speaker, for the people of the United States demanding action, let's pass the George Floyd Justice in Policing Act now.

Mr. JORDAN. Madam Speaker, I would just point out, the chairman of the committee said that Democrats rejected Senator SCOTT's bill yesterday. Not all of them. Not all of them. A couple of them voted for it—bipartisan support. In fact, that is the only proposal that has bipartisan support right now—Senator SCOTT's bill. In fact, it has tri-partisan support because one of the Independents in the Senate voted for it. So it is not accurate to try to characterize Senator SCOTT's legislation the way the chairman did.

Madam Speaker, I yield 4 minutes to the distinguished gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Madam Speaker, I thank the gentleman for yielding me the time and for his tremendous work on this issue.

Madam Speaker, I am disappointed. I am disappointed by the fact that we had an opportunity today to make real bipartisan and meaningful reform. Yet, that is not the bill that is before us today.

I am disappointed the Democrat leadership seems more interested in passing a bill through the House than having actual solutions signed into law.

And I am disappointed the bill before us today punishes good police officers.

Madam Speaker, this is very personal to me. One month ago, my community lost one of our own. George Floyd was born in Fayetteville, and members of his family still live in our community. I was honored to be asked to speak at his memorial service, where I promised his family and our community that I would work to create real and meaningful reform.

After listening to many leaders in our community, as well as talking to many here in Congress, it became clear that there is a lot that Republican and Democrats agree on: We agree on banning chokeholds, increasing police accountability, and information-sharing, improving training, reforming no-knock warrants, and increasing the use of body cameras.

The reality of our divided government is that for any legislation to become law, it has to pass the Democrat-controlled House, the Republican-controlled Senate, and be signed by the Republican President. The Democrats introduced this legislation with no input from Republicans. It jammed it through the committee without accepting any constructive input or amendments.

Now, many Republican amendments would have strengthened this bill—like increasing the penalty for lynching and blocking unions from protecting bad cops. This bill also removes qualified immunity for police officers. That means any police officer can be dragged into civil court by any disgruntled person they ever come in contact with.

Madam Speaker, we all agree bad cops shouldn't be able to hide behind qualified immunity. Representative BEN CLINE and I introduced an amendment that would have earned the support of a majority of this House and would have solved this problem, but the Democrats wouldn't allow it. Now, why would they do that?

Madam Speaker, my colleagues across the aisle may have the votes to pass this measure in the House, but this legislation is already dead on arrival in the Senate, and the President would never sign it.

They would say to the families who mourn the loss of life, they would say to the people who march for justice, that 100 percent of nothing is better than 80 percent of what they propose in this bill. They want you to believe the failure to get real reform is the thought of the Republicans when they have shut us out of the process, and they blocked us from having an open debate in the Senate.

Wake up, America. The Democrats in Congress hope you aren't smart enough to see the truth. Wake up and demand that your elected officials work together to get you the reform that all people of good will demand. Tell them to stop this charade while there is still time.

Madam Speaker, we owe it to the memory of George Floyd and to good police officers who risk their lives every day to protect us. I am committed to continuing to fight for meaningful reform and for healing in our communities, and I ask my colleagues on both sides of the aisle to stop the political games and answer the cries heard across this country.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. Madam Speaker, I rise today in strong support of the George Floyd Justice in Policing Act.

Mr. HUDSON is my friend. I think the world of Mr. HUDSON, but Mr. HUDSON wasn't in the markup or the hearing of the Committee on the Judiciary on this bill. And what they would have seen is what I saw and what I put into the Hill publication today.

I saw shams. I saw ruses. I saw them bringing up antifa. I saw them bringing up ''Russia hoax,'' bringing up Michael Flynn. They brought up abortion. They didn't talk about George Floyd. They didn't talk about attacks on African Americans. They didn't talk about justice and making it better. They brought up sham issues to try to divert the American people's eyes to what is the Trump train propaganda machine. And they were on it.

They brought up the sister of a slain officer in Oakland thinking that they were going to change the narrative to the protesters and, really, the rioters. Well, it turned out it was a boogaloo member; people who are white, many are white supremacist, and they want civil war in this country for who killed that officer and then within a week killed a sheriff in Santa Cruz. You don't ever hear them mention boogaloo. They bring up antifa. And there is nothing about antifa to be involved in any of these protests. It is unfortunate what we have seen.

This is a good bill. Its time is now. It collects data on bad cops so other police departments will know about it. It collects data on the use of deadly force. It prohibits chokeholds. It makes reforms on deadly-force usage. It sets up an independent system of judgment on officers where there won't be home cooking and hand-in-glove law, as it has been currently, and there will be better training: Racial bias and de-escalation.

They brought up defunding the police, that Congress has not brought up defunding the police. That is their ruse. It is ''re-fund,'' if anything, but it is not defund. It is embarrassing. I was embarrassed to see the Republicans did it. It was a shame on the lives of George Floyd, Eric Garner, Michael Brown, all the other people in Memphis—Steven Atkins and Darrius Stewart—whose lives have been cut short by improper activities and deadly force by police officers.

Police are mostly good, but the ones that aren't need to be brought to justice.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Madam Speaker, I thank the gentleman from Ohio.

Madam Speaker, I rise to join my colleagues in voicing my great concern with the substance of this bill and the broken process by which it was produced. As we have all agreed, the issue of updating and reforming the way in which our communities are policed and strengthening the relationship between those brave Americans who serve us in uniform and the communities they serve are matters of critical importance.

The people of this country expect and deserve the Members of this body to rise to this occasion and work together to find common ground on solutions that will preserve the civil liberties of all people and protect and honor the legitimacy of law enforcement. These are not mutually exclusive pursuits.

Madam Speaker, at our hearing in the Committee on the Judiciary 2 weeks ago, you heard a little bit about that.

It is interesting the lens by which we see this. Anybody who watched that, I think they could see that we all heard moving testimony.

George Floyd's brother, Philonise, was there. He testified in a very moving way. Their family attorney was there, and a panel of experts that we all heard from.

At that committee hearing, I, and all my Republican colleagues in the markup that followed, expressed our sincere desire to work together and find common ground with the Democrat majority to solve these problems. We all agreed on the core reform issues.

We talked a lot about transparency and improving training and improving termination ability for those rare individuals who serve in law enforcement and violate the law, and the legitimacy that upholds the character of our legal system.

We could have built consensus around those and other key ideas to restore faith in our institutions and build trust in our communities. But, unfortunately, just 10 days after introduction of the bill, the majority marked up the final version that we are voting on today without any opportunity for input from Republican Members. They blocked us out of the room, and then denied us, as our ranking member, JIM JORDAN, just said, they denied a dozen amendments—good-faith amendments—that we brought to that process. What a tragedy that is.

Madam Speaker, you have to ask yourself, because my constituents are asking themselves, people back home are asking why. Why would they do that? Why would our colleagues on the other side shut us out of the room, when everybody acknowledges this is a real problem, that we need bipartisan solutions to it.

My good friend, Senator TIM SCOTT, explained it well yesterday in his epic speech on the floor of the Senate after the Democrats on the other side spiked and killed his bill. He explained the process: That he went to CHUCK SCHUMER, the leader over there, and the other Democrats, he went to each of them individually to find out what their concerns were with this bill to figure out how to fix it.

He offered first, in good faith, five amendments to the bill, then 20. Then he said he would do a manager's amendment, basically to change much of the substance of his bill just to get something over the lines so we could solve the problem. And you know what happened? They gave him the stiff arm, to use our football metaphor.

Why is that? Because they want to preserve this as a wedge issue for the elections in the fall. That is why.

And TIM SCOTT said it better than we could—and I commend every American to watch the video of his speech on the floor. This reality leaves us at an impasse today, and it makes perfectly clear that this bill in its current form goes too far. As Congressman JORDAN has explained, it ties the hands of American law enforcement, jeopardizes the safety of every American. We have to oppose it.

Madam Speaker, I urge my colleagues to do so, and it is a shame it has come to this.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume. You have heard a lot of errant nonsense on the floor. But it must not go unrebutted.

Ms. BASS, the chairperson of the Black Caucus and the chairperson of our subcommittee talked personally to the Republican leader, Mr. MCCARTHY, and got nowhere. The Committee on the Judiciary's staff talked to the Republican staff of the Committee on the Judiciary and got nowhere. The Republican amendments that Mr. JORDAN advanced at the markup, his wonderful amendments, included antifa, the Seattle autonomous zone, stripping out the entire underlying legislation, defunding police departments, and adding a death penalty to antilynching legislation passed by the House.

Of course, we wouldn't accept these amendments. They couldn't utter the phrase ''Black Lives Matter,'' and could barely engage the subject of police reform. Instead, their amendments—and I have given you about half of them just listed here—were errant nonsense, off-topic, dealing with imaginary things like antifa, and completely negating the entire purpose of the bill. They weren't interested in ''Black Lives Matter.'' They weren't interested in police reform. They were interested in pure demagoguery. Of course, we would not accept their amendments.

Madam Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. CICILLINE).

□ 1400

Mr. CICILLINE. Madam Speaker, Dr. Martin Luther King, Jr., visited my district in April of 1967. Almost a year to the day he was killed, Dr. King told Rhode Islanders:

> I haven't lost faith in the future. But I never intend to adjust myself to the madness of militarism or racial inequality.

More than 50 years later, we are still fighting the madness of racial inequality.

I believe that all of us in this Chamber are here for a reason. It is our solemn duty to acknowledge the sins of the past 400 years and begin to repair the soul of America.

We can build a better, more just country.

Pass the George Floyd Justice in Policing Act, because Black lives matter.

Make the critical reforms that we need to do right now.

End the chokehold. End racial profiling. Demilitarize police departments. Hold bad police officers accountable.

When we do this, we can begin to rebuild trust between the police and the community.

Colleagues, do not be obstructionists. Stand with us in this historic moment. Set aside politics. Stop living in fear of the President's Twitter account. Remember the oath you took to your constituents and to our country.

Mr. JORDAN. Madam Speaker, I yield myself such time as I may consume.

Before yielding, I just point out, I can't believe the chairman of the Judiciary Committee would utter such a statement on the House floor, but he said, ''Imaginary things like antifa.'' They are not imaginary; they are real. And if you don't believe me, go talk to Andy Ngo, the journalist in Portland who was attacked by antifa, who the President of the United States designated as a terrorist organization.

And to have the chair of the Judiciary Committee on the House floor say these words: ''Imaginary things like antifa''? They are far from imaginary. And there are people in every major city in this country who know that, and yet the chair of the Judiciary Committee just made that statement. That is scary.

So when we say we weren't consulted and they talk about—when you have that kind of attitude, we had good, thoughtful amendments in that committee. No, no, no, we can't deal with it, because their attitude is antifa is imaginary. It is far from that. Go ask that journalist in Portland, who just a year ago was beaten up by these individuals. That is ridiculous.

I yield 4 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Madam Speaker, despite what you may hear and read from the majority, there is actually a lot of common ground between the legislation that we are considering today here and the legislation that I am an original cosponsor of recently introduced by Senator TIM SCOTT and here by PETE STAUBER. We ought to pass those provisions that we agree on and continue to discuss and debate the things we don't.

Last week in the Judiciary Committee, as has been mentioned, we offered a dozen reasonable, thoughtful amendments to improve this bill. But every single one was rejected by the majority, every single one.

Improving police-community relations is a critical issue that we should be working on together to solve, which could have a real and lasting positive impact on preventing future senseless acts of violence.

We should also be working together to honor the memories of all of those lost in the recent unrest, including George Floyd and David Underwood and Breonna Taylor and David Dorn. Doing so would serve as a beginning to a healing process to emerge a stronger, more unified Nation.

Madam Speaker, I represent Ohio's First Congressional District, which includes much of the city of Cincinnati.

Back in 2002, following protests and civil unrest over the shooting of a young man, the death of a young man named Timothy Thomas, the city, police representatives, community leaders, and local and Federal officials entered into something called the Collaborative Agreement, to build positive, constructive relationships between the police department and the communities that they serve.

The Collaborative Agreement implemented many of the reforms that we are discussing today: Revised use-of-force policies and mandatory training; emphasizing de-escalation procedures; increased transparency; and independent citizen complaint authority to investigate allegations against police officers; and use of automatic body cameras, among other reforms.

The results haven't been perfect, but we have seen a dramatic improvement in local police-community relations. Also arrests and serious crimes have decreased across the city. And, notably, excessive use of force and violence against police officers has decreased.

These positive results are not due to heavy-handed mandates from the Federal Government. Rather, the changes are more attributable to the grassroots collaborative process, which required everyone involved to put aside their political agendas and work together. Both police and the neighborhoods that they serve had to reach out to each other and come together to address concerns and problem areas.

One of my suggestions to improve this bill calls for a study of Cincinnati's Collaborative Agreement, and other similar agreements, to explore what worked well, what didn't, and what lessons can help other communities across the Nation.

At the same time, we must recognize the important work law enforcement officers do to keep our communities safe. That is why I suggest that we also focus on supporting those police officers who dedicate their lives to protecting our communities.

Specifically, I propose that we add retired police officers who are killed while serving in public or private security roles, like Sergeant David Dorn, to the Public Safety Officers' Benefits Program, which provides death and education benefits to the families of officers killed in the line of duty.

Madam Speaker, these and other proposals from my colleagues are reasonable and would improve the legislation that we are considering today.

I hope that Democrats and Republicans here in the House can work together with the Senate to get meaningful legislation to the President, just as we did with the coronavirus legislation, before another life is lost.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we agree on some things; nothing meaningful. The Republicans agree on studies, not on action. They agree on nothing that will add accountability to the police, nothing that will prevent police brutality, nothing that contributes in any way to Black Lives Matter.

They will not agree to banning chokeholds. They will not agree to changing the mens rea statutes so we can hold brutal officers accountable. They will not agree to banning no-knock warrants in drug cases. They will not agree to ending qualified immunity.

They will agree to studies. They will agree to gestures. They will agree to shams. Their whole approach is a sham, because they agree to nothing meaningful, and they claim to be meaningful.

Their claim is a sham. They will do nothing that will add accountability, nothing that will save one life, nothing that will put one brutal policeman in jail. Nothing.

Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding, and I thank him for his stalwart support for justice in policing. Thank you so much for bringing this legislation to the floor, to you, Mr. NADLER, members of the Judiciary Committee, and the Congressional Black Caucus.

Madam Speaker, exactly one month ago, George Floyd spoke his final words, ''I can't breathe,'' and changed the course of history in our Nation. I will never forget that, nor will many others. I will also never forget his calling out for his mama right there at the end.

Since that horrific day in Minneapolis, Americans from every walk of life and corner of the country have been marching, protesting, and demanding that this moment of national agony become a moment of national action.

Today, by passing the George Floyd Justice in Policing Act, the House is honoring his life and the lives of all killed by police brutality by saying never again and taking action.

The Congress and the country are well served by the leadership of the Congressional Black Caucus, the conscience of the Congress, as we call it, with JOHN LEWIS and so many other leaders, which has been developing these reforms contained in this legislation for decades, 49 years to be exact.

We are blessed to be led by CBC Chair KAREN BASS, who brings 47 years of leadership advocating for an end to police brutality. She brings extraordinary gentility, grace, and strength to this fight.

As you know, Madam Speaker, the George Floyd Justice in Policing Act will fundamentally transform the culture of policing to address systemic racism, curb police brutality, and save lives, as it puts an end to shielding police from accountability.

We don't paint all police with the same brush. But for those who need to be painted with that brush, we need to take the action contained in this bill.

This legislation contains bold, unprecedented reforms, including banning chokeholds. People say, ''Well, why can't you compromise with the other side?'' Well, they don't ban chokeholds. We ban chokeholds. So are we supposed to come up with a number of chokeholds we will agree with? No. We ban chokeholds. Stopping no-knock warrants on drug offenses. Ending the court-created qualified immunity doctrine that is a barrier to holding police officers accountable for wrongful conduct.

Our distinguished chairman enumerated all of these things just now. Combatting racial profiling, mandating data collection, including body and dashboard cameras, strengthening independent investigations of police departments, creating a publicly accessible national police misconduct registry.

Publicly accessible, that is what the Senate bill does not do. We will take the data and keep it to ourselves? Well, what is the use?

And establishing strong new standards for policing.

This week, a coalition of more than 135 leading civil and human rights groups sent a letter stating their opposition to the Senate bill. We have our bill; they have their bill.

And this is what 135 leading civil rights groups had to say:

The Senate act is an inadequate response to the decades of pain, hardship, and devastation that Black people have and continue to endure as a result of systemic racism and lax policies that fail to hold police accountable for misconduct.

This bill falls woefully short of the comprehensive reform needed to address the current policing crisis and achieve meaningful law enforcement accountability.

It is deeply problematic to meet this moment with a menial incremental approach that offers more funding to police and few policies to effectively address the constant loss of Black lives at the hands of police.

Passing watered-down legislation that fails to remedy the actual harms resulting in the loss of life is a moral statement that is inconsistent with a genuine belief that Black lives matter.

Further, any attempt to amend or salvage the Senate act will only serve to check the box and claim reform, when in actuality no reform has occurred to combat police misconduct and to protect Black lives.

135 leading civil and human rights organizations said that.

House Democrats hoped to work in a bipartisan way to create meaningful change to end the epidemic of racial injustice and police brutality. However, it is disappointing that the Senate GOP has ignored the voices of hundreds of thousands of people peacefully calling out for justice and progress, day in and day out, week in and week out, for the past month.

The Senate proposal mimics words of real reform but takes no action to make any difference. It is inadequate and unworthy of support.

During this moment of anguish, which we want to turn into action, it would be a moral failure to accept anything less than transformational change.

But it is clear that the White House has zero interest in real change. Yesterday, the White House went so far as to issue a veto threat, stating that the George Floyd Justice in Policing Act would deter good people from pursuing careers in law enforcement.

No, Mr. President, good people are pursuing careers in law enforcement. Banning chokeholds is not going to deter good people from pursuing careers in law enforcement. That is a White House concern.

Hundreds of people are dying. Vetoing this will make the White House what? Ignoring of this epidemic?

The George Floyd Justice in Policing Act is a bill that American people are insisting on, that this moment in history demands. And what a shameful, bad-faith act to dismiss the will of the public out of hand.

Two weeks ago, Philonise Floyd, the brother of George Floyd, testified so beautifully and powerfully before Mr. NADLER's committee, the Judiciary Committee, on this legislation. He said that day: ''The people marching in the streets are telling you enough is enough. Be the leaders that this country, this world, needs.'' That was his challenge to us.

□ 1415

Then, he said: ''George's name means something. . . . If his death ends up changing the world for the better, and I think it will''—I think it has—''then he died as he lived. It is on you to make sure his death is not in vain.''

Today, with this bill, we have the opportunity and the obligation to ensure that George Floyd's death and the death of so many are not in vain. Their lives matter, Black lives matter.

Madam Speaker, I urge a strong bipartisan vote on the George Floyd Justice in Policing Act. Justice is for George by passing this bill.

Madam Speaker, I thank the distinguished chairman for all of his leadership and work on these issues, not only today and this past month but over time. I urge an ''aye'' vote.

Mr. JORDAN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. COLLINS).

Mr. COLLINS of Georgia. Madam Speaker, I agree with what was just

said. This is here to talk about justice, and justice is supposed to be blind to everything, race, socioeconomic status, blind to politics.

It was interesting just a few minutes ago that when confronted with an amendment that they didn't like, they chose to deal with their collective bargaining agreements on things that actually do pander and stop us from getting at the bad actors in the police departments from going on. The Democrats chose not to talk about it, to walk away and obfuscate and not talk about it.

That was an amendment, frankly, that the chairman didn't list because the chairman understands that that is a problem that needs to be worked on, and we could have, but we didn't.

The bill does not do, in fact, what it is said to do. Some of the provisions of this bill actually will hurt the police officers and the police in our community. It doesn't help; it actually hurts. There are many things that do help, and we can work on those.

The Speaker of the House just said that passing a watered-down bill is wrong. Well, I will tell you what else is wrong. It is coming to the floor of this House and saying passing this bill will change anything because it will not. And stopping the Senate bill from going forward and having amendment and having process is wrong as well because the only way the two bodies will come together and find the common ground and denominator to actually pass a bill—I have been on this floor before, many times, having to remind our colleagues that simply coming to this floor and passing something doesn't make it law.

In this case, it is more important than ever to know that the Senate is working on the Republican side because they are a Republican majority. We are a Democratic majority. You are going to pass a Democratic bill. That is fine. The Senate will pass a Republican bill. But then you go to conference. But when you poison the discussion like we are doing today, that is wrong.

Justice, as I have seen in my home State when I have a DA who is charging police officers before investigations are over—Paul Howard needs to recuse himself. Why? Because good people are being harmed.

The Speaker actually said, Madam Speaker, that good police officers want to do their jobs. That is correct. Yet, right now, the city of Atlanta is seeing a large increase in officers from the Atlanta Police Department applying anywhere else but Fulton County because they don't think they can get backed up. That is what the problem of this bill is.

This is not something that we just simply should take lightly. Justice for George Floyd should be the first and foremost thing, and not just George Floyd, anyone in this case.

There are areas that we can work on, but simply putting things together, throwing it together, and then having the obstruction of the Senate coupled with the bill in the House that cannot get signed is simply talking to these cameras and making a point that nothing else is going to get done.

That is the travesty, Madam Speaker. The travesty is thinking this actually does something. Watered-down bills, not watered-down bills but bills that are not allowed to go to conference and actually work the will of these two bodies, one controlled by Republicans, one controlled by Democrats, is simply wrong. We did it in the FIRST STEP Act, and some of those very same civil rights groups that spoke against the FIRST STEP Act came around when they saw that we were honestly negotiating to an end.

So as we move forward, I would urge ''no'' on this. But I would urge that the destruction stop, and it doesn't start here. So we all need to help and put justice first for everyone.

Mr. NADLER. Madam Speaker, the gentleman who just spoke referred to the collective bargaining provision. He apparently hasn't read the bill. That provision is in the bill. I suggest he read the bill.

Madam Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, my friends on the other side of the aisle are consistently being persistent in the language of why process for them is more important than saving lives. I answer the question with a little book called the Constitution of the United States, which on this day we hope that we will make it holier and more potent for the large numbers of African American men and women who have seen the brunt of racial profiling and police brutality.

Now, let me be very clear. In the opening of this Constitution, it tracks the language that says we are created for a more perfect union. Centuries later, Dr. Martin Luther King asked the question of why we can't wait to be allowed to be full citizens in this Nation as African Americans. He also said now is the time.

So when a Member asked me about the moment of this bill, this day, I said: There are few seismic moments on the floor of the House. There are few catastrophic earthquake moments that change lives and save lives. Today, we cannot wait. Amadou Diallo could not wait more than 20, 30 years ago. Now, we have legislation that will be a significant civil rights moment in our history.

I am very pleased to have introduced the Law Enforcement Trust and Integrity Act with my colleagues that does help police, that does require the accreditation of 18,000 police departments. Maybe if the officers in Minneapolis had been trained in human decency and the stopping of excessive force and the duty to intervene, not only would George Floyd's life been saved, but many others in times before.

But we have a bill that says that you have to require something. And when I walked amongst the neighbors of George Floyd that grew up in Cuney Homes near Jack Yates, they surrounded me, even in the midst of COVID–19, and said: What is this bill going to do? Is it going to do something?

This bill provides a direct requirement for accreditation, the requirement to professionalize police. And, yes, it is racial profiling, and it has teeth in it because it includes a prohibition in profiling based on ethnicity, national origin, religion, and gender. And it creates a cause of action by the Attorney General of any who are injured. We have never had that before. And, yes, it adds a modification of rollback on qualified immunity.

But I say to my friends, in rolling back qualified immunity, you have due process. You are in the courthouse.

It limits the military hardware disbursements, use of force, and it professionalizes the police.

Now, I want to answer the question of Philonise Floyd. He doesn't want his brother to be on his shirt; he wants justice.

As I conclude, Madam Speaker, I just want to answer his daughter's point. His daughter, Gianna, said: ''My daddy changed the world.''

We are changing the world. We can't wait, and now is the time—not process, but reality, and making a bill that changes civil rights in this Nation.

Mr. JORDAN. Madam Speaker, I yield 4 minutes to the distinguished gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Madam Speaker, I rise today in opposition to the bill.

While I have many major concerns with this attempt to federalize State and local law enforcement, I would like to specifically address the issue of qualified immunity.

Qualified immunity protects police officers, teachers, and social workers from civil liability when performing their duties in a proper manner. Should this bill become law, it would completely eliminate qualified immunity for law enforcement.

Now, I know that many of my colleagues on the other side, along with many well-meaning folks around the country, think that that is a good idea, but they have been fed a false narrative. So, let me break a few myths surrounding qualified immunity and explain why it is so important to protect it.

Myth number one: If you are a good police officer, you have nothing to worry about. That is absolutely not true. Imagine this scenario, and this is one that occurs every day in departments across America. You are attempting to make an arrest. The suspect physically resists arrest. The suspect is now fighting the police, and the officer uses empty-hand techniques to secure him. But the suspect is injured while being lawfully and properly secured.

The officer has done nothing wrong, properly followed the law, followed department policy and agency training,

did everything by the book. If this bill becomes law, he will still be sued individually, despite doing everything by the book, and that is just wrong.

I spent 41 years of my life in law enforcement, including 12 years as sheriff. Every single day I went to work, I knew and was willing to put my life on the line for my community. It is what I signed up for, and it is what every officer in this country signs up for.

However, I shouldn't be asked to put my wife's future and my children's future in that breach also. That is not what I signed up for, not when I properly followed the law, followed my agency's policies, followed my training to the letter, but I could still be sued. That is not part of the deal.

Myth number two: Qualified immunity is always granted by the courts. This also is not true. In fact, courts only grant qualified immunity to officers 57 percent of the time. In the majority of the cases where qualified immunity was granted, it was determined that officers did not violate anyone's constitutional rights.

Under current law, even if the court grants the officer qualified immunity, the plaintiff can still sue the agency for alleged ineffective training or policies.

Myth number three: Qualified immunity gives officers free rein on the job. That is absolutely false. It is not true. In order for qualified immunity to apply, an officer must have followed the law, followed agency policy, followed all the proper training. If he violates any one of those, he is on his own and open to civil litigation.

Madam Speaker, law enforcement is too dangerous of a profession that deals in split-second decisions. Most people in this room have no idea what it is like to determine in a high-stress situation whether a suspect is pulling out a gun or a cell phone. They never wrestled a man to the ground who is fighting like hell to evade arrest.

Police officers don't get to watch a video in slow motion over and over again to figure out what to do. That is why qualified immunity exists. In fact, the U.S. Supreme Court just confirmed it.

We cannot be so eager to make major policing reforms on the Federal level that we overcorrect and prevent good officers on the street from being able to do their jobs. We should not put our communities at that kind of risk.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Madam Speaker, I yield an additional 30 seconds to the gentleman from Florida (Mr. RUTHERFORD).

Mr. RUTHERFORD. Madam Speaker, I want to invite my colleagues on the other side of the aisle to reconsider this legislation. Not one single point will destroy the bedrock of law enforcement in this country, and I know there are Members across the aisle that understand that because they have been there; they have done that; they have made those arrests.

I ask you to listen to them and vote ''no'' on this legislation.

Mr. NADLER. Madam Speaker, the gentleman stated a moment ago, I think he said 60 or 65 percent of police officers who got qualified immunity did not violate the constitutional rights of the victims. Well, he is conceding, in other words, that in 40 or 30 percent, or whatever it is, of the time when qualified immunity is granted and holds officers unaccountable, they have violated the constitutional rights of the victims. That is one of the reasons why we must change the doctrine of qualified immunity.

Madam Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. RICHMOND).

□ 1430

Mr. RICHMOND. Madam Speaker, I thank the gentleman for yielding.

Let me just quickly reply to what I think the big difference is between the two sides. We just heard an eloquent argument about the financial impact to families if a police officer loses his job, that they have loss of income. What we are talking about is the loss of love and support both financially and emotionally to a family when they lose their father or their mother or their child. So while one side looks at this as a purely financial or economic problem, we look at it as life or death.

I also heard them talk about the Senate bill. I won't even go into the Senate bill. It doesn't ban chokeholds. It doesn't end no-knock warrants. That bill has about as much teeth as a newborn baby.

But what I will say, Madam Speaker, is that America is burning, and my colleagues can't see it or they don't want to see it because of blind loyalty to a self-absorbed leader who lacks the character or concern to care.

But America is not only burning; America is also weeping. She is weeping for the victims of excessive force by those sworn to protect and serve. She is crying for her American leadership to man up to meet this moment and to write in the laws of this country once and for all that Black lives do matter.

She is calling on us to act, not to cower to the moment, be wilfully ignorant, or just deny the ugly facts. Now is not the time for the quintessential coward or the political hypocrite.

America is crying and America is weeping. If you open your hearts and your ears and get past the purposeful irrelevant noise, you will then hear that she is begging for help. Just listen. America is crying for help just like George Floyd did.

So the real question today is: Will you pretend you didn't see those horrific 8 minutes and 46 seconds? Will you cower to the white nationalists or will you continue to only protect life until it is born?

In church, we are taught that weeping may endure for the night, but joy cometh in the morning. Colleagues, today we will determine how long the night lasts, how long the mourning will last, the weeping will last. How long before we see the joy of the morning? How long before we make this a more perfect Union?

It is time for results, not rhetoric.

And to the Members on the other side who may have African-American children, let me just tell you the difference really quickly.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Madam Speaker, I yield the gentleman from Louisiana an additional 30 seconds.

Mr. RICHMOND. Madam Speaker, let's assume two kids go out at night to the school dance. When the Black mother is waiting by the phone and the phone rings and the child says, ''Well, there was a problem,'' and both kids say, ''We see police lights. The police are on the way,'' the White mother and parent is going to think help is on the way and feel relieved; the Black mother is going to get more concerned and say, ''Just do whatever they tell you, baby. Just come home. No matter how much they degrade you, just come home.''

There is a difference of policing in this country, and we are just asking to fix it.

Mr. JORDAN. Madam Speaker, I yield 4 minutes to the distinguished gentleman from New York (Mr. KING), who, for 28 years, has served his fine constituents.

Mr. KING of New York. Madam Speaker, I thank the gentleman for yielding.

I rise in opposition to H.R. 7120.

The brutal murder of George Floyd and the protests and demonstrations since then highlight the racial issues which still afflict our Nation and which deserve thoughtful discussion and debate. I want to use my time today to reject the premise of systemic police racism, which is the genesis of today's legislation.

I say the opposite: No one has done more to protect all lives than the police. Take New York City, where thousands of protesters have regularly taken to the streets to demonstrate against the NYPD even though, in the past 25 years, the policies and actions of the NYPD have literally saved tens of thousands of lives of people of color. The city has gone from more than 2,000 murders a year, with a great majority of them being African American, to less than 300.

Last year, NYPD officers fired their weapon 35 times. That is 35 times in a police force of 36,000 in a city of more than 8 million, and millions more commuters and tourists. Five African Americans were killed by the NYPD in the entire year, four of whom had a gun or knife.

You won't hear this on the House floor from the other side today, but nationally, more Whites are killed by police than African Americans each year, both in total numbers and in proportion to their encounters with police.

Supporting this legislation, which targets the police, might make people feel better about themselves in the short run but would result in more crime and murder in the minority communities, which already suffer from inadequate healthcare, housing, and educational opportunity.

Just in the past month, we have seen shootings increase dramatically in cities such as Chicago and New York, where shootings are at their highest level in almost 25 years.

It is time to be honest. It is not a peaceful protest when businesses are wrecked and looted, when rocks and bricks and Molotov cocktails are thrown at cops and more than 300 police officers are injured, as we are seeing right now in New York.

No, police are not perfect—none of us are, that is for sure—but they do outstanding work. Just last month, this House, under Democratic leadership, passed the HEROES Act, recognizing the great work of the police in combating COVID–19. How things change in one month.

My father was in the NYPD for more than 30 years. I have been to too many wakes and funerals of cops who have made the ultimate sacrifice, laying down their lives for others.

Police deserve more than this legislation, which targets them for society's ills. It is time to stand with the men and women in blue who put their lives on the line for all the rest of us every day of the year. I strongly urge a ''no'' vote.

Mr. NADLER. Madam Speaker, I yield 3 minutes to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Madam Speaker, I thank the distinguished chair for yielding and for his great leadership.

Madam Speaker, we have a national problem here in America of police violence, police brutality, and the police use of excessive force. It requires a national solution. That is why Congress should pass the George Floyd Justice in Policing Act.

Here in America, every Black mother and every Black father has to have the talk with their child about what to do when approached by the police because any encounter can turn deadly, not because of criminal conduct but because of the color of their skin.

Just ask the family of Amadou Diallo, the family of Sean Bell, the family of Eric Garner, the family of Tamir Rice, the family of Walter Scott, the family of Oscar Grant, the family of Stephon Clark, the family of Breonna Taylor. Just ask the family of George Floyd, who narrated his own death for 8 minutes and 46 seconds and called for his mama.

It is a difficult conversation. I had to have the talk with my two sons, and I knew what to say word for word because my father had the same talk with me decades ago, and nothing has changed.

So all of us in this Chamber, whether you are a Democrat or Republican, should want to make sure that people like our good friend and colleague CEDRIC RICHMOND shouldn't have to have the same talk with his beautiful Black son, 6-year-old little Ced.

We have an opportunity to change things today, and that is what we should do. To the protesters: We hear you; we see you; we are you. We are sick and tired of being sick and tired.

America is a great country. We have come a long way. We still have a long way to go.

We are tired of police violence in a country where the Declaration of Independence promises life, liberty, and the pursuit of happiness.

We are tired of police violence in a country where the Pledge of Allegiance promises liberty and justice for all.

We are tired of police violence in a country where the Constitution promises equal protection under the law.

We are sick and tired of being sick and tired. That is why we should act.

It is time to end racial profiling, time to criminalize the chokehold, time to demilitarize the police, time to end qualified immunity, time for a national standard on the excessive use of force, time for a database on brutal officers, time to expand the Justice Department Office of Civil Rights' jurisdiction, and time for the George Floyd Justice in Policing Act so we can continue our country's long, necessary, and majestic march toward a more perfect Union.

Mr. BIGGS. Madam Speaker, I ask unanimous consent that I be permitted to control the balance of the Republican time.

The SPEAKER pro tempore (Ms. OMAR). Without objection, the gentleman from Arizona (Mr. BIGGS) will control the balance of the Republican time.

There was no objection.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentlewoman from Arizona (Mrs. LESKO.)

Mrs. LESKO. Madam Speaker, I thank the gentleman for yielding.

Black lives matter. My two grandsons, who are Black, their lives matter. I don't want anything bad to happen to them.

My life matters. White lives matter. Hispanic lives matter. Asian lives matter. Native American lives matter. Quite frankly, all lives matter. Police officers' lives matter, too.

What happened to George Floyd was terrible, and bad cops or cops that do bad things have to be held accountable. But we have to recognize that the vast majority of law enforcement officers are good, honest people trying to help our community and protect our community.

We can't throw the baby out with the bathwater, as the saying goes. We need a bipartisan bill because you guys know, I know you are passionate, I know you believe in this, but you also know that this bill that you are pushing through without negotiating with Republicans on is not going to go anywhere.

So, if you actually want something done, you have to negotiate with Republicans because, after all, they have a majority in the Senate, and we have a Republican President.

I ask that we work on a bill that not only holds police officers that do bad things accountable, but that does not undermine law enforcement so that they can do what they need to do to protect our society.

I have talked to numerous law enforcement officers and police chiefs in my district. All of them, every single one of them, said there are portions of this Democrat bill that would undermine their ability to protect us in our communities.

Now, there are other parts of this bill that I support, that Republicans support, that the President could sign. So why don't we try to unite on the things that we can agree on?

It has been said before that in Judiciary Committee none of the Republican amendments were—you voted them all down. Democrats voted them all down. And then Senator SCOTT said that he offered 20 amendments to the Democrats in the Senate, and they rejected them.

So, if we really want to get something done—and we should get something done—let's try to work together instead of pushing through a bill that you haven't reached out to Republicans to negotiate on.

I also am very dismayed by what is happening around our country. I know people are upset, and I applaud the people who are peaceful in their protests.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. BIGGS. Madam Speaker, I yield the gentlewoman from Arizona an additional 30 seconds.

Mrs. LESKO. Madam Speaker, I ask all Members, both Republican and Democrat, to call on the people who are violent out in our streets, people who are looting, people who are tearing down statues, people who are setting up autonomous zones—in the one in Seattle they killed somebody there—please, let's try to heal our country together.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. SWALWELL).

Mr. SWALWELL of California. Madam Speaker, I thank the gentleman for yielding.

I support this bill because Black lives matter.

Gianna Floyd, the 6-year-old daughter of George Floyd, said, ''My daddy changed the world.'' We are here to prove that she is right.

□ 1445

I spoke to an African American member of my community 2 weeks ago who told me he feels safe twice a day: when he wakes up in his own house and after work when he comes into his own house.

He said, ''In between, people look at me, at the nice car I worked hard to

buy, and they think that I stole it. I have police officers often running my plates and then realize I don't have any warrants, and they drive off.''

This member of our community is a police captain. So if a Black police captain feels that way, imagine how people in the Black community who are not in law enforcement feel.

We can change the world with these necessary police reforms, because Black lives do matter.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. MITCHELL).

Mr. MITCHELL. Madam Speaker, I rise today disappointed and frustrated with this legislation and the dysfunction of this legislative body.

Police work is vital, sometimes thankless, sometimes dangerous.

My oldest son is a police officer, and we talked about these issues long before the events of the last several weeks. He recently had to put on a vest and police multiple times, protests where, Madam Speaker, I prayed to God they would not turn violent and someone would get hurt. So it is near and dear to my heart, as well as some Members on the other side of the aisle.

It is not an economic issue. It is an issue of America, it is an issue of rights, and meaningful change is needed now.

All across this country, our constituents, our neighbors, and, yes, my family, are begging us to step forward and lead, to come together for reform.

We see these demonstrations in our cities and towns across this Nation, and we all agree reform is needed, yet yesterday in the Senate, constructive legislation proposed by Senator SCOTT was blocked by Democrats despite a commitment to full debate on the floor and amendments.

We apparently don't want to legislate, do we?

I have actively reached out for substantive discussion on this bill with the sponsor to offer input and support, to no avail.

I spoke with Ms. BASS today, and she hopes maybe we will set up a work group, but not until we vote on this Democrat-developed bill, without the ability to even consider a single amendment.

Heaven forbid we legislate.

Senator SCOTT was correct in his speech yesterday: the issue is about not what action we take, but about who takes and can claim the action.

My colleagues in the other party are so focused upon election messaging, they overlook some critical things.

We have needed to address these issues for decades. Even when a Democrat was in the White House and the Democrats controlled both bodies of this legislature, nothing was done.

This issue will not go away. I think we agree on that. It is staying.

Lacking action, this issue will become more heated and divisive in our communities across this Nation.

What do you say we all simply focus on doing our current jobs rather than worrying about the November election?

What do you say, how about we actually legislate to achieve effective reform instead of messaging, because messaging right now is a disaster for this Nation?

We should all in this body feel ashamed for taking up space and time when we are not solving the problem.

God help us all.

Mr. NADLER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I would like to respond to the assertion that we have not been willing to work with the Republicans on this important legislation. Allow me to set the record straight in detail on where we are and how we got here.

We introduced a comprehensive policing reform bill 18 days ago. We explained to our colleagues in the minority that we initiated the process by developing comprehensive legislation with Senators BOOKER and HARRIS as well as with members of our caucus. We also explained the importance of moving quickly given the moment we were in as a Nation.

Since that time, we have indicated to the minority that if they are interested in developing legislation that they could support, we needed to understand how they wanted to change the bill and whether those changes would lead them to support the bill.

Chair BASS has reached out to the minority leader and to Senator SCOTT, and we have reached out to the minority over the course of the last 10 days.

We held a hearing 2 weeks ago in which the minority invited three witnesses.

The minority did not share a single amendment with us before last week's markup. The minority refused our offer to review and work with them on specific amendments they offered, that we indicated we could support if we had the opportunity to review and discuss before we go to the floor.

That is their right, of course, but in my experience, when a Member would like the majority to support their amendments, they would ordinarily share the text with us in advance. That did not happen here.

I would also note that some of what we saw is in the bill now, and we have not received a single outreach regarding this important matter from either the Trump White House or the Trump Department of Justice.

Again, in my experience, if there were a serious and good-faith effort to enact legislation, the White House would seek to work with both sides of the aisle and both sides of the Capitol. That has not happened thus far.

Chair BASS and I and the others on our side of the aisle have remained open to a full and frank discussion with the minority about their possible support of real and meaningful policing reform legislation. That has not happened thus far.

But it is my hope that the Senate will take up meaningful legislation—the legislation that Senator SCOTT has offered was hardly meaningful—but I hope they will take up meaningful legislation and I hope that we can work with them to pass meaningful legislation.

Madam Speaker, I yield 1 minute to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Madam Speaker, the whole premise of civil government is that we will be safer inside the social contract than outside of it, the state of nature which Thomas Hobbes famously described as a state of war, ''solitary, poor, nasty, brutish, and short.''

So we give up the habits of violent self-help for trust in the rule of law and the impartial administration of justice.

But where was the American social contract for George Floyd as Officer Chauvin asphyxiated him with his knee as he begged for his life; or Breonna Taylor, a 26-year-old EMT who was shot eight times in her own bed by officers carrying a no-knock warrant; or Tamir Rice, a 12-year-old boy who had a water fight in the park, and then was shot dead by a police officer getting out of his car?

The American social contract has always been contaminated by racism. In the words of the Supreme Court in the Dred Scott decision, our Constitution began as a ''White man's compact'' in which the African American had ''no rights the White man was bound to respect.''

The Civil War gave us the chance for a new birth of freedom, but after 12 years of reconstruction, it was washed away by the KKK and Jim Crow.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. RASKIN. Madam Speaker, American apartheid lasted until the modern civil rights movement, when the blood sacrifice of JOHN LEWIS and Medgar Evers, Schwerner, Chaney, and Goodman, and Dr. King gave us the Civil Rights Act of 1964 and the Voting Rights Act of 1965, but we have been brought back to the baseline of violent white supremacy by a reactionary Supreme Court and a President who looks into the souls of white supremacists and sees ''very fine people.''

This is the real deep state in America: violent white racism.

Black Lives Matter and America's young people have given us the chance to launch a new birth of freedom, a third reconstruction in America. Let's start today with the George Floyd Justice in Policing Act.

Mr. BIGGS. Madam Speaker, I yield 4 minutes to the gentleman from Texas (Mr. GOHMERT), my friend.

Mr. GOHMERT. Madam Speaker, I thank my friend from Arizona for yielding.

There have been tragedies in this country, and yet it still hasn't been

enough, apparently, to have the majority in the House, at least the leadership, try to work together to come to a solution.

We have seen some of those solutions, and I have got the bill here, H.R. 7120, but there is no better example than the legislation that Congressman BOBBY RUSH has worked on for years and years trying to pay an appropriate tribute to a 14-year-old Black young man who was kidnapped, horribly tortured, and killed. And I can just read the last phrase of this section 250:

The person may be in prison for not more than 10 years.

So I have an amendment that I thought should get some Democrat votes. We are not going to pass any of ours unless we have Democrat votes. But I believe the death penalty in lynching cases is totally appropriate, certainly in some of them. That is why I felt it was totally appropriate that the two people under Texas law that lynched, that killed James Byrd got the death penalty. It has already been implemented.

But I understood from hearing Chairman NADLER say three times, I believe it was, the death penalty is barbarous. It is barbarous. It is barbarous. Okay, he made clear to his members, do not support the Gohmert amendment. And I would be happy calling it the Bobby Rush amendment, because a life sentence was originally in his bill.

I offered—and it was spur of the moment, I didn't have it planned—okay. Look, you are stopping the members—this is what I am thinking—from voting for my amendment. All right. I need Democrat votes. Let's take out the death penalty and just say ''any term of years, including life,'' and stop there, not the ''or death.''

They wouldn't even agree to that. No. They are going to stop anything that Republicans want to do.

We ought to be setting the example to those who are creating a Marxist crime wave across our country trying to destroy what we have instead of playing partisan games in here.

I am glad to hear in here how much the Democrats tried to reach out and work with us, because I sure didn't get that message, because we were ready, willing, and able.

And it is further demonstrated in the Senate, when TIM SCOTT was doing everything he could to get a bill passed, and he couldn't get any support.

Look, what do you see out in the streets? You see White spoiled adults coming up to Black law enforcement officers, spitting, just chiding them, giving them all kinds of crud. The message is clear: We are White spoiled brats, and you came off the plantation. Get back.

That is what Clarence Thomas said he felt like because he was a conservative that wanted to think for himself.

But those same law officers are the ones—I have seen the law officers I know run to the sound of a gun to save lives even of people that make fun of them.

How did we forget 9/11 so quickly, when we saw example after example of their willingness to sacrifice?

Look, this is not going to do anything. This immunity removal is going to help the law enforcement unions. They will make a fortune, like teachers' unions do, selling the insurance, but it is going to keep law officers tied up in civil court instead of criminal court, and it is going to leave criminals on the street.

Madam Speaker, I say to my colleagues, vote ''no'' on this bill.

Mr. NADLER. Madam Speaker, what do we hear from our Republican friends? ''Marxism,'' ''antifa;'' anything but dealing with the problem.

Madam Speaker, I yield 3 minutes to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Madam Speaker, I rise for Charleena Lyles, Che Taylor, Manuel Ellis, Tony McDade, George Floyd, Breonna Taylor, Rayshard Brooks, Eric Garner, Atatiana Jefferson, Ezell Ford, Tanisha Anderson, Tamir Rice, Walter Scott, Philando Castile, Gabriella Nevarez, Botham Jean.

I rise for Eric Reason, Stephon Clark, Dominique Clayton, Alton Sterling, Michael Brown, Terence Crutcher, Janisha Fonville, Oscar Grant, Freddie Gray, Laquan McDonald, Michelle Cusseaux, Akai Gurley, Jamar Clark, Ariane McCree, Frank Smart, Natasha McKenna, Tony Robinson, Anthony Hill.

I rise for Alexia Christian, Mya Hall, Calin Roquemore, Peter Gaines, Sandra Bland, Demarcus Semer, Willie Tillman, Alteria Woods, Jordan Edwards, Aaron Bailey, Antwon Rose II, Pamela Turner, Salvado Ellswood, Darrius Stewart, Billy Ray Davis, Samuel DuBose.

I rise for Felix Kumi, Tyree Crawford, India Kager, Antronie Scott, Troy Robinson, Anthony Ashford, Bettie Jones, Nathaniel Harris Pickett, Aura Rosser, Dominique White, George Mann, William Chapman II, Brendon Glenn.

□ 1500

I rise for all of our Black brothers, sisters, and siblings who have been killed by law enforcement in this country.

But, Madam Speaker, it is not enough just to say their names. It is not enough just to say that Black lives matter. We must fight for Black lives and for real transformative justice.

Let us pass the George Floyd Justice in Policing Act as a bold, urgent, necessary first step. It bans chokeholds and defines them as civil rights violations. It bans no-knock warrants for drug cases. It establishes a public police misconduct registry. It reforms qualified immunity and ends racial profiling by law enforcement.

It requires reporting of incidents of use of force, stops, and searches, and the demographics of those involved, too.

It demilitarizes law enforcement by restricting the transfer of military equipment to local police departments.

It finally classifies lynching as a Federal hate crime and gives the Department of Justice the power to subpoena law enforcement departments for pattern and practice investigations.

And so critically important, it invests money into Black and Brown communities to reimagine what policing should look like, so everyone is safe.

Madam Speaker, hundreds of thousands of people in communities across America are standing up and speaking out for bold reform, organizing day after day, night after night, in big cities and small towns. They have not just forced a necessary conversation; they have prompted necessary action.

So let us, today, heed these righteous voices of the powerful movement on the ground so local communities, led by Black voices, can move forward on transformational changes. That begins today by passing the George Floyd Justice in Policing Act.

Mr. BIGGS. Madam Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Madam Speaker, it is going to be hard to think of something original to say, but I will give it a go.

First of all, I would like to point out that nobody I know defends Derek Chauvin. And nobody I know doesn't have sympathy for George Floyd and his family. That should go without saying.

The question is, what can we do to prevent this sort of thing in the future?

I personally believe that part of the problem stems from the close relationship that big city governments have with the local unions.

I had introduced a bill when I was in the State legislature about 13 years ago making it easier to get rid of an underperforming policeman. That bill went nowhere, as most of these bills go nowhere because very few people are willing to take on the unions.

That being said, when I introduced the bill, I did expect it would save lives and would pass. I expected it to save Black lives, and I expected it to save White lives.

Right now, you can Google Heather Mac Donald. She's pretty good on this issue.

First of all, the number of lives lost in which an unarmed person was shot by a police officer has fallen the last 4 years, from 70 lives to 28 lives, which is a good step in the right direction. It doesn't mean we shouldn't do more. We should do more.

The second thing I will point out is, when adjusted for violent crime, actually, a higher percentage of White people are killed by police than Black people, and it offends me that we don't bring that up. We try to racialize the issue.

The same day Breonna Taylor died, Duncan Lemp died in a situation,

killed by the police, the exact same situation. But you don't hear about it talked about by anybody in this body or anybody on national TV. You know why they don't talk about it? Because they want to tear this country apart.

They don't want to talk about when White people are killed because they want to enrage Black people, and they want to make White people feel guilty and not like America. But if you look at the studies, that is what it shows.

Now, hopefully, these local governments can do something to make it easier to get rid of bad cops. But let's look at how this bill affects the average person. The majority of cops, the vast majority of cops, are great cops. What does it do to them? What it does is you take away qualified immunity, which means if you are a police officer, you become afraid to arrest somebody, you become afraid to resist somebody, you become afraid to pursue somebody.

What is going to happen when we have a timid, neutered police force?

Right now, in Milwaukee—I don't represent Milwaukee, but my districts goes right up to it—the number of murders this year has gone up from 37 to 72 murders in the first 5-plus months, this year compared to last year.

Does anybody care about all the people who are dying in the city of Milwaukee who aren't killed by police? I don't hear a lot about it.

Already, they have cut the number of police this year, and they are talking about cutting the number of police next year. What effect will that have on people dying? Does anybody care? I don't hear anybody care about that. All they want to do is tear down the police.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BIGGS. Madam Speaker, I yield the gentleman from Wisconsin (Mr. GROTHMAN) an additional 30 seconds.

Mr. GROTHMAN. Madam Speaker, then, finally, you talk about Black Lives Matter. I want to talk about Black Lives Matter a little bit.

You look on their website, and they want to disrupt the westernized, prescribed nuclear family. I thought everybody was for the family. Black Lives Matter, on their website, is against the strong family.

Cofounder Patrisse Cullors says government controls everything, and she says, we are trained Marxists. That person is the cofounder of Black Lives Matter. Do you want to follow them down the path of complete government control over everything?

Mr. NADLER. Madam Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. CLYBURN), the distinguished majority whip of the House.

Mr. CLYBURN. Madam Speaker, I thank the gentleman for yielding me the time.

The motto of my home State of South Carolina is ''Dum spiro spero.'' That is a Latin phrase for: ''While I breathe, I hope.''

Today, as the House prepares to vote on the historic George Floyd Justice and Policing Act, those words take on a new meaning and a very special meaning for me. In this moment, the haunting words of this legislation's namesake, ''I can't breathe,'' echo in the streets daily.

In Mr. Floyd's case, his breath was literally being snuffed out as he cried out for his dead mother. But for so many Blacks in our country today, ''I can't breathe'' is just another way of saying, ''I have no hope.''

Today, this august body is going to pass a piece of legislation that will begin the process of restoring hope, hope to many whose ancestors fought for centuries to be included in the Nation's vision of liberty and justice for all.

This legislation gives us an opportunity to live up to what Alexis de Tocqueville observed about America's greatness. He wrote:

> America is not great because it is more enlightened than any other nation, but rather because it has always been able to repair its faults.

Today, we are seeking to repair some faults in our policing system, a policing system whose foundation was built upon two pillars of experiences, one by a group of Americans who came to America of their own free will in search of freedom, the other by a group of Americans who came to America against their will and were enslaved for 244 years.

Vestiges of that system are still evident in today's law enforcement culture. Chokeholds on Black arrestees, no-knock entries into Black residences, militarized police forces in Black communities, and qualified immunity are all intended to preserve rather than serve, intended to protect perpetrators of excessive use of force rather than improve conditions and communities.

Today, House Democrats and, I hope, some of our Republican colleagues will say by their votes that enough is enough, that it is time to apply the greatness of America equitably and to all our citizens.

But we cannot stop here. Recent occurrences have exposed and shone a spotlight on inequities in our healthcare system, inadequacies in our educational system, and inappropriateness in our electoral system. Liberty and justice for all remains a deferred dream for far too many.

Job losses, challenges in healthcare, eviction threats—people are trying to catch their breath. If they can't breathe, they can't hope.

As a proud South Carolinian, I believe in and try to live by that principle: ''While I breathe, I hope.'' With the passage of the George Floyd Justice in Policing Act, we will all breathe a little freer and gain a little more hope.

Mr. BIGGS. Madam Speaker, I yield 4 minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Speaker, 13 years ago, I partnered with California State Senate Democrats in advocating for an open records act for complaints against police officers. Five years ago, I cosponsored HANK JOHNSON's Stop Militarizing the Police Act. This year, I cosponsored JUSTIN AMASH's legislation to end qualified immunity for public officials.

So if the majority was seeking bipartisan support for police reform, they would have had it. If they had sought consultation, compromise, and cooperation, if they had reached across the aisle, they would have found many sincere allies among Republicans.

My views on law enforcement were shaped years ago when I had the honor to work for the former Los Angeles police chief, Ed Davis. His approach to law enforcement proved highly effective.

While crime increased dramatically across the rest of the country during these years, in Los Angeles, under Chief Davis, it came down. He believed in the policing principles of Sir Robert Peel, that the police are simply an extension of the community. Chief Davis believed that, and he practiced it.

He introduced neighborhood watch, enlisting citizens to work in partnership with the police. He introduced the Basic Car Plan that matched patrol officers with individual neighborhoods so that they would become a familiar, recognized, and trusted presence in those neighborhoods.

I believe the closer we adhere to these principles, the more effective law enforcement will become and the fewer abuses we will see.

Major parts of this bill move us closer to these principles, including the need to open police records of misconduct, the restriction of no-knock warrants, the restriction of transfers of military hardware to local police departments, and the encouragement of police cameras.

If these provisions were presented as standalone bills, I think many would pass with significant bipartisan support. But by rolling them into a bill that imposes an ideological laundry list of operational restrictions and procedures upon every police department in the country, it makes this bill unwise, unworkable, and unsupportable.

Worse, it ignores the most serious problem we face: the protection of bad cops by collective bargaining agreements that makes it all but impossible to fire them.

Policing is a uniquely community-based function. New York, New York, and Auburn, California, are very different places with very different needs, challenges, and standards. Running and micromanaging every local police department is far beyond our competence or authority.

So, even though there are provisions in the bill I strongly support, I cannot support the attempt to federalize local police departments, which moves us further down a slippery slope I fear we are already on.

Looking at the wreckage on our streets, I feel the ultimate target of

the left is not isolated abuses by law enforcement officers but, rather, law enforcement itself.

As we can now plainly see, without law enforcement, there is no law. And without law, there is no civilization.

Finally, I strongly condemn the sentiments expressed in so many forums that America is systemically racist. There are racists of every color in every society. It is the baser side of human nature.

But no nation has struggled harder to transcend that nature and isolate and ostracize its racists than have Americans. The American Founders placed principles in the Declaration of Independence that they believed would someday produce a nation of free men and women of all races and religions, together enjoying the blessings of liberty under the equal protection of our laws. Lincoln denounced any other claim as ''having an evil tendency, if not an evil design.''

An evil tendency and an evil design are exactly what the radical left has introduced into our society, and it is tearing our country apart.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Madam Speaker, I joined the police department in 1984. Few words can describe the feeling that I had when I took my oath to protect and serve. I took it to heart.

We all know the majority of police officers do the job well every day. But today is about those who don't, those who should have never been hired, or those who have forgotten their oaths of office.

□ 1515

Police misconduct has resulted in the deaths of George Floyd, Breonna Taylor, and Rayshard Brooks—people who should be alive today.

As Members of Congress, our primary responsibility is the health, safety, and well-being of the American people. We have made progress. We have come a long way, but we still have a ways to go. Good police officers want us to get there. They need us to help them improve the profession that they love.

As a former police officer and a police chief, I am supporting the George Floyd Justice in Policing Act. Passing this bill will change much. I ask my colleagues to vote for it and pass this legislation.

Mr. BIGGS. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CRENSHAW).

Mr. CRENSHAW. Madam Speaker, I rise today in opposition to this bill, which is unfortunate because it doesn't have to be this way. There is actually a lot of agreement on much of this bill.

Honestly, I was pleasantly surprised when I read it, and if we voted on this section by section, I believe there are some areas where there would be an overwhelming bipartisan majority for some necessary and crucial reforms. There are other parts where, if we just worked together and made some changes, we would likely get to yes on a lot of these. But as it stands now, it doesn't directly defund the police, but it certainly will result in less policing.

Needless to say, that hurts the communities we are trying to help the most. There isn't a community meeting out there that is asking for less police. Minority neighborhoods or high crime neighborhoods want more police. Now, they want better policing, but they want more of it.

In the Senate, Democrats wouldn't even debate Senator SCOTT's bill. Here in the House, Democrats won't let Republicans offer a single amendment.

What reason could the majority possibly have for refusing to work with us?

When Americans are demanding that we work together toward common goals, why won't Democrats do so?

This is sad, cynical politics. The Speaker of the House would rather call Republicans murderers than work with us on solutions.

But it was never really about police reform. The majority's eyes and actions are fixed on November, not police reform.

It is not too late. I urge my colleagues to do the right thing and work with us to send a bill that the President will sign.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. CORREA).

Mr. CORREA. Madam Speaker, I thank the gentleman for yielding.

I join Congresswoman BASS in support of H.R. 7120, the George Floyd Justice in Policing Act.

The tragic death of George Floyd and countless others will not be in vain. This bill is a comprehensive approach on policing that aims to end decades of systemic racism, and I ask my colleagues to join us in support of this measure.

I had hoped that arrest disparities, especially cannabis-related arrests, would have been part of this measure. According to the ACLU, Black people are more likely to be arrested for marijuana possession, and in some States they are up to 10 times more likely to be arrested for cannabis possession. We can't ask our police officers to enforce flawed cannabis policy. Cannabis use is a social and medical issue and not a criminal matter.

Let's not ask our police officers to do the impossible. I ask for reform in cannabis policy immediately.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Madam Speaker, I rise to express my strong support for the George Floyd Justice in Policing Act.

It is past time for Congress to make systemic changes on issues of racism, police brutality, and racial profiling. We must put an end to unjustified use of force by the police that has resulted in the death of one too many Black and Brown Americans.

As a person of faith, I believe the responsibility falls on each and every one of us to ensure that everyone is treated as a child of God. However, the reality is George Floyd was not treated as the child of God that he is. He wasn't treated that way when he said his last words, ''I can't breathe.''

Justice demands that we must put an end to police brutality, racial profiling, white supremacy, and the vicious racism in America.

Justice demands that long-suffering Americans be made whole for being denied their rights as Americans.

If there is anything that history has taught us, it is that our laws must be equal to all, and we must boldly affirm that Black lives matter.

Mr. BIGGS. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HURD).

Mr. HURD of Texas. Madam Speaker, today we are missing an opportunity to pass an overwhelmingly bipartisan bill. We are missing an opportunity for a police reform bill to actually become law. We are missing an opportunity to do our part to prevent another Black person from dying in police custody.

Everyone here believes, as I do, that whether your skin is black or your uniform is blue, you should not feel targeted in this country.

We have failed to do one simple thing: empower police chiefs to permanently fire bad cops.

This is one of the most important things Congress could have addressed. Keeping bad cops off the force could prevent another killing like George Floyd. It would protect good police officers by ensuring bad officers, like George Floyd's murderer, don't soil the reputations of good officers.

Just a few months ago when dealing with the COVID–19 pandemic, we worked together as one Congress—not two parties—to pass needed relief to our fellow citizens. That is the spirit that I wish was in this Chamber today.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentleman from Colorado (Mr. NEGUSE).

Mr. NEGUSE. Madam Speaker, I want to extend my condolences to my good friend and to the Speaker for her recent loss.

Madam Speaker, I rise today in support of the George Floyd Justice in Policing Act, a powerful and transformative bill that will ultimately help save lives.

In the wake of the tragic deaths of Breonna Taylor, George Floyd, Elijah McClain, Michael Marshall, and so many others, it is critical and it is our duty to act. As a multicultural and multiracial movement sweeps our Nation and as communities across the country plead for change, it lands on each of us to act.

This bill will ban chokeholds. It will bring transparency by standing up the

first ever national database of civilian police encounters, and it will provide additional tools to the Department of Justice and State attorneys general for pattern or practice investigations.

We must enact these reforms. We must stand up on the side of justice and equality. We must act.

Madam Speaker, I urge my colleagues to support this bill.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Madam Speaker, I do offer you my deepest condolences.

We stand here today keenly aware that we are living through history. Yet again, racism and injustice have opened painful wounds 400 years in the making.

I lost my son, Jordan, to those wounds. And, yes, my Black son's life did matter. With each gut-wrenching video, I am reminded of the hole left in my heart by the murder of my own son. That is my history. It is the history of far too many Black Americans, and it is a history that can never, ever be erased.

But America has always been able to rise to the tests of our time. Our future is etched in the courage of our convictions, and today we must respond with bold action.

Madam Speaker, to save American lives, to create a better future for our children, and to help mend the wounds of hate and violence, our response is clear. I urge my colleagues to support the George Floyd Justice in Policing Act.

Our time is now.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from Arizona (Mr. STANTON).

Mr. STANTON. Madam Speaker, I rise today in support of the George Floyd Justice in Policing Act.

I want to thank Chairman NADLER and Congresswoman BASS for their unwavering leadership on this historic legislation.

Black lives matter. George Floyd was murdered 1 month ago today. This month has been a painful and reflective period for our Nation, and the House has taken an essential step to heal that pain with this bill.

Today, we vote on long overdue legislation to bring greater accountability and transparency into policing and to help make everyone more safe. The specific measures included in this bill, from banning chokeholds and no-knock warrants to eliminating qualified immunity, are critical steps to improve policing practices. It includes reforms to combat racial profiling and right injustices that exist in America today.

The ability to end racism in our country is beyond the reach of Congress. We don't have the power to change every heart and mind, but we do have the power to change the law, to make it more just, and to combat structural racism through measurable, meaningful reforms.

Change starts here today.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Madam Speaker, I, too, offer you my and my family's sympathies on the loss of your father.

Madam Speaker, it is my privilege to rise in support of this historic bill, the George Floyd Justice in Policing Act. Enough is enough.

Racial injustice has been right before our eyes for far too long—Amadou Diallo, Eric Garner, Tamir Rice, Breonna Taylor, Rayshard Brooks, and George Floyd. We can no longer turn a blind eye. We need to meet this civil rights moment of national anguish. We must insist on bold change, not surrender to a bare minimum.

Unarmed Black Americans are being murdered in the street by those who have sworn to protect and serve. This is not a Black problem. It is my problem. It is your problem. It is our American problem.

We must ban chokeholds, no-knock warrants, and finally hold officers accountable.

George Floyd's daughter said, ''My daddy changed the world.'' Let's come together and honor her words. Let's change the world with this transformative bill.

Mr. BIGGS. Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. MUCARSEL-POWELL).

Ms. MUCARSEL-POWELL. Madam Speaker, my condolences. I just heard about your father.

Madam Speaker, today I rise in strong support of the George Floyd Justice in Policing Act. Today marks 1 month since George Floyd called out, ''I can't breathe,'' as an officer suffocated him to death and two complicitly watched. The world has joined Mr. Floyd's family in demanding that we take action. South Florida and my constituents are demanding action.

We can't bring him back, but we can bring justice to him; to his 6-year-old daughter, Gianna; his family; and his brother, Philonise.

We can put an end to chokeholds and hold every police officer accountable for their actions. We can honor the life and legacy of Breonna Taylor, whose murderers still walk free, and we can and must serve the memory of the countless other lives that have been taken and brutalized by bringing law enforcement back to their roots of protecting and serving.

The time for bold and profound action is now.

□ 1530

Mr. JORDAN. Madam Speaker, I ask unanimous consent that I be permitted to control the balance of our time.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio controls the balance of the time.

There was no objection.

Mr. JORDAN. Madam Speaker, I yield as much time as he may consume to the gentleman from the State of Arizona (Mr. BIGGS), chairman of the Freedom Caucus, and my good friend and great Member.

Mr. BIGGS. Madam Speaker, I thank the gentleman for yielding some time to me.

Madam Speaker, we consider something very serious today, and that is reformation of policing. And we are, as Federal elected officials, reaching into State and local police agencies. And if this bill were to become law, we are imposing the values of us collectively—because that is the way this works—on those State and local agencies.

Madam Speaker, when we had this debate in the Committee on the Judiciary, it was often pointed out by some on my side of the aisle that there was movement afoot to defund, and in some cases, even eliminate police agencies at the local and State level. And that was viewed as a ruse, as a deflection from the issue. But in reality, indeed, this bill itself will have that effect.

Madam Speaker, see, on the front side of it, you have a radical group of folks, people who are agitating to actually defund or eliminate police agencies—whether they are affiliated with any of my colleagues, I don't know. We have had some Members of this body suggest that their own police departments are cancerous and should be amputated. We have seen that.

And then on the other hand, though, this bill actually is a rear-guard action.

So you have a frontal attack on State and local police—eliminate them. Then you have a rear-guard action. That is what this does. It brings power to control local and State police to this body.

Madam Speaker, as my friend from California said earlier, one of the most unique things about policing is it is tied to community. So we need to consider that. We need to consider that this bill will actually have the impact that so many seem to want, and that is to attenuate State and local policing. So when we start talking about qualified limited immunity and the proposed elimination of that in this bill, I recall that there were several Members from my side of the aisle that wish to see that. I mean, Mr. MCCLINTOCK said he would like to see it done away with. Others said the same thing. But there were also efforts and attempts to modify the qualified limited immunity rules.

Madam Speaker, now why is this important? Because you need to understand that QLI does not protect a police officer from charges for illegal or unconstitutional conduct. It just doesn't. But when you totally eliminate it, the same protections that are there for, whether it is a schoolteacher

or social worker or some other government worker, police officers will now be left without protection whatsoever. And the result will be, it will be harder to recruit, train, and retain police officers. We are not going to have the best police officers we can get anymore.

Madam Speaker, so what is going to happen, then, is you are going to see fewer police officers. So you are going to see, for instance, in one of the big cities in my State, hundreds of vacancies already there. You will see that move to thousands of vacancies. You will see fewer police on the street. Those police who are there will have to make a calculated cost-risk-ratio assessment.

And that assessment will be this: If I get involved in this particular situation, what will be the risk to my family going forward? If you want police officers to make that calculation, I can guarantee you they will say it is better if I sit in my car. I will wait till this situation has been ameliorated and then I will step forward. So you will have less policing, fewer officers, and that will mean higher crime. More crime.

Madam Speaker, I can't help but comment on something that was said by the chairman earlier today, something that was iterated the other day in our Committee on the Judiciary hearing on this, where a gentleman said at that time the same thing that the chairman said today, that effectively antifa was a fiction. It was imaginary. It was like a unicorn, for Pete's sake.

I refer them to a CNN article from, I believe, it is 2018, where a couple of CNN reporters interviewed leaders of the antifa movement and iterated that some members don't want to advocate for violence but others do because they have an objective and they believe that violence will help them get their objective. I don't think CNN thinks antifa is a fiction. Apparently, here, we do, though.

Madam Speaker, but I have to say that as we are talking about taking away—back to the QLI—qualified immunity, one of the members of the Committee on the Judiciary said, Well, look, here is what will happen: We just tell the police officers to go get an E&O policy, get an errors and omissions policy, like I have to do as an attorney or like doctors have to do.

Well, I viewed that statement at the time as an accidental omission that elimination of qualified limited immunity will actually leave police officers unprotected and subject to the avaricious litigation of trial attorneys. And I say that as a guy who was a trial attorney. I am really familiar with how that works.

So this bill will nationalize policing while at the same time result in higher crime, less policing, less safety. That always means there will be less respect for rights for individuals in this country.

Madam Speaker, I urge my colleagues to vote ''no'' on this bill.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. ESCOBAR).

Ms. ESCOBAR. Mr. Speaker, I rise in support of the George Floyd Justice in Policing Act.

Mr. Speaker, the day our country witnessed the brutal murder of George Floyd was a critical tipping point for America. His murder has sparked a movement—one of renewed calls for civil rights and justice for all.

Hundreds of thousands of Americans have been marching in the streets. They are not asking for incentives for studies or for task forces. No, they are asking and marching for and demanding meaningful change and meaningful reform. And it is up to us to rise up and deliver on change that will meet this moment.

Mr. Speaker, I pray that our Republican colleagues have a change of heart and decide to join us on our journey toward true reform. This bill is only the beginning and we need to push for a whole-of-government response—from Congress, to the statehouse, to the city halls all over America.

Mr. Speaker, our country deserves no less. This moment deserves no less. George Floyd deserves no less.

Mr. ARMSTRONG. Mr. Speaker, I ask unanimous consent to control the balance of the time of the minority.

The SPEAKER pro tempore (Mr. CASTRO of Texas). Without objection, the gentleman from North Dakota controls the balance of the time.

There was no objection.

Mr. ARMSTRONG. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I come here for two purposes: One is to express my opposition to this bill.

My second purpose is to express my hope, my hope that we can come together and that we can negotiate a long-lasting and a significant compromise, an American compromise to an American problem.

Just yesterday, the Democrats in the Senate blocked Senator TIM SCOTT's bill, the JUSTICE Act. They blocked it from moving forward with debate. They blocked it from moving forward for compromise and for negotiation. That is not an American solution.

We all agree this is an American problem. We all agree we need an American solution, and we all agree that that means we have to have negotiation. That means we have to have compromise.

Mr. Speaker, the minority leader in the Senate wouldn't even allow our counterparts in the Senate to discuss solutions and allow them to decide if it is the right path forward. Now, here we find ourselves in the House facing a situation where we have a partisan bill, drafted without Republican involvement, that is being brought to the House floor to be voted on in a rush process. That is not an American solution to an American problem.

We have seen calls to defund the police and dismantle police departments across the United States. We all know that can only lead to bad outcomes. We all know that the police are there to protect and to serve.

Yes, we all know that there are bad policemen out there. We all know there are bad actors in every profession, and we know that they need to be weeded out. We need to do that. And we also know that those bad policemen are as offensive to the good policemen as they are to anyone. No one wants to see them weeded out more than the good policemen want to see them weeded out. This bill does nothing to address those calls and reassure Americans that things will happen.

No, this is a partisan bill with no Republican involvement whatsoever. This bill also doesn't take appropriate steps to ensure that law enforcement officers are working to improve their relations with the community—the community that they serve and protect. We have all said we need community policing. You ask any policeman, any good policeman out there, ''What is the best police practice?'' And they will tell you ''Community policing.'' That is what we need.

Mr. Speaker, instead, this bill limits their ability to do their jobs, and it keeps them in their cars rather than interacting with the people in their communities. That is what they want to do. They are not there for the money. We know that. There is not a single police person out there that is there for the money. They are there to protect and to serve. And they want community policing. That is what they want.

Mr. Speaker, in my district, we had a tragic death of a young man whose life ended way too early—Ahmaud Arbery. This was something that none of us should accept in our society, and none of us will accept in our society. It should have never happened.

We have had protests. We should have protests. I am very proud of the First Congressional District because our protests have been productive. Yes, we should protest and, yes, we are protesting. And we are getting results because we are protesting in the right way. We are protesting to change the system. That is what we want to do. We are protesting to have an American solution to an American problem.

Mr. Speaker, the right path forward is discussion and negotiation with our eyes, with our goal, with our mission set on real reforms. This bill doesn't have that. This bill doesn't represent that. This bill is not an American solution to an American problem. That is why I am urging my colleagues to oppose this bill. That is why I am urging my colleagues to negotiate, to compromise. That is why I am encouraging my colleagues to come up with an American solution to an American problem.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Minnesota (Ms. OMAR).

Ms. OMAR. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I rise today on behalf of the people of my city of Minneapolis, who are angry, who are sick, who are tired of being murdered at the hands of police.

I rise on behalf of Jamar Clark, who was shot in the back and killed by Minneapolis police in 2015.

I rise on behalf of Philando Castile, who was brutally murdered by police.

I rise on behalf of Black mothers, like myself, who stay up worried every single night so that their sons can come home safe.

I rise on behalf of Eric Garner, Sandra Bland, Frederick Gray.

I rise on behalf of George Floyd, who was brutally murdered, and his brutal murder touched our Nation.

I rise because so many can no longer rise. When we build a system that provides equal justice for everyone here in America, we might finally all rise.

□ 1545

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri (Mr. CLAY).

Mr. CLAY. Mr. Speaker, our Nation has reached an inflection point in our history. Our country is demanding change after four centuries of systemic racism toward African Americans.

The Members of this body must listen and respond to the millions of Americans who want this country to correct course and move toward the Constitution's promise of equal justice under the law.

Your neighbors, friends, children, and grandchildren are demanding that we pass the George Floyd Justice in Policing Act and subsequently move forward in a comprehensive way to erase the stain of racism on this Nation existing since Africans first were brought ashore.

This is the moment. History will judge us by our actions today, at this pivotal moment. Future generations will look at this moment and wonder, when you had the opportunity to stand and guide our country in its ongoing quest to be a more perfect union, the question will be asked: What did you do? You can, today, begin to make right the many wrongs perpetrated upon people of color and ensure our country lives up to its great promise.

So we must get to yes. Vote ''yes'' on this legislation to improve the quality of life for people that are as American as any one of you.

As video evidence has clearly shown, African Americans are still due all the rights and privileges granted by the 14th Amendment.

In the words of the Missouri poet Langston Hughes:

I swear to the Lord
I still can't see
Why democracy means
Everybody but me.
I, too, am America.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1¼ minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act because it is an abomination that the people who keep me safe cause others to live in fear.

I rise because I was Breonna Taylor's Congressman, and I will continue to represent her until she gets justice because Breonna Taylor, when her door was broken down after midnight, wasn't just killed by one cop, a bad apple, or even three.

I rise because Breonna Taylor was killed by a system, a system that allowed police to blindly fire 22 shots, killing an unarmed woman in her home, and says that is not a crime.

I rise because Breonna Taylor's story, though tragic, is not unique. Because far too often, that system is more interested in shielding those who perpetrate these atrocities than seeking justice for those it is meant to serve. And because, while tragedies like Breonna's are not uncommon, and millions must live in fear for their lives every single day—I am not one of them. People who look like me are not among them.

I rise because this system is far too badly broken for Band-Aid solutions. And this bill, the most dramatic rethinking of policing ever to come before the United States Congress, is a much-needed and long-overdue step. And every day we delay will cost more lives.

I rise because hundreds of thousands have risen up and made their voices heard and shown me the way.

And most importantly, I rise because Black lives matter.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Just today, we heard the following: ''We are just going to go out and start slaughtering them.'' North Carolina cops fired after racist talk of killing Black residents. ''Wipe them off the F'ing map. That will put them back about four or five generations.''

That is why we say it is systemic racism.

I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS).

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong support of this legislation that is long overdue. As a matter of fact, people like me have been fighting these issues for years and years. Now, we get an opportunity to actually vote.

I want to thank Chairman NADLER and Chairman BASS for giving us the opportunity to vote on what might become and should be the most important legislation we will pass this year, because it does say that Black lives, and all lives, matter.

Mr. Speaker, I rise in strong support of the George Floyd Justice in Policing Act. I am an original co-sponsor of The Justice in Policing Act which will for the first time ever under federal law:

1. establish national standard for the operation of police departments;

2. mandate data collection on police encounters;

3. reprogram existing funds to invest in transformative community-based policing programs;

4. streamline federal law to prosecute excessive force and establish independent prosecutors for police investigations;

5. make Lynching a federal crime to conspire to violate existing federal hate crime laws.

Among other specifics it will: make it easier for the federal government to successfully prosecute police misconduct cases, end racial and religious profiling, and eliminate qualified immunity for law enforcement.

The bill incentivizes the use of independent prosecutors for police misconduct investigations, helps take equipment made for war off of our streets, and requires the use of body and dashboard cameras. The legislation bans the use of choke holds and no-knock warrants the federal level and encourages states to do the same.

This bill contains no new federal funds for policing except where constitutionally-mandated for data collection and conditions access to federal grants based on a state's willingness to adopt the transformative provisions in the bill. Instead it reprograms existing grants to law enforcement and reinvests in our communities by supporting critical community-based programs to change the culture of law enforcement and empower our communities to reimagine public safety in an equitable and just manner.

The ''Executive Order'' signed by President Trump recently was too little, too late. Surrounded by bellicose declarations of ''law and order'' in the face of persistent and on-going murder of Black men and women, especially our youth, it was nothing less than an insult and an attempt to deny the demands put forward by more than three weeks of protest and calls for real change by hundreds of thousands in more than 100 cities, towns and villages in every state of the union.

I view the Justice in Policing Act as a long overdue minimum federal action to address 400 years of terrorism against the African American community and other oppressed communities and our responsibility as Members of Congress to utilize the power of the voice of the people in streets in every corner of our nation to take decisive and meaningful steps to redress the centuries of brutalization of our people.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. BASS), chair of the Crime, Terrorism, and Homeland Security Subcommittee and sponsor of this important legislation, and I ask unanimous consent that she may control the time on the majority side.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, today, we take a crucial step toward racial justice. We do it in the name of George Floyd, Breonna Taylor, Tony McDade, Corey Jones, and all of those lives unjustly taken by law enforcement.

We mourn and say their names on the House floor because their lives and all Black lives matter.

So let's move to end the policing culture that lacks real transparency and accountability. Let us unite to ban barbaric chokeholds and build the national misconduct registry so problematic police don't just move to another town to keep a badge.

Let's outlaw racial profiling, qualified immunity for rights-violating police, and dangerous no-knock warrants.

This bill targets bad actors and practices and affirms the standards professional law enforcement set for themselves, including a duty to serve and protect.

Half-measures are not acceptable, not when men and women are killed because of their skin color.

Let's seize this moment to dismantle the centuries of institutional racism embedded in our justice system.

By the way, in response to what the gentleman on the other side of the aisle said about an American solution for an American problem, it doesn't get more American than making sure that justice is meted out fairly and without regard to one's skin color.

Let us all bend the arc toward justice by voting for the George Floyd Justice in Policing Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, ''The arc of the moral universe is long, but it bends toward justice,'' Martin Luther King said.

I want to thank Chairwoman BASS, Chairman NADLER, and Senator BOOKER for their leadership on this landmark piece of legislation.

We stand here today at a great moral reckoning. For millions of Black and Brown Americans, our country is unequal. The traumatic murders of Black and Brown Americans by the very people and institutions meant to protect them make clear something needs to change.

I watched the protests. I have heard the courage and cries for justice. I have marched.

And today, we show that this House is listening.

The George Floyd Justice in Policing Act is the largest reform Congress has undertaken in generations. It is no half measure but a full measure.

The growing divide between our men and women in blue and the public they are sworn to protect is unhealthy for democracy. It is unhealthy for public safety. It is unhealthy for the brothers in blue, and I stand here as the co-chair of First Responders and Public Safety in Congress. It is time we make clear that Black lives matter and never forget it.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. PRESSLEY).

Ms. PRESSLEY. Mr. Speaker, I rise today on behalf of every Black family that has been robbed of a child, on behalf of every family member that has been forced to see their loved one lynched on national television.

Driving while Black, jogging while Black, sleeping while Black, we have been criminalized for the very way we show up in the world.

Under the harsh gaze of far too many, my black body is seen as a threat, always considered armed. Centuries of institutionalized oppression will not be undone overnight, for racism in America is as structural as the marble pillars of this very institution.

With the power of the pen, we must legislate accountability, dismantle these systems, and move in the direction of justice and healing.

The Justice in Policing Act is a critical step forward, and I applaud the leadership of the Congressional Black Caucus.

But our work is unfinished. There is a rallying cry in communities across the Nation. Black Lives Matter is a mandate from the people. It is time. Pay us what you owe us. Our black skin is not a crime. It is the beautiful robe of nation builders.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. GONZALEZ).

Mr. GONZALEZ of Ohio. Mr. Speaker, while I will not be supporting this bill today, I do want to commend my colleagues for bringing this debate to floor.

Mr. JEFFRIES, Mr. RICHMOND, and many others who I have watched on television back in my office have spoken with a conviction and a truth that cannot be denied.

As a former professional and college football player, I have been hearing these painful stories for my entire adult life from my own teammates. I have seen it myself when I went out in the community with some of my African-American friends.

While I can never fully understand its effects or its impact, I know it is real. We have to address it around our dinner tables, in our communities, and here on the House floor. Black lives have always mattered.

I also know a few other important things.

Number one, the American people are starving for us to work together in a bipartisan way to get a passable bill on the President's desk and signed into law.

This has been one of the most brutal times in our life. First the coronavirus, then the economy, so much uncertainty, and finally the brutality enacted on George Floyd as he was murdered on the streets of Minneapolis. The legitimate protest movements getting overshadowed and overrun by anarchists who simply wish to destroy America and burn it all down. This has been a brutal summer, and it is only June.

Number two, with very few exceptions, this House is united in wanting to deliver for the country. I have spoken to dozens of Members on both sides of the aisle, and this body wants to act. Every call that I have been on since the murder of George Floyd has been a near-universal desire for action and meaningful reform. We believe our bill does that. I know there is disagreement there, though. But I also know we are not that far apart.

Finally, we all know that today's bill will not become law. I know my colleagues are sincere in their desire to enact this law, but we know that this will never see the light of day in the Senate, and there is no chance that it will be signed into law.

Yesterday, on the Senate floor, we saw Senator SCOTT deliver a powerful, impassioned plea for compromise and debate, true negotiation. We all know that that is the only way that we can live up to our duties as Members of Congress and deliver for the people of this country who so desperately need a win right now.

We live in divided government, whether we like it or not. To the majority, I would say: You are the majority. This choice is yours. Please do not let it slip away.

□ 1600

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman in California (Mr. TAKANO).

Mr. TAKANO. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act. This is necessary and bold legislation that includes critical provisions to hold police accountable and to save lives. It includes a ban on no-knock warrants that would have saved Breonna Taylor's life, a ban on chokeholds that would have saved George Floyd's life, and the prohibition on racial profiling that would have saved Rayshard Brooks' life.

Breonna Taylor, George Floyd, Rayshard Brooks, and so many other innocent Black lives were ended by law enforcement officers, who often faced little to no consequences for their actions.

This bill also reforms qualified immunity for law enforcement, which is a barrier to achieving justice for victims of police brutality. The Senate majority's idea of compromise is to strip this section out of the bill. I say no.

A police officer has held his knee to George Floyd's neck for 8 minutes and 46 seconds, leading to his death. This atrocious act has finally forced us to confront the racism deeply rooted in our institutions.

Congress must act. Vote ''yes'' on the George Floyd Justice in Policing Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, racism persists in America today, and its poison pervades our institutions, creating barriers that magnify inequality and injustice.

To Black Americans and communities of color, this comes as no surprise. But, unfortunately, it has taken many Americans too long to acknowledge this truth. We cannot ignore how the remnants of slavery and the Jim Crow era have maintained a stronghold on our institutions.

Our criminal justice system disproportionally penalizes Black Americans and people of color with almost blanket immunity for those who disregard human life and dignity. But, today, we have an opportunity to right these wrongs and to tell the world that the U.S. House of Representatives believes that Black lives matter.

The George Floyd Justice in Policing Act would make much-needed reforms, from holding police accountable to combating racial profiling.

When this law passes, this will make a real difference in American life. I urge my colleagues to vote ''yes'' on this essential legislation.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my good friend from California for her brilliant leadership on this very important matter.

Mr. Speaker, I rise in support of the bill, the George Floyd Justice in Policing Act of 2020. I am proud to cosponsor this long-overdue proposal to end brutality in law enforcement and to address the systemic racism that has marred American law enforcement for too long.

With this legislation, we finally say enough is enough. We have had enough of racial and religious profiling. We have had enough of no-knock warrants and chokeholds. We have had enough of qualified immunity and enough of police using military-grade equipment on our streets.

This bill will help us move from, frankly, a culture of impunity all too often in our law enforcement entities to a culture of accountability.

We serve the public, whether we are in law enforcement or whether in the Halls of Congress. This bill reaffirms that principle in a democracy. I am proud to support it in the memory of the murdered George Floyd.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Mr. Speaker, I rise today to speak in favor of the Justice in Policing Act. I want to commend our chairwoman of the Congressional Black Caucus for her tremendous leadership.

George Floyd, Breonna Taylor, Ahmaud Arbery, Rayshard Brooks, Elijah McClain, for them, and for all of the other Black lives that matter, we need, and this bill provides, concrete Federal reforms to address the root causes of these injustices.

George Floyd and so many others like him should be alive today. With the Justice in Policing Act, we can, like the Reverend Dr. Martin Luther King said, bend the arc of justice, when all Americans will be treated with humanity and dignity by law enforcement.

During this moment of national anguish, we must insist on bold change. This legislation is necessary to save lives and to seek justice, and I am proud to cast my vote in favor of this legislation today.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New Mexico (Ms. HAALAND).

Ms. HAALAND. Mr. Speaker, our justice system has been biased: slavery; the Trail of Tears; blankets laced with smallpox; Jim Crow laws; and, recently, Breonna Taylor and George Floyd. Justice has never been just for everyone, but only for some people.

The barriers that have long blocked many people from achieving the American Dream have been revealed most recently under the knees of police. The racism in our system is long-lasting, and change is long overdue. That is why I support the Justice in Policing Act.

This bill is a beacon of hope to victims of the systemic racism that plagues our criminal justice system. This bill envisions a new model of public safety that works to end racial bias; promotes de-escalation training instead of militarization; and is built on community trust, transparency, and accountability.

I urge my colleagues to vote ''yes'' on this historic bill.

Mr. JORDAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from Virginia (Mr. CLINE), a member of the Judiciary Committee.

Mr. CLINE. Mr. Speaker, the tragic killing of George Floyd, Breonna Taylor, and so many others has led to a nationwide cry for action to address racism and target police violence in America.

Across the country, millions of Americans have peacefully rallied, protested, marched, and prayed for a changing of hearts and a changing of laws to pursue additional accountability and transparency in police departments.

In my own district in Virginia, I was proud to join those who stood up against racism and declare that Black lives matter. A few weeks ago, I was optimistic that we could collaborate on legislation and rise to the occasion in the wake of the many injustices that have come to light across our Nation. But, today, I am saddened, saddened that the majority has slammed the door shut on Republicans, slammed the door shut on real reform, slammed the door shut on bipartisanship, and slammed the door shut on Senator TIM SCOTT's proposals as we sought to work together to find a bipartisan solution.

Instead of working across the aisle on this important matter, and instead of taking Senator SCOTT up on his offer to work together on a bill that could be signed into law, the majority is pushing a bill through the House that cannot be signed into law and that will, in fact, impede the ability of good police officers to do their jobs effectively and, further, allow bad cops to hide behind police union collective bargaining agreements.

During the markup of this legislation, my colleagues and I offered a dozen reasonable amendments in an effort to improve this bill. My amendment to ensure collective bargaining agreements do not protect racist and violent officers was rejected by Democrats at the markup and under the closed rule today, unfortunately, was not made in order.

While I do thank the gentlewoman, the chair of the subcommittee, in ensuring that portions of my amendment were included and that the Department of Justice now would have the ability to pursue bad cops through consent decrees regardless of collective bargaining barriers, it fails to directly address the many troublesome provisions found in collective bargaining agreements that my amendment would have prevented, provisions like ensuring access to evidence for officers before interviews or interrogations about alleged wrongdoing occurred; provisions delaying officer interviews after alleged misconduct; mandating the destruction of disciplinary records—nobody wants that to be a policy of a local police department; prohibiting the investigations of misconduct after a set length of time; prohibiting the investigation of anonymous complaints; requiring arbitration after being disciplined or terminated. These are provisions that do not belong in collective bargaining agreements for our local police departments.

Between 2006 and 2017, according to The Washington Post, the Nation's largest police departments fired nearly 1,900 police officers for misconduct, but those departments were forced to reinstate more than 450 officers after appeals required by union collective bargaining agreements.

Further, collective bargaining agreements have been linked to an increase in violent incidents involving law enforcement officers. One study found a 40 percent increase of violent incidents in Florida after a change in collective bargaining laws there. In 2006, the Bureau of Justice Statistics issued a report and found that law enforcement

agencies operating under a collective bargaining agreement garnered 9.9 use of force complaints for every 100 officers, compared to 7.3 use of force for nonunionized agencies. During the disciplinary process, only 7 percent of the complaints were sustained or found to have merit in departments with collective bargaining agreements. In agencies without unions, the sustain rate was more than double at 15 percent.

This was just another example, by not including my amendment, of how the majority refused to work with us on this legislation, rather than accept good amendments on our side where we could find common ground, but we were cut out of the process. There is nothing in the legislation to address the dangerous and reckless efforts by some officials further to defund, dismantle, or disband police departments.

Our dedicated police officers who serve our communities work to ensure that lawlessness does not prevail in our streets and neighborhoods. The anarchy and death that unfolded within Seattle's autonomous zone, or CHAZ, is a perfect example of what defund the police would look like across America.

Frankly, it is no surprise that the American people are fed up with Washington. As Mr. HUDSON referred to earlier, this was a moment in our history that calls for unity and healing. But, unfortunately, with eyes on November elections, the majority has decided to let politics drive debate rather than sound public policy.

We are all outraged by the horrific tragedies that have occurred across our Nation, and it is utterly unacceptable that the legislation before us reached the House floor in such a partisan manner.

I urge my colleagues to oppose this bill in its current form, and I urge them to reconsider because to get legislation across the finish line, we need to put politics aside to eradicate racism in America, to uphold the foundational principles of our Republic and live out the motto inscribed on the Supreme Court building across the street: Equal Justice Under Law.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague on the other side of the aisle for the ideas that you were concerned about, and the fact that you recognized that part of your ideas we did incorporate in the manager's amendment. And so I do look forward to working with you in the future.

I want to say to several of my other colleagues on the other side of the aisle: This is a process. We have had many conversations, many conversations leading up to this, and I am sure those conversations will continue. But I am really encouraged to hear my colleagues on the other side of the aisle, number one, agree that what happened in Minneapolis was a horrific act of violence, and that the issue of police abuse is a real issue and that the issue of systemic racism is a real issue.

I think it is important to note that because as these situations have happened before when people have been killed, even when they have been killed on video, they always seem to be up for debate. ''Well, maybe we don't really know what happened before the camera went on,'' or, ''Maybe somebody was a criminal.''

We are united on both sides of the aisle in recognizing that there is a problem in this country. There is a historic problem in this country. And I believe that we will eventually get there and move forward and have a bill. I am happy that we will be passing this bill today, but I don't see this as the end.

Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BONAMICI).

□ 1615

Ms. BONAMICI. Mr. Speaker, Black lives matter. I rise in strong support of the George Floyd Justice in Policing Act.

Black people in this country have been fighting for centuries for freedom, equality, and justice under the law. The senseless death of George Floyd is the latest tragic example of how, too often, the Black community is targeted rather than supported by law enforcement.

In Oregon and around the country, people from all backgrounds are demanding change, and the bill before us today answers their call. It bans chokeholds and no-knock warrants, overturns the existing qualified immunity doctrine, creates a public national police misconduct registry, and increases accountability and oversight of Federal, State, and local law enforcement.

The bill cannot bring back George Floyd, Breonna Taylor, or the countless others who have been killed or mistreated by the very individuals who swore an oath to protect them, but we can honor their memory today by passing this legislation to prevent these abuses going forward.

I thank Chairwoman BASS for her leadership.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE of California. Mr. Speaker, I thank Chairwoman BASS for yielding and for her visionary and tremendous leadership.

Let me say a couple of things about this bill.

First of all, finally, this bill, after generations, will begin to end systemic racism in policing. Young people from all backgrounds are demanding action and have said to the world that enough is enough.

As the mother and grandmother of Black men and boys, I had too many painful conversations, as do all Black families, about what to do to make sure their encounters with the police are not deadly.

The trauma around these fears are lifelong. This is not normal, but for African American parents, sadly, it is.

The tragic murder of George Floyd and so many African Americans around the country, including in my own district with Oscar Grant, demand action. These tragic murders demand justice that this bill provides, for example, by ending qualified immunity. No one is above the law.

The world is watching today, Mr. Speaker. The United Nations passed a resolution condemning the violent practices perpetrated by law enforcement against people of African descent in the United States of America. Let us show the rest of the world that we truly intend to live up to our creed of liberty and justice for all and, yes, that means also Black lives do matter.

I urge an ''aye'' vote.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, may I inquire how much time remains on each side.

The SPEAKER pro tempore. The gentlewoman from California has 56 minutes remaining. The gentleman from Ohio has 50 minutes remaining.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Justice. Justice. I have heard my Tampa neighbors and their calls for justice. Black lives matter, and I dedicate my vote on the George Floyd Justice in Policing Act today to the generations of Tampa neighbors who have suffered the unfair burdens of discrimination, disrespect, and violence due to the color of their skin.

Too many lives over too many years in America cut short at the hands of officers who were supposed to protect them, so House Democrats will act decisively today to ensure that police officers are held accountable for misconduct and that lives are saved. We will end harmful policing practices, including racial profiling, no-knock warrants, and chokeholds.

The time for change is now. In fact, a new paradigm for policing in America is overdue.

I thank my good friend, Congresswoman KAREN BASS of California, for bringing us closer to justice today.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE).

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, coronavirus has infected our great Nation for months, but racism has infected our society for centuries. Racism has helped cause disparities in education, health, housing, and, of course, criminal justice.

Well, today we take a historic step to finally do something about it. I am proud to support and cosponsor the George Floyd Justice in Policing Act. It is time. It is long past time that we breathe new life again into our motto, ''Equal Justice for All.''

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the gentlewoman for yielding and her leadership, along with the Congressional Black Caucus, in moving this important bill to the floor.

I rise today with Americans across the country who are demanding change. I rise in strong support of the George Floyd Justice in Policing Act.

This vital reform package addresses police brutality, law enforcement accountability, and racial injustice. It creates data collection standards, bans racial and religious profiling, ends the use of chokeholds that killed Eric Garner and George Floyd, and bans no-knock warrants like the one that took the life of Breonna Taylor. It ends qualified immunity to allow full accountability.

This bill is a critical first step toward a more just nation. We cannot be a country that declares Black lives matter if we fail to make lasting change to protect the lives of Black people.

We are facing a historic moment, and we must deliver historic change. Vote ''yes'' on H.R. 7120.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank Congresswoman BASS for yielding, and I thank the Congressional Black Caucus for their extraordinary leadership.

The death of George Floyd has shaken the conscience of our entire country and people around the world, and it has laid bare the racial disparities in policing that Black Americans face every day but for too long have been ignored. That is why millions of Americans are peacefully protesting across our country demanding justice.

The Justice in Policing Act is bold and it is historic. It takes, head-on, chokeholds, no-knock arrests, racial profiling, and the militarization of the police. It will bring accountability and transparency to police departments across our country and raise the standards of the profession and instill best practices to ensure that all Americans feel safe when interacting with law enforcement.

This legislation is the face of justice. It will make America fairer; it will make America stronger; and every Member of this body should vote for it.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BISHOP).

Mr. BISHOP of Georgia. Mr. Speaker, I support the George Floyd Justice in Policing Act, which:

Changes the criminal conduct standard from ''willful'' to ''knowing or reckless'';

Ends qualified immunity;

Funds independent prosecutors for police misconduct;

Strengthens the pattern and practice reviews at the Federal and State level;

Establishes national standards for law enforcement;

Invests in public safety innovation grants;

Establishes a public national police misconduct registry;

Requires data collection on the use of force;

Bans chokeholds, and conditions Federal grants on banning chokeholds;

Bans no-knock warrants and racial profiling;

Permits deadly force only as a last resort;

Establishes a duty to intervene by other officers;

Mandates use of body cameras; and

Prohibits sexual acts with anyone under arrest, detention, or in custody.

I have always supported law enforcement, and I still do, but today the universal cries for change and justice demand that we hold law enforcement to the same standards of justice as any other American by passing the George Floyd Justice in Policing Act now.

Mr. JORDAN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Florida (Mr. STEUBE), a member of the Oversight Committee and the Judiciary Committee.

Mr. STEUBE. Mr. Speaker, today I rise in opposition to this bill and House Democrats' completely partisan attempt at actual law enforcement reform. They call it the Justice in Policing Act, but this legislation would not achieve justice for anyone. Instead, it would promote anarchy and put our law enforcement officers' lives at risk. It would end legal protection for our officers who actually follow their training and protocol. It would take essential weapons and protective equipment away from our police.

In a time like today where law enforcement officers are ambushed and targeted just because of their profession, we are going take away their ability to receive protective equipment?

So not only do the Democrats want to take away an officer's legal protection if they follow their training and protocol, then they want to take away their protective vests, protective shields, and protective vehicles they get in military transfers that physically protect our officers from bullets—none of which has anything to do with George Floyd's death.

How does this make any sense? I can tell you it doesn't make any sense to the mass majority of Americans who trust that someone will be there when they call 911.

This legislation comes from the same party who has been calling to defund the police. Members of this very body have called to defund our police officers and our police departments.

I have to ask my colleagues how they think that would help. Defunding the police won't solve any problems and only poses an extraordinary risk to our citizens who depend on society's most basic governmental service of protecting life and property.

This is nothing more than an outburst of political emotion and a willingness to take advantage of civil unrest.

This civil unrest is not constructive; it is anarchy. It also does not take into account the hundreds of thousands of good police officers risking everything to keep us safe, officers like Julian Keen, Jr., from my State of Florida.

Unfortunately, you will never hear about the tragic death of this Black officer in the mainstream media. It doesn't fit the left's narrative, so they ignore it. However, in Florida, we will never forget Officer Keen, who was laid to rest this week, and the positive influence that he had on our community. After the criminal who killed him found out that he was a police officer in plain clothes, he pulled out a gun and killed him.

So it begs the question: Who is really responsible for the flaws in law enforcement protocols? All of these departments with all of these problems and issues are all run by Democratic commissions and Democratic city councils.

This is not a Federal issue. This is a Minneapolis police issue or an Atlanta police issue or a Ferguson issue or a Chicago issue, where just this past weekend they had one of the most violent weekends over Father's Day weekend.

This is an issue with Democratic leadership in these cities that have failed to keep up with standards, training, and protocol. Some of these departments have training standards dating back to the eighties.

''Why?'' you ask. Because their Democratic leadership has failed to make necessary reforms in their departments.

And now it is the Federal Government's role to police local police departments run by a Democratic city council or commission? Will those commissions and leaders ever be held accountable?

Everyone in this Chamber wants justice for George Floyd and his family, and they will get that in a court of law, where justice belongs.

If the Democratic majority truly wants to reform our police departments and if they truly want to fix the problems, then the focus should be on the agencies with the problems and their leadership, not passing a progressive messaging bill in an election year that they know has no chance of becoming law.

This legislation doesn't get justice for anyone. Instead, it fails to address the real underlying problems, while attempting to vilify our law enforcement officers. It won't go anywhere in the Senate, and it certainly won't go to the President's desk. So let's call it what it is: a political messaging bill.

The longer we spend on this, the more time we waste not working on actual, tangible solutions. Time to put

politics aside and work on real solutions where the problems are actually located.

□ 1630

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say that there is absolutely nothing in our bill that calls for defunding the police.

In fact, I recall that this body funded first responders in the HEROES Act and that that bill is languishing in the Senate. So maybe my good colleagues on the other side of the aisle might call up their Senators and ask that they move on the HEROES Act. That might be the first thing to do.

This bill is not against police. In fact, this bill is calling for standards and training and accreditation. In conversations that I have had with the Association of Police Chiefs and also the Fraternal Order of Police, they said that there are 18,000 police departments across the United States, and they have been fighting for accreditation and standards for years, but it takes a very long time to do it department by department, and they encouraged this part of the bill.

Now, granted, they don't love the whole bill, but this part of the bill, they absolutely do.

To say that the only departments that have problems are run by Democrats is either magical thinking, fantasy, or denial. That is just not the case at all, and I would encourage my colleague on the other side of the aisle to actually examine his State.

Mr. Speaker, I yield 1 minute to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I thank Chairwoman BASS for her extraordinary work and leadership on this bill.

When history is written, it will ask: Why our Nation had to watch George Floyd have the life drained from his body by the knee of a White police officer to know that our system was broken? Why our country had to learn Breonna Taylor's name to know that no-knock warrants get Black people murdered in their rooms? Why our country had to see Ahmaud Arbery hunted and lynched to know that there is an unshakeable target on Black men in this country?

For too long, we let ignorance coddle white supremacists, we let idleness shelter oppression and hate. But we can move from ignorance and idleness to action. We can use the power of this body and this Chamber to do more than acknowledge the movement. We can join it. We can pass the George Floyd Justice in Policing Act today.

Because justice is a nation that didn't have to learn George Floyd, Breonna Taylor, and Ahmaud Arbery's names. That is justice.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL).

Ms. SEWELL of Alabama. Mr. Speaker, I rise today in support of the Justice in Policing Act.

Over the past few weeks, we have seen tens of thousands of Americans take to the street demanding justice not only for George Floyd, Breonna Taylor, and Ahmaud Arbery, but also for the countless unnamed Black Americans across the country who have been killed by the police.

The stark reality is that police brutality is a symptom of a larger problem, and that problem is systemic racism.

Mr. Speaker, Black lives matter.

While we cannot legislate away what is in the hearts of people, we can work to ensure that those in power are held accountable for their actions.

The Justice in Policing Act is bold, transformative legislation that will change the culture of law enforcement, and it would also help build trust between law enforcement and our communities by addressing systemic racism.

Mr. Speaker, the streets are crying out for bold and transformational change.

Let's make sure that the people know that we see them, that we hear them, and that at last we are doing something about it.

Mr. Speaker, I urge my colleagues to vote in favor of the George Floyd Justice in Policing Act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1½ minutes to the gentleman from Illinois (Mr. RUSH).

Mr. RUSH. Mr. Speaker, I want to thank the gentlewoman from California (Ms. BASS), my friend, for her long-time and courageous action and leadership on these important issues.

Mr. Speaker, George Floyd, Breonna Taylor, Christopher Whitfield, Chad Robertson, Terence Crutcher, Philando Castile, Alton Sterling, Bettie Jones, Quintonio LeGrier, Sandra Bland, Alfontish Cockerham, Walter Scott, Laquan McDonald, Eric Garner, Rekia Boyd, Darrin Hanna, Calvin Cross, Leon Brackens, Fred Hampton, Mark Clark.

Mr. Speaker, these are the names of the Timeless 20, murdered by rogue police officers, seven of them in my hometown of Chicago, Illinois.

Thank God for H.R. 7120, the George Floyd Justice in Policing Act.

There but for the grace of God go I.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 45 seconds to the gentleman from New Jersey (Mr. GOTTHEIMER).

Mr. GOTTHEIMER. Mr. Speaker, I rise today as a proud cosponsor of the George Floyd Justice in Policing Act of 2020.

Mr. Speaker, I want to thank the Congressional Black Caucus, led by my friend, Chairwoman KAREN BASS, New Jersey's great Senator CORY BOOKER, and others for their work on this landmark legislation.

The need for serious structural reform cannot be clearer as our country mourns the murder of George Floyd, just one of the most recent instances of a long, painful history of violence and discrimination against African American men and women in our country.

Right now we are witnessing an outpouring of support from all communities, from all backgrounds, a collective movement working to end bigotry and hatred, to advance racial equality, fighting the scourge of racism that has held a grip on our country for far too long, and affirming, yes, that indeed Black lives matter.

We should all be inspired by the overwhelmingly peaceful demonstrations all across this country calling for justice, a freedom which is a cornerstone of our Nation.

To make real change, we must continue to work together.

Mr. Speaker, I urge every one of my colleagues to join me in supporting this important bill.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I rise to support H.R. 7120, the George Floyd Justice in Policing Act, which bans chokeholds, creates a national police misconduct registry, and makes it easier to prosecute police for their brutality, among many other much-needed provisions.

Mr. Speaker, I want to thank the Congressional Black Caucus and everybody who worked so hard to make sure that we have this moment.

The murder of George Floyd and the pleasure the murdering officer seemed to take in his power over a struggling Black man are nothing new.

My heart broke when I first saw the video footage of the murder, not just for George Floyd and his loved ones, but also because this brutality and all the police violence against Black men and women before it have been used for centuries to terrorize, subjugate, and silence the Black community.

I have been fighting against this since my first days as an activist and member of the California State Assembly, when I took on then-Los Angeles Police Chief Daryl Gates, who popularized the chokehold maneuver, which killed over a dozen Black men in Los Angeles between 1975 and 1982.

But now I would like to pay tribute to the brave men and women who for so many years have confronted bad cops, racist cops, brutal police chiefs, and the police protective leagues and unions who shield them from accountability. I want to pay tribute to Angela Davis, Elaine Brown, and the Black Panthers, who fought hard and sacrificed mightily fighting bad cops. And then there is Reverend Al Sharpton, who took up the fight against bad cops and assisted their families in getting legal representation when these issues were not popular.

Mr. Speaker, I want to thank Reverend Jackson, who worked with me to confront the racist L.A. Police Chief Daryl Gates. I want to thank Colin Kaepernick, who took the knee and challenged the killings and beatings of unarmed Blacks. And lastly, I want to thank Black Lives Matter: uncompromising, disruptive, energetic, and dedicated to undoing police killings and abuse.

Mr. Speaker, I want to challenge the mayors and members of city councils and county commissioners who control police budgets to get the courage to reimagine what it means to serve and protect and undo the system of rogue cops that has gone on for far too long.

In closing, Mr. Speaker, I want to say to the protesters: I stand with you.

No justice, no peace.

Mr. JORDAN. Mr. Speaker, I yield the balance of my time to the gentleman from North Dakota (Mr. ARMSTRONG), and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore (Mr. CARSON of Indiana). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Mr. Speaker, I rise in support of the Justice in Policing Act and to applaud Congresswoman BASS and the Congressional Black Caucus, because Black lives matter.

All lives can't matter until Black lives matter.

I am grateful that my bill, which makes it a crime for law enforcement officers to engage in a sexual act with anyone in their custody or while exercising their authority, has been included in this bill.

Why is this important? Because sexual violence is the second-most frequently reported form of police misconduct after excessive force, yet in many States, officers can claim consent when accused of assaulting someone in their custody.

Yesterday I held a town hall with Dr. John Gates, who shared his experience as being a Black man in America, how a piece of his soul dies every time a Black man or woman dies at the hands of police, how he fears his deep love of America is unrequited.

Four hundred years ago, Black men and women were brought to these shores in shackles, deprived of their humanity.

Even at the beginning of our country, African Americans were only considered to be three-fifths of a person.

Where was our humanity then and where is it now?

Racism in America did not end with the abolition of slavery, America's original sin. It did not end with the passage of the Civil Rights Act of 1866 or 1871 or 1957 or 1964 or 1968 or even 1991. Some inevitably touted their passage as the final chapter in this long struggle to cure ourselves of the poison of racism.

Our history of pursuing civil rights in this Chamber is comprised of starts and stops, successes and failures.

Of course, passing this bill today will not end racism, but it will further the righteous cause of not just equality, but equity in this country.

Most Americans are not racists, but not enough of us are antiracist, and that is where we need to be.

Mr. ARMSTRONG. Mr. Speaker, I yield as much time as he may consume to the gentleman from Georgia (Mr. LOUDERMILK), my friend.

Mr. LOUDERMILK. Mr. Speaker, I thank my colleague for yielding me the time.

As I came here, I realized there is a lot happening in this country today I don't understand. I really don't understand.

I have a lot of friends back home. I have friends who are Black and White, Asian, Hispanic, every race, every nationality. I talk to them. They don't understand what is happening in this Nation today.

I try to put my finger on it, but I am kind of losing track of where we are going, and wherever it is we are going, why aren't we going there together?

□ 1645

Why do we keep dividing ourselves and using different issues to divide ourselves?

I mean, I don't understand why George Floyd died under the knee of a police officer. I really don't. I was horrified when I watched the video of him. Regardless of what his race is, that was horrific. I don't understand why that happened.

But I also don't understand why, in response to his seeming murder, it seemed appropriate to destroy the homes, the businesses, the livelihood of innocent people who had nothing to do with it in the same community. I don't understand that.

I don't understand why retired Police Chief David Dorn was gunned down to death as he was trying to protect one of these businesses, a business owned by someone who had nothing to do with any of this.

I don't understand why Shay Mikalonis, a Las Vegas police officer, was shot in the head while attempting to disperse a group of protesters.

I don't understand why Dave Patrick Underwood, a Federal Protective Service officer, was shot and killed while on duty amid protests in Oakland, California. I can't wrap my hands around that.

I don't understand why four St. Louis police officers were shot at a peaceful protest that turned violent—two shot in the leg, one shot in the foot, and the fourth shot in the arm.

I don't understand why, in New York City, a police officer was attacked and beaten by several men, while onlookers encouraged them to do that—a police officer who had nothing to do with what happened to George Floyd or the young man in Brunswick, Georgia, or in Atlanta.

Mr. Speaker, there is something else I don't understand. I don't understand why, 3 years ago this month, I was on a baseball field when a man crazed by extreme political ideology walked on the baseball field and started shooting bullets at me and many of my colleagues. I don't understand why that happened.

There is something else I don't understand. As I was there in the line of fire, I don't understand why one of our Capitol Police officers, who didn't know anything about me—we weren't friends at the time—walked into the line of fire to draw fire away from me and one of my colleagues so we could, hopefully, get to his partner and Matt Mika, who had been wounded by the shooter.

The Bible tells us that there is no greater love than someone who would willingly lay down their life for someone else. When I see that officer walk out in the line of fire to protect me, who didn't know me—a Black man; I am a White man—I sometimes wonder: Why do they do that?

My dad served in the Army. He was on the D-day invasion. I often wonder why they would step off those boats for people that they don't know and walk into the line of fire. I mean, these are things that I really don't understand.

I also don't understand why we are not working together to improve law enforcement in this Nation. I don't know why the media and some here want to take the action of one or two or a few and apply it to law enforcement all across the board when I have seen what these law enforcement officers do. They put their lives on the line daily for us.

I don't know what the answer is, but I do know those who do. I called on the police chiefs in my district to get together, to talk about this, and we met yesterday.

There is some stuff that we all agree on that they agree on. There are plenty of things that they want to see happen. They all agree that we should hold officers more accountable. They also agree that we should have a database to track those officers who are bad officers so they know that they are hiring someone who has had problems in other States or in other jurisdictions. That is a problem for them.

This is because these police chiefs, they want good law enforcement. They are there to serve the communities. They are there to uphold law and order.

Something else I don't understand is, when we see what is going on, on TV, why some of these officers actually show up to work the next day. They go to try to protect the peaceful protesters, and they are attacked by the violent ones and, in some cases, get no support out of their leadership. I don't understand why they do that.

Our police chiefs said they need more training, that they need more funding. One of the problems when it comes to cutting the budgets of our police officers and our police departments and law enforcement, usually the first thing that goes is training. They agree they need more training.

We need more mental health support in this Nation. The police chiefs told me that I would be surprised—and I am going to go. I am going spend more time with them. I spend a lot of time with our law enforcement already, but I am going to go ride with them to experience some of this. I encourage all of my colleagues to do this.

They said they spend an unbelievable amount of time on the calls of mental health issues that they really can't do anything about because the person hasn't committed a crime. They may be on the verge of suicide, but they haven't committed a crime so they can't arrest them. They just have to stay there with them. Sometimes, they may get somebody to come out, or they may not. It puts them in a very difficult position. So, they are all about doing more, doing more with mental health issues.

There is a lot that we support. Now, I did hear it said earlier that this is not defunding the police. But let me tell you what 100 percent of the police chiefs in that meeting said to me: If you remove qualified immunity, you will be shutting down the police departments in America because they will not be able to retain their officers. That was 100 percent of the police chiefs, and they are police chiefs in all types of demographics. I have part of Atlanta. I go all the way up into the rural parts of Georgia.

But they 100 percent said, if you remove our qualified immunity, we will not keep police officers, and you will shut down law enforcement in this Nation as we know it.

There was one other thing that they were 100 percent behind: Senator TIM SCOTT's bill. Every one of them was 100 percent behind what was in that bill. Now, a lot of it they already do. They banned chokeholds. They are way ahead of a lot of different departments.

There are some things in this bill they agree with, but they are also 100 percent—100 percent—against this bill. One hundred percent of the police chiefs I met with in my district, which was virtually all but a couple of departments, were against this bill and the way it is written right now.

The one thing that they asked for me to portray is: Let's not paint all law enforcement with a broad brush. Those police officers who are risking their lives, those good ones, they feel like they are getting kicked in the rear end by the politicians, local and at the Federal level.

They want us to work together. They want to see us work together. If we are going to call for unity in this Nation, then we better start right here. Instead of trying to ramrod a political bill that is not going to go anywhere, and we know it, we should be here working together to get something done.

That, Mr. Speaker, is what I don't understand right now, why we are not doing that.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

I am so sorry that my colleague on the other side of the aisle is so confused and has so much trouble understanding. Perhaps it might help if he studied more history, U.S. history, to understand that why that knee was on George Floyd's neck was because of racism in this country.

Perhaps my colleague on the other side of the aisle could go to Alabama to the Legacy Museum so that he could understand a little bit about U.S. history.

Perhaps my colleague on the other side of the aisle could go to the National Memorial for Lynching and learn a little bit about his State of Georgia, where many of the lynchings were carried out by law enforcement officers.

When he said that 100 percent of police chiefs were against this bill, it is just not true. I have met with police chiefs, and they support parts of the bill. The National Organization of Black Law Enforcement Officers support this bill. The Fraternal Order of Police are not completely opposed to this bill.

So, I would like to work with my colleague on the other side of the aisle to help him understand a little bit more of the history of the United States.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from the Virgin Islands (Ms. PLASKETT).

Ms. PLASKETT. Mr. Speaker, I thank my colleague and chairwoman of the Congressional Black Caucus, who has led us in this fight here on this floor as we make a historic movement toward justice.

I am so upset that my colleague, my classmate, left before I could help him understand. I wanted to give him books that he could read. He could read ''Blind Spot: Hidden Biases of Good People,'' ''White Fragility: Why It's So Hard for White People to Talk About Racism,'' ''The New Jim Crow.''

And if he didn't want to read a book, he could look at a documentary. How about ''13th?''

But if he doesn't want to do that, if he wants to support this bill, I will give him a good cop story about why to do it. I will ask my colleagues to support this, if not for George Floyd and the countless others killed at the hand of police, or for those of us Black Americans who live in fear of police brutality, I ask you to support it for a good cop.

I ask you to support it for my father, who called me up and told me this is a good bill; a cop who, for 30 years, was on the New York City police force and said the biggest threat to every good cop is a bad cop; who says that the biggest threat to every good cop is a brutal police officer and that this present system will put down a good policeman trying to do the right thing, to speak up for what is right, and will surely keep down a good Black cop.

Or for my four sons who received the talk from that veteran police officer who warned what can happen to you on the street, in a squad car, or in the basement of a police precinct, where often the system is rigged so that good police can't always help you. Support it for those sons who, despite the best education and decorum, fear a siren or a police light, the police brutality that we all have.

As we advance this critical work, support this for all Americans. Speak the truth that Black lives matter.

Mr. ARMSTRONG. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I appreciate the remarks from the gentlewoman from the Virgin Islands.

My question that I have for this body as we sit here today is: Why aren't we amending the legislation? Why aren't we offering and allowing amendments in this great body, in the people's House? A general question.

When I go home, and I assume you all have the same thing, they say: What's wrong with Washington? Why don't you actually sit down around a table and try to solve problems?

I think this is one of the things that is most perplexing, and we see it in the Senate as well, the so-called greatest deliberative body. Yet, we saw what happened in the Senate, where there was an offer for 20 amendments, a manager's amendment from the gentleman from South Carolina, Senator SCOTT, and that offer was rejected.

Here, we are not even really having an opportunity to offer an amendment, have a serious debate. I don't question at all the motives that are behind my colleagues on the other side of the aisle, in terms of putting forward legislation to try to address a problem we all perceive as a problem we want to address.

I look at the bill that we have here; it is a Republican bill. There is a lot of overlap. There are some policies in it that are in agreement. I just don't understand why we can't start with some nucleus of a bill and offer 20 or 30 amendments, vote on the amendments as a deliberative body, the United States Congress, the people's House.

Why can't we just offer amendments and vote on them? Then, wherever the amendments take us, at the end of that, vote on a bill. That used to happen.

I was a staffer in the Senate, and we had 50 amendments on different bills. My staff today, they look at that as some sort of relic of history, as this thing that we used to do because we don't do it anymore. I literally don't understand it.

It is a question on both sides of the aisle, why we do not sit down and offer legislation and go through it. Start

with a nucleus and then amend it. We have things here we agree on.

On issues such as qualified immunity, issues such as no-knock warrants, issues that involve asset forfeiture, issues that go to the heart of liberty and the heart of the ability of an individual American not to be overwhelmed by law enforcement, there is agreement, but we would like to have conversations about those issues. There is.

My friend from Michigan, now an independent, offered legislation about qualified immunity. I don't agree with it.

□ 1700

I don't agree with a full abolition of qualified immunity. I don't. My grandfather is a chief of police. I know we have all got law enforcement in our communities, and we are worried about what that will do to our law enforcement.

We are seeing it right now. We have 104 shootings in Chicago. We had 14 killings. We had a 3-year-old boy shot on the street. We have teenagers getting killed, a 324 percent increase in New York shootings. We had a guy get shot in the back of his head while changing his tire in New York.

We have lawlessness occurring, and this body ought to address it. The Attorney General of the United States ought to address it. We ought to enforce the laws of the United States. We ought to have a debate here about that. We ought to have a debate here about ensuring or protecting the citizenry of the United States. It is our fundamental responsibility. It is our job.

That is our duty in the Constitution, to secure the blessings of liberty. Yet we are just going to sit here and take shots across the building with a Senate bill and a House bill with no resolution, and then we are going to fly home tomorrow.

In what universe does that make sense? In what universe is that the right thing to do? In what universe are the American people looking at the people's House and saying, ''Job well done, you all, well done,'' when people are dying, literally, in the streets of our country right now of all races?

What were the races of the murders in Chicago this last weekend of 104? What was the race of the 3-year-old boy who was shot?

These are real issues. Why don't we just sit around the table and figure it out instead of litigating this in the press and taking shots across the Capitol dome?

Senator SCOTT is a good man offering a good bill, and the Speaker of the House says that we are trying to murder George Floyd again?

Come on. It is our job to secure the blessings of liberty. What I ask of this Chamber is that we sit down and figure out legislation to actually secure that and support our law enforcement.

Seventy-six million interactions of law enforcement with civilians: 99 percent of those don't result in any kind of taking them in, and 98 percent of those don't result in any harm.

Mr. Speaker, let's go do our job. Let's look at the legislation. Let's work together and figure out how to actually do the job of securing the blessings of liberty.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), who is the majority leader.

Mr. HOYER. Mr. Speaker, we ought to come together, we ought to reason together, and we would get a better product in the legislative process. Sadly, our friends in the United States Senate don't always do that. Sadly, when my friend's party was in the leadership, it didn't always do that. And, yes, from time to time, we didn't do that.

This is an issue of critical, immediate concern, and there is a way to get to where the gentleman from Texas suggested: pass legislation in the Senate; pass legislation here; we will go to conference; and we will try to resolve our differences so we can pass a bill.

I have talked to the gentlewoman from California, the former speaker of the California Assembly, and she has told me that she doesn't want a message; she wants a law. And I am absolutely convinced that is true. She understands the legislative process very well. But in order to initiate that process, we need to pass a bill. Of course, unfortunately, we have some constraints here on amendments because of the coronavirus.

Having said that, I hope that we pass this bill, and I hope the Senate passes a bill. Now, unfortunately, they will have to come to agreement and get 60 votes. I say ''unfortunately'' because Mr. MCCONNELL is not prepared to get to 60 votes. We don't have to get to 60 votes. Here, the majority rules. The majority will rule today, and the majority sponsored this bill.

Mr. Speaker, on the rostrum in front of me there are inscribed five words: ''union,'' ''justice,'' ''tolerance,'' ''peace,'' and ''liberty.'' It is our individual and collective responsibility as Members of this House, the people's House, to ensure that all of these virtues are upheld in the United States.

There is justifiable anger in this country because justice is not being upheld. That does not mean it has never been upheld, but it ought to be always upheld.

There is a deep frustration because some of those charged with enforcing our laws are doing so without tolerance and in a way that disregards the rights and welfare of victims without just cause. That does not damn all members of the police—in fact, not the majority—but it does damn actions that are inconsistent with justice, peace, tolerance, and liberty.

Many of our people will never see the full light of liberty because of the color of their skin. The result has been a broken union and a broken peace. That is why this House must act. We must act to make it clear, beyond any doubt to every person in this country, that Black lives matter.

For far, far too long in America, Black lives did not matter. Too many people who lived in America were chattels. Their lives were counted in the dollars, by what that property was worth, not in their human value. For far, far too long, Mr. Speaker, that has been a reality and a legacy of slavery, segregation, and prejudice.

We must act to ensure that law enforcement in every jurisdiction understands that each human being is entitled to equal justice under the law and to life, liberty, and the pursuit of happiness.

We must act to ensure that no longer will we see horrific images and videos of unarmed Black men and women being killed by those who were sworn to uphold the law and keep the peace.

The bill we are voting on today is long overdue. I congratulate the Congressional Black Caucus, Ms. BASS, Senator HARRIS, and Senator BOOKER.

This bill will ban chokeholds like the kind that killed George Floyd last month, in whose memory this bill is named.

I knelt on the marble floor. My knee rejected that as something that it didn't want to do. It was not only painful, but it was a long time: 8 minutes and 46 seconds. That was not to restrain George Floyd. He was restrained.

It would also ban no-knock warrants of the kind that led to the murder of Breonna Taylor in her own home that was mistakenly broken into by the police, and it would condition Federal funding to State and local governments on their banning racial profiling and adopting best practices for police training as identified by the Obama administration's Task Force on 21st Century Policing.

Moreover, this bill would facilitate, under appropriate circumstances, the ability of victims to be compensated for their loss. A right without a remedy is no right at all.

I want to thank Chairwoman BASS and the Congressional Black Caucus for introducing this bill of which I am proud to be a sponsor, and I would like to thank, as well, Chairman NADLER and the Judiciary Committee for moving swiftly to mark up this legislation so we can have it on the floor today.

I said ''swiftly.'' It has been centuries that the dark blot of slavery and the dehumanization of some of our fellow Americans has been a reality.

Senator MCCONNELL has already said that the Republican-led Senate will not even consider this bill. That is not surprising. There are 275 bills, all of which have Republican votes, sitting on Senator MCCONNELL's desk—or maybe wastebasket—so it is not surprising that he won't consider this bill either, any more than he considered Justice Garland by a President who had 11 months left on his term. We will see

what the people say in a few short months.

If we do not consider this bill, it will be an egregious mistake and a failure to honor one of the most sacred of our Nation's precepts: that we are all created equal and we should be judged not by the color of our skin—which happens too often, too frequently, and too regularly—not by the color of our skin, but by the content of our character and the caliber of our conduct.

By ignoring this bill, Senator MCCONNELL is ignoring the cries for justice from Blacks, from Whites, and from Americans of all different colors and of all different religions, all who were distinguished by one facet or another, but they have in common that they are Americans governed by a Constitution and laws of our country. Senator MCCONNELL will be ignoring the history and legacy of slavery and segregation that has led to these acts.

My colleague mentioned Montgomery, Alabama, and a number of the museums. Bryan Stevenson has a museum, and he says the first thing you do when you discriminate against people is you dehumanize them. It should not be a surprise, if we have, for centuries, dehumanized people of color that, from time to time and too often, they are not treated as human beings.

Mr. Speaker, I urge my colleagues on both sides of the aisle:

Vote for this bill.

Vote for this bill even if you don't think it is perfect.

Vote for this bill because you want to say that we want justice for every American.

Vote for this bill because you want to say that we want a remedy for wrongs.

Vote for this bill to restore justice.

Vote for this bill to protect liberty.

Vote for this bill to promote tolerance.

Vote for this bill to restore peace to the families of victims and entire communities that live in fear.

And vote for this bill to prove our Union is not only a union of States, but a nation of free people united in our common pursuit of justice and opportunity for all.

The people's House needs to do its job for all the people.

This is not an antipolice bill. It is a bill that cries out—whatever our discipline, including Members of Congress—that we act consistent with the law, consistent with the Constitution, and consistent with our moral values. We will not leave these words to only be inscribed in wood, but enshrined in our hearts and in our laws: union, justice, tolerance, peace, and liberty not for some, but for all.

These are neither Democratic principles nor Republican ones. These are American principles. These are, in many ways, unique principles honored by this country in its rhetoric. This bill is to honor those in its reality. That is why all who believe in these principles should vote for this bill.

Mr. ARMSTRONG. Mr. Speaker, with all due respect, when the Democratic majority in the House won't accept any of the Republican amendments and the Democratic minority in the Senate won't accept any of the 20 amendments that Senator TIM SCOTT offered, I think it is a little disingenuous to say that Majority Leader MCCONNELL is the problem towards bipartisanship here.

Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, I rise today in opposition to this bill because it would result in more crime and fewer people willing to serve in law enforcement.

This bill lowers the standard for mens rea and basically eliminates qualified immunity for law enforcement officers, so, in the course of doing their job, an officer could go to prison for unintentionally breaking the law.

Who wants to serve in a job where they are attacked, underpaid, overworked, and, under this bill, possibly charged as a criminal?

□ 1715

Without qualification, what happened to George Floyd was horrific, and those involved deserve the full punishment under the law. Mr. Floyd's death was a brutal and callous assault that has undermined the public trust of law enforcement officers that we depend on to keep our communities safe. Notwithstanding, we cannot undermine the entire law enforcement community because of it. Every group has bad actors. Congress is not without examples of such. But we can't continue to paint all law enforcement officers as villains.

Mr. Speaker, I am thankful for the brave men and women who keep our communities, families, and this very Capitol safe. They take an oath to run towards danger when everyone runs away. In fact, two officers, David Bailey and Crystal Griner did just that when they kept my colleagues and me from being killed on the baseball field 3 years ago. I am convinced that several of my colleagues and I would have been killed or grievously wounded, as was STEVE SCALISE, were it not for the courage and dedication to duty of Officers Bailey and Griner. They are heroes, and I stand with them, not with these lawless vandals who have occupied some of our cities, who are pressuring my colleagues across the aisle to, if not eliminate our police departments, make them ineffective.

Every day, somewhere in our Nation, police officers put their lives on the line and far too many of them lose their lives or suffer serious injuries as they faithfully and honorably do their jobs in service to their communities. I will not support any effort to make their jobs more dangerous while also leaving our communities vulnerable to the lawless acts and senseless violence that we are witnessing across our Nation today.

Mr. Speaker, in regard to the majority leader, Mr. HOYER, I appreciate the fact that he respectfully referenced Senator TIM SCOTT's bill in the Senate. I wish that the Speaker of this House of Representatives, NANCY PELOSI, had made a similar respectful response to that bill, as I wish Senator DICK DURBIN had made a respectful response to that bill. The majority leader called on us to work with our colleagues across the aisle on this legislation. Had he been serious about that, there would have been a discussion before this bill ever came to the floor. But there wasn't one.

Mr. Speaker, as my colleague from North Dakota has pointed out, there will be no amendments from the Republicans that substantially improve this bill, except that there aren't any on the Senate side either. So it is disingenuous to say that the Republicans are not interested in pursuing justice through sensible law enforcement.

Mr. Speaker, I urge my colleagues to oppose this bill.

Ms. BASS. Mr. Speaker, may I inquire how much time is remaining on each side?

The SPEAKER pro tempore. The gentlewoman from California has 38 minutes remaining.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act.

Mr. Speaker, I am going to be frank. A bill like this should have been passed years ago. We know that chokeholds are dangerous, the same with no-knock warrants in nonviolent Federal cases. This legislation would have prevented George Floyd's death and the death of so many other Black and Brown people in America.

We should have acted when Laquan McDonald was killed in Chicago—you remember, ''16 shots and a cover-up.'' Or Rekia Boyd in Chicago. Or we should have acted when Tamir Rice was killed for playing with a toy gun that anyone could buy at their local Dollar General. Yet, still today, after watching the life and oxygen drain from the face of George Floyd, my colleagues on the other side still defend the status quo. Some parts of this bill are not new, but we could never get them passed.

I was part of Speaker Ryan's task force on police accountability: 18 months of meeting with the public and nothing came of it. Well, not this time, because George Floyd deserves better. Sandra Bland deserves better. Breonna Taylor, Laquan McDonald, and Oscar Grant deserve justice. And this is from the niece of three cops, the cousin of one cop, the auntie of two cops, but also the mother of a Black son and a Black daughter.

Mr. Speaker, I just have to say one more thing. I get so sick of hearing Chicago being bantered about. I was here for 5 years and could not get one gun violence prevention bill passed or signed on to by my colleagues on the other side. It wasn't until the Democrats took over that we could at least

get background checks passed and the Charleston loophole. But, again, we can't get anything called in the Senate.

Mr. ARMSTRONG. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from North Dakota has 28 minutes remaining.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Speaker, I was born in 1953. Brown v. Board of Education had not been decided. The Civil Rights Act was not yet law, and the Voting Rights Act was more than a decade away. African Americans could be denied sitting on a bus, a room at a hotel, entry into a school, solely because of the color of their skin.

For my three daughters, such a time is still somewhat unimaginable to them. They cannot fathom being refused entry into a restaurant or being legally barred from living in a neighborhood, because the laws on the books said it was the right thing to do. These are the realities of my generation, for I recall getting off a train and seeing ''colored'' and ''white.'' But it is not the realities for my daughters.

But they do know about a world where Black men and women can be stopped by a police officer on the flimsiest of pretexts, and they understand the pain of seeing unarmed Black men and women shot, choked, and kneeled upon until they take their last breath.

I now also have a one-year-old granddaughter. She does not know about mass incarceration. She has not seen videos of Black men being murdered by those that are supposed to protect the law. I do hope she learns about these incidents, like the murder of George Floyd or Eric Garner or Sean Bell, but in the same way my daughter has learned about segregation: Through books and movies and history and classes. I hope she views our current failings as unimaginable problems from an era far passed.

And this Congress can make a difference. Let's not wait now. The camera of history is rolling, and it rolled bad on those in 1953. Let it not roll bad on us today.

Mr. Speaker, let us pass this act. This bill will not take us all the way to that destination, but it is a real step towards a just world. Let's pass this bill.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN of Michigan. Mr. Speaker, I rise in strong support of this profound legislation, the George Floyd Justice in Policing Act, a long overdue step towards ending the scourge of police brutality in America.

I am deliberate when I call this a step, however important. We have so much more to do to dismantle racist systems that have infected our country since before we were a country and, indeed, were part of our foundational documents.

Genocide of Native Americans. Slavery. Jim Crow. Mass incarceration. And many forms of racist injustice ongoing as I speak.

Mr. Speaker, this month I marched with 6,000 of my constituents in Macomb County crying out for major, structural change in what may have been the biggest antiracism rally that county has ever seen. If we pass this bill and pat ourselves on the back for having done something, we will have failed the people. Instead, let's pass this bill today and continue to work to end systemic racism tomorrow.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, I rise today because I have heard the cries and the screams from the street ''Black lives matter.''

Mr. Speaker, as a Black woman elected to Congress, I feel the generations of my people calling on our government time and time again for decades and decades to enact transformational legislation, to finally have a law on the books to stop police assaults on Black lives.

Sadly, as a country we can no longer use the excuse of being blind to racism. We can no longer use the excuse of being deaf to the cries of justice, for justice in this country, or the arrogance of White privilege. Our country, our people, the citizens of this country are calling on us to come together and to join America and vote for this bill, the George Floyd Justice in Policing Act now.

Mr. Speaker, in our country, we pledge one Nation under God, indivisible, with liberty and justice for all. It is time to act now.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from the great State of California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Speaker, the time for change is now.

Not next month.

Not after more studies.

Not after more deaths.

Now.

Our country demands it.

We, as a Congress, have listened. Today, we must act.

For George Floyd, Breonna Taylor, Eric Garner, and the countless others, we demand justice. We demand change.

In my very own district, just last week, a young Latino kid, 18 years old, Andres Guardado, was shot in the back by police. There were no body cameras. Surveillance video gone. And Andres is gone, with six police bullets in his back.

The public should not need to call for a third-party investigation into these deaths. We should be able to trust the system.

More importantly, they should not need investigations because the killings must stop—today.

Mr. Speaker, we must pass the George Floyd Justice in Policing Act.

Mr. ARMSTRONG. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I thank the gentlewoman for her tremendous leadership.

Mr. Speaker, this bill is an important start—not an end—of what must be done to stop racism in America. So much more must be accomplished by the local police departments across the country. This is more than a few bad apples. It is a virus that has too often infected the orchard. This is not a time for meaningless gestures or watered-down proposals, but for real, meaningful action.

Black lives matter because for so often and for so long they have been the subject of violence and prejudices as though they did not.

In Austin, Mike Ramos was fleeing. Javier Ambler couldn't breathe. Both were unarmed, unthreatening, and both are now dead. While technology has literally brought this violence into our homes, we also recognize how many incidences have never been reported.

Failure by some law enforcement personnel to protect Black citizens, threatens the very core of our democracy. What we do today is not only about protecting those victims, but it is also with respect and thanks to the many dedicated police officers who put their lives on the line daily for our security.

What we need is to reach across the divide, to have protesters educating police about their concerns, and officers listening and affirming that they want to be a part of the solution that we offer today.

□ 1730

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. Mr. Speaker, it is indisputable that George Floyd should be alive today. His killing was the result of police violence that too many Black Americans have experienced, many in my district.

Black lives matter.

I was honored to attend George Floyd's funeral and proud to support this historic bill in honor of his name.

Today I breathe—today we breathe—in honor of George Floyd. This bill will honor his life. And in the words of his

daughter: My daddy will change the world.

I ask all of my colleagues to help change the world by ending some of the most dangerous and egregious practices of law enforcement in our Nation. Beyond this bill, we must get to the root of structural racism that has plagued our country for centuries.

As I have called out in my resolution, H. Res. 990, racism is a national crisis. We must move toward a truth and reconciliation process.

Today, my colleagues, we go from agony to action. I support this bill, and I ask you to join me.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Mr. Speaker, I rise in support of this bill.

One month ago, George Floyd was murdered. As his 6-year-old astutely said in the days following, ''Daddy changed the world.''

In this bill, there are several policies that have been highlighted in the Harlem Manifesto Against Police Brutality. The Harlem Manifesto advocates for a ban on chokeholds and the knee. It demilitarizes police and ends qualified immunity.

The Harlem Manifesto also includes a provision to ensure that police officers can be held accountable for excessive force. The standard should not be willful intent but reckless intent. We must pass this bill and eradicate the cultural violence in police departments across the country.

The best anticrime policies are antipoverty policies. We must continue this fight. Black lives matter.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Mr. Speaker, for those who are not sure as to why we are here today, please allow me to explain it to you.

We are here today because Ahmaud Arbery's murder was captured on video.

We are here today because Ms. Cooper was captured on video as she used incited language, the language of a Black man assaulting a White woman, to summon the police.

We are here today because all 8 minutes and 46 seconds of George Floyd's demise were captured on video.

And the American people don't like what they have seen. They don't agree with what they see. They know that they have been lied to. They know that, if these things hadn't been captured on video, we would not be here today.

Carlyle was right: ''No lie can live forever.''

William Cullen Bryant was right: ''Truth, crushed to earth, shall rise again.''

Dr. King was right: ''The arc of the moral universe is long, but it bends towards justice.''

We are here today to bend the arc of the moral universe towards justice.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. MFUME), the newest member of the Congressional Black Caucus.

Mr. MFUME. Mr. Speaker, to my friends on the other side of the aisle, every now and then in our Nation's history we find ourselves at a singular, searing, and seminal moment, a moment such as this.

And so, whether it was the great debates of the 1960s and the civil rights bill or the granting of women the right to vote 100 years ago or the debates of war and peace which predate all of us, this is our moment. And it is our moment to do the right thing on behalf of the faceless and nameless men and women who have lost their lives as a result of police violence.

So when future generations peer through the telescope of time and look back on us and this day, let them say of us that, when it came to addressing the issue of racist, ugly, violent, criminal actions by bad police officers, we did not waiver, that we did not flinch, that we did not shirk our responsibility to do the right thing. The right thing is passing the George Floyd Justice in Policing Act, and to do so on behalf of all those who are not here to pass it and to vote and to speak for themselves.

I strongly urge passage. This is the moment that we have to act in, and it will be a fleeting moment.

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, I rise today on the importance of the George Floyd Justice in Policing Act, and I am honored to stand with my colleagues here in Congress, and certainly with the Congressional Black Caucus, to combat the epidemic of racial injustice.

As we know, this bill creates unprecedented reforms, needed reforms. But the first step is to admit we have a problem, and apparently we haven't done that as a Chamber in the whole.

This is not a standalone issue. It is one that continues today. It is about ending racial profiling, transforming the culture of policing. It is not us versus them. It is we, together.

My hometown of Camden, just 10 years ago, had the highest murder rate in North America, called the most dangerous town, but reinvented their police department—not alone, but together, changed their culture, now, working together, always reviewing what they are doing: How can we do this better? Sixty-three percent less murders, 73 percent drop in the crime rate.

It can be done, but we have to do it together.

The President and Senate Republicans, seriously short. They merely are suggestions, an insult to us in this House.

I urge my colleagues to vote ''yes.''

Mr. ARMSTRONG. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. LEVIN).

Mr. LEVIN of California. Mr. Speaker, our country is in crisis. We are broken by generations of systemic racial injustice, and it is clear that only real change in action will allow us to begin putting the fragments back together.

Millions of Americans across the country and in my district are demanding accountability and reform to a structure that has allowed police brutality and injustice against people of color for far too long.

As we continue hearing new names of those who have lost their lives to this system, it is clear: Thoughts and prayers have never been enough, and they are not enough now.

We can no longer stand idly by, failing to act on behalf of our Black American communities in pain. The Justice in Policing Act will help bring about the long overdue changes that we need, to strengthen transparency and accountability in our law enforcement.

We need to ban unnecessary and excessive uses of force, including chokeholds, and we need to end the militarization of local police departments. That is why we must pass the Justice in Policing Act today and begin the first of many steps towards a more just system, ensuring that George Floyd, Breonna Taylor, and countless others are not forgotten.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio (Mr. JORDAN) will control the balance of the Republican time.

There was no objection.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELAZQUEZ. Mr. Speaker, in nearly every city and town across this country, the American people are raising their collective voice for change. Our Nation is having a long overdue conversation about race and policing, and we are finally acknowledging Black lives matter.

But it takes more than words and hashtags. The American people want true reform. This bill takes tangible steps in that direction. It ends qualified immunity. The bill bans chokeholds. No-knock warrants will become a thing of the past.

We are all outraged by the deaths of George Floyd, Breonna Taylor, Rayshard Brooks, Eric Garner, and so many others. However, anger is not enough. The American people are demanding action.

This bill offers meaningful, transformative change, not lip service or half measures being floated by the President and Senate Republicans.

The time is now. History will judge us on how we respond to this moment. Vote ''yes.''

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Justice in Policing Act establishes a bold, transformative vision of policing in America. Never again should the world be subjected to witnessing what we saw in the streets in Minneapolis, the slow murder of an individual by a uniformed police officer.

The world is witnessing the birth of a new movement in our country. This movement has now spread to many nations around the world, with thousands marching to register their horror and hearing the cry, ''I can't breathe,'' people marching to demand not just change, but transformative change that ends police brutality, that ends racial profiling and ends the practice of denying Americans the ability to sue when they have been injured, that denies local jurisdictions the power to fire and prosecute offending officers.

Black communities have been, sadly, marching for over 100 years against police abuse and for the police to protect and serve our communities like they do elsewhere.

In the 1950s, news cameras exposed the brutal horror of legalized racism in the form of segregation. The news cameras of the 1950s exposed the brutal treatment of people who dared to challenge the system. News cameras exposed to the world that Black people did not have the same constitutional protections, that freedom of speech, that the right to assemble and protest were not rights extended to all African Americans.

Seventy years later, it is the cell phone camera that has exposed the continuation of violence directed at African Americans by the police and exposed the reality that the right of life, liberty, and the pursuit of happiness is not guaranteed to all African Americans at all times.

Now, the movement for police accountability has become a rainbow movement, reflecting the wonderful diversity of our Nation and world. The power of this movement will help move Congress to act, to pass legislation that not only holds police accountable and increases transparency, but assists police departments to change the culture.

Now, I know that change is hard, but I am certain that police officers, professionals who risk their lives every day, are deeply concerned about their profession and do not want to work in an environment that requires their silence when they know that a fellow officer is abusing the public.

I am certain police officers would like to be free to intervene and stop an officer from using deadly force when it is not necessary, and I am certain that police officers want to make sure that they are trained in the best practices in policing. A profession where you have the power to kill should be a profession that requires highly trained officers who are accountable to the public.

I am so proud to be here on this historic day, where, for the first time in I have no idea how many years, the House of Representatives will pass the George Floyd Justice in Policing Act.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield as much time as he may consume to the gentleman from North Dakota (Mr. ARMSTRONG).

Mr. ARMSTRONG. Mr. Speaker, I sat through this through a committee hearing, a markup, a Rules Committee, and all day here today, and I have heard a lot about how now is the time for bold action and now is the time for transformational change. But what we don't spend nearly enough time talking about is whether what we are doing and what law we are passing is actually good policy, whether this policy will work in as diverse communities as we have from one end of this great Nation to another.

If there was ever a subject that requires nuanced and thoughtful deliberation, police reform is it. Unfortunately, we seem to be incapable of that in this town at this time.

That is unfortunate because the American people want reform, and that reform has to start with the basic recognition that 2 million out of 2.3 million people who are incarcerated in this country are incarcerated in State and local prisons and this inherently becomes a community action.

□ 1745

Law enforcement is mostly a local function. And when we are talking about reform, we must always recognize that these laws must work at 2:30 a.m. in dangerous, unpredictable, and often violent situations, whether that officer is patrolling downtown Washington, D.C., or he is on a rural North Dakota road where backup is measured in hours and not minutes.

We can move quickly and thoughtfully. We can work toward policies that hold bad officers and derelict departments accountable without making it harder for good cops to do their jobs. Part of how we do that is by recognizing some uncomfortable truths. I will be the first one to say that systemic racial disparities exist in our criminal justice system, not just in law enforcement, but throughout, whether it is in pretrial release programs, charging decisions that determine minimum mandatory sentences, facially neutral enhancements that have disparate impacts on minority communities.

But we also need to recognize the truth that, when we talk about these things, we have been talking about them for years and long before President Trump was elected. In fact, if your claim is historical and systemic racism, then it is sometimes hard to believe that all of these occurred as of January 3, 2017, when President Trump took office.

For all the good intentions, we have to recognize the fact that this bill is not just going to chase bad cops out of the business, but it is going to dissuade good people from continuing in law enforcement. And that is going to make our communities less safe.

This bill makes it easier to sue law enforcement. It makes it easier to prosecute cops, all cops, not just bad cops. It ensures that there is a public database of all complaints, whether they are completely frivolous or not.

It takes away their ability to use equipment, whether they need it or not. It takes away the ability for officers to use lifesaving tools, whether they need it or not.

Combined with what is going on, and a combination between peaceful protests and violent rioting, I have a friend and officers in Minneapolis just this week have responded to calls where they are being spit on and had bottles thrown at them where they are responding to murders.

To say that these types of policies and this type of rhetoric is not going to chase good people out of this profession is just not true.

Republicans in the Judiciary Committee did offer substantive and quality amendments. We offered amendments to require recordings of noncustodial interviews to enhance the use of body cameras by Federal officers. We offered what I consider is reasonable collective bargaining reform so that bad cops can actually get fired from their jobs. We exempted our Border Patrol from the ban on the purchase of surplus military equipment. We also even offered an amendment for a ban on no-knock warrants. We just asked to collect the data during the process while we were doing it.

So to say that everything we offered and what we tried to accomplish either here or on the other side was not relevant to the conversation just simply isn't true.

But there are things we agree on. We agree with body cameras for law enforcement. We agree that more transparency is the best thing.

Congresswoman BASS has talked a lot—and I think this is actually accurate—we wouldn't know a lot about these things without cell phone cameras and what has gone on. That is a reality that exists. But the other reality that exists is that we all are functioning in a digital society. Asking our Federal law enforcement to come into the 21st century along with us is not a terribly irrelevant nor unreasonable request.

We agree with making sure we have a way to track officers. We don't necessarily agree on the exact specifics, but there is a way to get there.

I think everyone agrees that more de-escalation training is incredibly important, and that doesn't matter if you are in a diverse community or not.

Everybody who has talked to law enforcement knows they deal with way too many mental health issues. We agree with those resources.

We all want to hold bad cops accountable and departments that have too many bad incidents accountable. Many of us on our side agree with qualified immunity reform. I tend to agree with my friend Congressman ROY when he said we want significant reform. I would also argue we need to replace it with something.

The problem with no-knock warrants isn't that they are there; it is that they are overused. The problem with military equipment isn't that it is utilized; it is that, in some departments, it is overused.

But if we continue to paint with a broad brush all of these things and have it affect every department, regardless of how urban or rural in nature, regardless if they have a history of abuse or none at all, then we run into the real risk of alienating the people who most closely and most want reform.

I will end on something that I think is fairly hopeful, and I do have hope because I think this is the most criminal justice reform in Congress we have ever seen. There are Members on both sides of the aisle who are serious about marijuana legislation. If you want to talk about a system in the criminal code that has a disparate racial impact, I am not sure you need to go a whole lot further than marijuana reform.

We have had people on both sides of the aisle who have done the juvenile justice act, the justice reinvestment act, trial penalties, clemency for unduly harsh prisons. We have a lot of places we can do that. I think it bears repeating, and I just truly, truly mean this. The FIRST STEP Act, which was passed by the last Congress that was bicameral, bipartisan, and advocated for by this President, is the single most important criminal justice reform that has probably ever come out of this Congress.

I don't say that from being a Republican politician. I say that from practicing Federal criminal defense under both the Bush administration and the Obama administration.

So in 3 years at the Federal level, we have gotten more done. But it is called the FIRST STEP Act for a reason, because there is a second step. I have had the opportunity through all the rhetoric and all the partisan fighting and everything, I have also gotten to meet great, thoughtful people on both sides of the aisle. And people on my side of the aisle who, as short a time ago as several years, didn't believe in some of these things believe in them now.

It is not just in the Federal Government. States all across the country, from Colorado to New Jersey to North Dakota to Texas, are doing criminal justice reform. They are doing it thoughtfully and moving it forward.

I find it unfortunate that we are going to be here and that we couldn't have this conversation. We are going to do what we do so well in this town: talk and talk and talk and then fail to have action on anything that has a realistic chance of becoming law.

I think, unfortunately, that is where this is going. But I do have hope because I know there are a lot of people on both sides of the aisle who truly want to work on this. You don't have to go very far; 350 Members of Congress on both sides of the aisle have already cosponsored bills related to criminal justice reform.

So, we will get this done, maybe not as soon as we could have, but I am hopeful we will rise to the moment.

Ms. BASS. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. JEFFRIES), the distinguished chair of the Democratic Caucus, and I ask unanimous consent that he may control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished gentlewoman, the chair of the Congressional Black Caucus, for her tremendous leadership on the George Floyd Justice in Policing Act and in moving this important piece of legislation forward.

Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, for weeks, people across the country have been protesting in the streets, demanding justice for George Floyd, for Breonna Taylor, and for a countless number of people killed by police.

Sadly, incidents like these are something that our communities of color know too well. This moment—this moment—begs us to act, to be bold, to capture this opportunity for change.

I commit and I urge all of my colleagues to be allies in this fight and amplify our voices, recognizing that, once again, it is the women of color who will take the lead in ensuring justice for all. Vote ''yes'' on this bill.

Mr. JORDAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. SCALISE), the minority whip.

Mr. SCALISE. Mr. Speaker, I thank my colleague and friend from Ohio for yielding and for his leadership on this issue.

I also want to thank my friend and colleague, the gentlewoman from California (Ms. BASS), for her work over the years on this issue as well.

Mr. Speaker, we stand at a moment in time that is so important in our country's history, a moment when we can actually come together to solve a problem that we have seen that has gone on for a long time, something that has come to light in different ways over years. But George Floyd's death, a death that never should have happened, really did awaken and create a moment in time when we can actually get something done on this issue.

I hope that we rise to this moment. I hope that we work together to address the problems that we have seen while making a careful and important distinction not to undermine the important work that police officers do every day, risking their lives to keep us safe.

That is really the thing that we have to focus the most on because we know there are bad cops like there are bad people in any profession. But to paint everybody with the same brush is not only unfair, it actually does a disservice to the work that they do in every community on a daily basis that is unheralded.

What I would first say is that while the bill that is before us today is a bill that has some components that we support, but some components that we feel would create even more problems, there can be work done to come together. I know in committee there were many opportunities to bring that forward, to bring other amendments forward, and it is a shame that every single Republican amendment was shut down. Every single amendment was shut down in committee. Every single amendment that we brought forward was shut down on this House floor.

That is not going to solve this problem. I think we all know that. If we are here to make law, which I think a lot of us are, then it is going to mean both sides coming together to bring their best ideas forward to address the problem.

I was very disappointed yesterday to watch on the Senate floor our former House colleague and friend TIM SCOTT, who has worked on this for a long time, somebody who has actually been a victim of racial profiling himself who worked closely with a lot of people to bring a bill to the floor that had a lot of bipartisan support. Yes, maybe some people had differences with the bill, but instead of coming together and working through those differences, the Democrats in the Senate voted down the opportunity even to bring the bill on the floor.

The motion to proceed is the motion to start debate on the issue; they voted it down. How is that going to solve the problem if you don't even want to debate the problem? At least here on the House floor we are having a debate.

I wish we had an open amendment process where we could try to settle these differences here. That is not going to happen, unfortunately. But, I, as my colleague Mr. ARMSTRONG, don't give up hope, but we present the opportunity to solve this problem.

If you look at the bill, H.R. 7278, the JUSTICE Act, by my friend Mr. STAUBER, who served as a police officer for over 20 years, he saw the good and the bad in policing. He brings that unique perspective as somebody who wants to solve the problem.

He will tell you that the person who doesn't want a bad cop more than anybody is a good cop. You don't want to go on a call with a bad cop. You want to root them out, while not undermining the important work that law enforcement officers do every day.

Mr. Speaker, I have seen it firsthand. I would not be here today if it wasn't for the bravery and heroism of law enforcement. I have seen them risk their

lives for myself and for other people, maybe not knowing if they were going to make it home that night, and they do that every day.

If there is a bad cop, let's root them out. But we want to make sure we don't undermine the ability for the good cops that are all around our communities, keeping us safe every day. They have a right not only to keep us safe, but they have a right to make it back home to see their families at the end of that night, too.

Let's make sure, when we are striking that important balance, we don't forget about those two competing sides.

We can solve this problem. We need to work together to get this done. Hopefully, we will do that before this moment is lost.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. PETERS), my good friend and classmate.

Mr. PETERS. Mr. Speaker, I rise today in support of H.R. 7120, the George Floyd Justice in Policing Act.

Just to reflect on the comments from the gentleman, my colleague from Louisiana, we all believe that cops are good people who became—most cops are good people who became officers to serve their communities. The provisions in today's bill will help us support the good cops by rooting out the bad ones.

But, fundamentally, the culture of policing in this country must change. There is a tremendous amount of support nationally, and I believe in this body, for better training, transparency, and accountability. It is devastating that we are acting too late to save the lives of George Floyd and Breonna Taylor and Eric Garner and the many other victims who haven't even made headlines.

But there is hope that this bill can save lives and protect Black lives moving forward. We may not finish today, but this is an important start.

Mr. Speaker, I strongly urge my colleagues to support this legislation and vote ''yes.''

□ 1800

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the Republican leader and my good friend.

Mr. MCCARTHY. Mr. Speaker, I thank the gentleman for yielding. I thank the gentleman for his work and the work of his committee.

I thank Congresswoman KAREN BASS—I served with her in the State assembly—for the work as we go forward.

Today marks 1 month since George Floyd was tragically killed. As we all agree, Mr. Floyd, Pat Underwood, and countless others should be alive today.

Republicans have listened closely to calls for justice, and we have responded proactively. Leading our response has been Senator TIM SCOTT and Congressman PETE STAUBER.

We could not ask for a better pair to work on this important issue: a Black Senator who has personally experienced racial discrimination and a retired law enforcement officer, wounded on the job, for more than 23 years with the State of Minnesota, who now serves in the House.

Their thoughtful efforts have produced something that is too rare in this town: a bill that actually tries to solve a problem, not just score political points.

It is truly a bipartisan plan, with over 80 percent of the policies in the bill supported by Democrats. It builds on previous Republican-led civil rights efforts, such as in the majority when we did criminal justice reform, opportunity zones, and school choice. In fact, it could be on its way to becoming law today in a more sensible environment. It would pass on the merits with overwhelmingly bipartisan support.

But we don't live in sensible times. When I looked George Floyd's brother in the eye and told him that George will not have died in vain, I meant it.

To those on the other side of the aisle, I believe you meant it, too, but there are questions that arise:

Did you work in good faith across the aisle or did you choose to go it alone?

Did you choose to make a point rather than make a difference, all while putting politics before people and slandering Republicans in the process?

First, you dismissed the JUSTICE Act as ineffective before one single word was read. I never once said that the Democrat bill was a nonstarter, not once. I was asked at a press conference to name one thing that I oppose. I went back to the reporter and said, no, I will not, because this is a moment in time the country expects us to rise to the occasion. I am not going to point to something that I disagree with because I believe we can get to the point together.

I had hoped that on this floor we probably would be debating amendments. Not one single amendment was allowed. Not one single amendment was allowed.

I listened to the Democrats on the other side because they are in the position the Republicans are here in the minority. They were offered 20 amendments, but they felt they shouldn't go forward—not to vote on the bill, but not even to debate it. Would it be too much to offer the minority one vote to do a bill together?

Then you tried to diminish its author. One Senate Democrat who is White went so far as to say on the floor of the Senate that Senator SCOTT, a Black Republican, was taking the token approach.

I don't know if you have ever served with TIM, but there is no one who has higher character than the man I know.

I don't know what it is like to walk in other people's lives, but TIM is a good friend. He has told me the stories. TIM did not start working on this bill a month ago. He has been working on it his entire life, like others, as well.

TIM did not ask to do the bill on the Senate side with no input from the other side of the aisle. TIM offered amendments and others, but it can't even move the bill forward.

Now you are defaming its supporters saying, as Speaker PELOSI absurdly claims, that we are trying to get away with murder, the murder of George Floyd. She knows she should have apologized, but she doubled down on her remarks yesterday. That was a very sad state of affairs.

Think for one moment. The Speaker of the House is second in line to the President of the United States. That job is too big for words so small, especially in this moment and in this opportunity.

So much for meeting the moment and working together to solve a problem. We have reached a new low in this body, and it is not one that I want to be a part of.

Democrats in the Senate had the opportunity to add 20 amendments to address their concerns about the JUSTICE Act, but they chose to walk away. Meanwhile, Democrats in the House haven't given the Republicans the opportunity to offer a single amendment on the floor.

I have been in the position of being a majority leader. I understand you let a few make a decision, but I do not believe it is the will of the other side of the aisle to shut out voices on this side. I do not believe that you think you have all the answers or are afraid to even have a debate when you know this is an issue that all of America on the streets is rising up and wants to have a voice heard.

I don't understand why anybody is afraid to have amendments. We didn't stop participating even though we had been shut out. We have been to every hearing. We have been to every place. We want to make law. We don't want to make politics. I think our country deserves more.

Worse yet, Democrats are now trying to distract from the party's failures in governing major American cities. You are complicit in the chaos and its consequences.

While you stall serious reform, your allies in the leftwing mob are engaging in looting, destruction, and violence, attacking people, property, and public monuments to American heroes.

The latest incident, I guarantee you, will not be the last. It was in the city of Madison, Wisconsin, not a Republican stronghold, but a Democrat, for decades. There, local officials stood by as a mob tore down several statues that are publicly owned and entirely unoffensive.

The first statue they tore down was of Lady Forward, a symbol of progress in the women's suffrage movement. Next, they tore down a statue of Hans Christian Heg, an abolitionist who died fighting to end slavery during the Civil War.

But it wasn't just statues they attacked that night. The mob also assaulted a sitting State senator, a self-described supporter of the protestors.

This lawless and unjustified violence must be stopped. But their own Wisconsin Lieutenant Governor seemed too surprised by the attacks to do anything about them. Their fatal mistake is to assume that Democrats will be safe because, as the Lieutenant Governor said, they are on the ''proper'' side.

But here is the reality: Mobs don't care about your political affiliation. Mobs won't draw any lines because they can't draw any lines because they are mobs. They don't want peace, justice, or reform. They want destruction, upheaval, and, most of all, control over you, over others, and over our past, present, and future.

In this country, no one is above the law no matter how proper the coastal elites or mainstream media deem their cause. As elected officials, it is our responsibility to condemn these acts with passion, force, and moral clarity.

It doesn't just happen in Wisconsin. It happens in California. It happens in the Speaker's district.

Just a few short years ago, the Pope spoke from these Chambers. As he left, the leadership stopped at Saint Serra and prayed together. There was a statue in San Francisco that the mob tore down. I am not sure, but I have not seen any comments from the individual who represents that district.

In fact, their so-called solutions, such as dismantling and defunding police would only make the problem worse, especially for our vulnerable communities. By giving their leftwing allies a pass, the Democrats are giving the mob more power, more license, and more ambition. That is a recipe not for justice, but for more chaos.

Mr. Speaker, Abraham Lincoln knew riots, mob rule, and defunding the police present serious threats to the American way of life. As a young man, he warned that ''lawlessness in spirit'' quickly becomes ''lawlessness in practice.'' He knew, if it was proper and you ignored it, it would become a practice.

Today, we are witnessing the situation that Lincoln feared: a war on civil society that is quickly escalating. We must summon the courage to protect law-abiding citizens against lawlessness.

Our choice is clear: civil society or chaos. Those are our only options.

Republicans know which side we stand on. We will stand up, hold the line, and fight until the mob is stopped. Enough is enough.

Today, on this floor, 1 month ago, I thought we would show the country that we are worthy of the office they let us serve in. We may be of different parties. I am proud of mine. You see, I was not born into the Republican Party. I came from a party of Democrats.

In my office, I keep portraits. I keep a portrait of Abraham Lincoln, the first Republican President. I love what he stood for. I love what he stood against. Malice towards none.

I wonder what this Nation would be had he not been assassinated? Would we ever have had Jim Crow laws or the KKK? Would we even be standing here today? But I think George Floyd would be, and so would Pat Underwood.

In my office, in my chambers, I have Frederick Douglass as my newest portrait, a man born into slavery, worked his way out. Even though he had every reason to criticize this Nation, he loved it for its bruises, its sores, and all because he believed in a more perfect Union, adviser to a President and believing tomorrow would be better than today.

Inside my conference room, I keep a very big portrait of Washington crossing the Delaware. If the mob was allowed in, they would probably tear it down. You see, that portrait is painted not by an American, but by an immigrant who lived here because America is more than a country. America is an idea, an idea about liberty and freedom. And he thought if he painted this painting, he would inspire others to believe in the freedom that we stand for.

He gets it historically incorrect. He puts Washington in a rowboat with 13 people, but he only shows you 12 faces. You look at Washington. He is in his ceremonial uniform with his hand on his chest, bigger than life. You think that man had never lost a battle, but history told us he had not won one yet.

See, that was the night we surprised the Hessians with our first victory. But if you look at the portrait and see who is in it, you look at the second rower, it is a Black American. The one next to him is Scottish. You come down, and the woman in the very back is a Native American.

I do not know if they were in the boat that night, but to this young immigrant, that is who he believed, having lived in America, would be there.

To the back you see this man, a farmer, with his hand across his face. The hand of the 13th person nobody sees. You see, to this young artist, he said here we are not even a nation but an idea, an idea based upon that we are all equal.

Having never won a battle, we are willing to risk everything, where people would say on the holiest of nights, of Christmas: We will go to a challenge in a rough water and cross that we have never won before. Here is a hand. Would you get in and join us?

That is as true today as it was then. You see, in that portrait, they didn't say only one party to join; they wanted all. They didn't say one had all the ideas; they said we were collective. And they were willing to do things they hadn't done before. They knew they were not perfect, but they strived to become a more perfect Union.

I had hoped that that is what we would see today. Today, that will not be the answer, but that can also not be the end. I would hope both of us would rise up on both sides and ask us to go to conference.

Let's not miss this window of opportunity to show that we are worthy of the cause we strive and the responsibility people give us. Let's not call each other names of murderers and others. Let's believe in the goodness of one another, and let's understand that we can solve this problem once and for all.

□ 1815

Mr. JEFFRIES. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, despite the representation that was just made, Speaker PELOSI, as she always does, has risen to the occasion.

The question is, will you?

The Republican minority leader just said that we have put politics over people. That is insulting, because it is our children, our sons, our daughters, our brothers, our sisters, our fathers, our mothers, our husbands, our wives who are the ones who are being killed.

This is not about politics. We know that racism has been in the soil of America since 1619. We need transformational action.

The time to talk the talk is over. It is time to walk the walk. That is why we are moving forward with the George Floyd Justice in Policing Act.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Miss RICE), my good friend, a distinguished member of the New York delegation, a former Federal prosecutor, and a district attorney of one of the largest prosecutorial offices in the Nation.

Miss RICE of New York. Mr. Speaker, I rise today to offer my wholehearted support for the George Floyd Justice in Policing Act.

As my good friend, Mr. JEFFRIES, just said, I spent the first 20 years of my career as a prosecutor in the criminal justice system. I have seen where it works and, more often, I have seen where it doesn't work.

I can say without a doubt that police accountability is one of the areas that is fundamentally broken, but we need to do more than just hold individual officers responsible. We need to address the institutions that protect them and perpetuate systemic racism.

That is why I am proud to cosponsor this bill, which will make critical changes to this broken system, like reforming the qualified immunity standard, banning the use of chokeholds, creating a national police misconduct registry, and modifying the mens rea standard to hold officers accountable.

I will continue to work with my colleagues in the Congressional Black Caucus and continue to listen to local Black leaders and activists back in my district on Long Island as we continue to root out injustice and discrimination from our society.

Black lives matter, Mr. Speaker, and it is about time our laws and policies reflect that.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we just heard the Democratic Conference Chair say

Speaker PELOSI rose to the occasion. Calling Republican Senators murderers is rising to the occasion?

We have had all kinds of new definitions today.

First, we hear from the committee chair of the Judiciary Committee that antifa is imaginary, and now we heard from the Democratic Conference Chair that the Speaker rose to the occasion when she uses language like she did to describe Republican Senators.

And, oh, by the way, it wasn't just Republican Senators who voted for TIM SCOTT's bill. There were two Democrat Senators who voted for it, and an Independent. And somehow we get that language, the Speaker of the House—as the Republican leader said, the individual second in line to the President—rising to the occasion using language like that, preceded by the chairman of the Judiciary Committee, the committee focused on the rule of law, focused on the Constitution, saying an organization the President of the United States has called terrorists is imaginary? That is what we hear on the House floor?

I appreciate the Republican leader's remarks. I thought they were right on target.

Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from Mississippi (Mr. THOMPSON), a distinguished gentleman, the chair of the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the gentleman from New York (Mr. JEFFRIES) for yielding me the time.

As someone who has been both a victim of police insensitivity and someone who has spent his entire life in an area known for police mistreating people, and somebody who represents the area where Emmett Till was killed and his accuser wore a badge, this notion that somehow law enforcement's activities just started is not true.

But, you know, you have to walk in my shoes and the shoes of the Congressional Black Caucus to know what we are talking about. I hope at some point we can get there.

I am a grandfather. The story my father told me about law enforcement, this day I am telling my grandson that same story 50 years later. Law enforcement hasn't changed.

So what we have to do is if we are committed to it, we have to support this bill.

The notion that the system is not broken? It is operating how it was designed, so we are going to have to fix it, and we fix it by supporting this bill.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, may I inquire how much time we have remaining.

The SPEAKER pro tempore. The gentleman from New York has 17 minutes remaining.

Mr. JEFFRIES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Mrs. BUSTOS), the distinguished chair of the DCCC, a classmate, and a great Member of Congress.

Mrs. BUSTOS. Mr. Speaker, I thank Chairman JEFFRIES for yielding me the time.

Mr. Speaker, I rise today as the wife of the sheriff of Rock Island County, Illinois. I also rise today in support of the Justice in Policing Act.

I have listened to so many people throughout the district that I serve who are hurting, so many stories of people who are in pain: a woman whose cousin died when the police used a neck restraint like the one that took George Floyd's life. That was in 2010, a decade ago. Her family has been fighting for justice ever since.

I recognize that I as a White woman cannot fully understand the pain that Black Americans feel, but I also know that if we are going to make real and lasting change to end systemic racism, I must care just as much and I must be just as motivated as those in the communities who are hurting most.

Today, I lift their voices. America will hear you.

For this family's decade-long quest for justice, we can, we will, and we must act.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. MALINOWSKI), a great new member of the freshman class.

Mr. MALINOWSKI. Mr. Speaker, I will proudly vote for the George Floyd Justice in Policing Act because I believe that Black lives matter, because I believe that nobody in America should have to fear an encounter with police simply because of the color of their skin, and because I believe that what we need right now above all is trust, trust between law enforcement and the people, all the people they are sworn to protect.

Trust is not built by police who use force as a first resort, it is not built by police who look like they are the 82nd Airborne parachuting into a war zone, it is not built by hiding problems so abusive officers get assigned to train rookie cops or those fired for misconduct can get rehired somewhere else.

Trust is built from better training, transparency, and the accountability that every true public servant welcomes.

Now, this may not be a perfect bill, but it is surely the start of a process that will make us better. So, please, let's get this process started.

If we also want to fund the police, if we want to support the good cops who are out there, then please ask the Senate to support the HEROES Act alongside police reform, the whole point of which was to help our State and local governments keep our first responders on the job.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Mr. Speaker, the lynching of George Floyd shocked our Nation, not because he was the first Black man murdered by police, but because he is one of countless Black men unjustifiably murdered, and with video. It was indisputable.

After centuries of inequality, prejudice, and discrimination, the American people are crying out for justice.

Today, we are taking action.

The Justice in Policing Act curbs the excessive force and lack of transparency that has contributed to police brutality; chokeholds and no-knock warrants for drug cases would be banned; deadly force would be restricted, as would military equipment meant for battlefields, not American streets; and body cameras would be mandatory. Crucially, it also limits qualified immunity, which protects police from accountability.

But reform is not enough. We must also change the culture of policing, which this bill does through funding for States and communities to conduct badly needed de-escalation training.

George Floyd was not the first Black man killed by police, but with this legislation, he can hopefully be among the last.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. SOTO).

Mr. SOTO. Mr. Speaker, in my hometown of Kissimmee, Florida, I joined our local protest of the murder of George Floyd. We came together, members of the NAACP, Black Lives Matter, our Sheriff Russ Gibson, local police chiefs, and a multitude of my fellow Puerto Rican brothers and sisters. We decried hate, condemned police brutality, and stood unified for change.

I then led a conversation on justice and equality in America with Black civil rights leaders, law enforcement, and local officials from across central Florida. I listened intently, and their voices were clear: Black lives matter, and support the George Floyd Justice in Policing Act of 2020.

We see you; we hear you, and we will honor those we lost with action.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the gentlewoman from the Commonwealth of Massachusetts (Mrs. TRAHAN).

Mrs. TRAHAN. Mr. Speaker, I thank Chairman JEFFRIES for yielding.

Mr. Speaker, we have long encountered excuses as to why we can't tackle bias, discrimination, and racism in America, excuses that have prevented equality in healthcare, in the classroom, housing, in the workplace, and, yes, in the way police interact with communities they have sworn to protect.

That approach has led to a deadly reality where Black lives are equal on paper, but not in real life.

We know this because the data show it. The data show that Black Americans are more likely to die during a trip to the hospital and more likely to be killed, while unarmed, by the police.

We know this because George Floyd should be alive today; so should Breonna Taylor, Tamir Rice, Eric Garner, and so many others.

The Justice in Policing Act would have prevented their deaths, and it is long overdue. We owe it to them and to every Black American to make this bill law. Then we must get to work fixing the injustice that has persisted in our country for centuries so that we can create a more inclusive, truly equal, and just America for everyone to call home.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. CLARKE), my good friend.

□ 1830

Ms. CLARKE of New York. Mr. Speaker, I thank our conference chair.

Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act in honor of the lives I took an oath to serve as long as I draw breath.

Breonna Taylor, George Floyd, Dominique ''Rem'mie'' Fells, Sandra Bland, Saheed Vassell, Eric Garner, Sean Bell, Patrick Dorismond—how many more Black lives must be hashtagged before we deliver equal justice to all of our people?

I have heard my colleagues on the other side of the aisle make every excuse under the Sun for maintaining the status quo. Not today, my friends.

When Americans are dying at disproportionate rates across the country at the hands of law enforcement and have been doing so for generations, enough is enough, and Congress must act. This crucial legislation will make police accountable for their actions.

1976, Randolph Evans, 15 years old, unarmed Black boy, shot dead, Brooklyn, New York.

1978, Arthur Miller, choked to death, Brooklyn, New York—my first protest as a child. The only crime: Being Black.

Here we are 2020, Breonna Taylor, shot dead in her home; George Floyd, choked to death. Their only crime: Being Black.

So, my colleagues, as the only Black woman in the New York State congressional delegation, there are two things I know are true and will remain true whether we acknowledge or accept it: Black lives matter.

No justice, no peace. Today, I choose justice. I vote ''yes.''

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from the great State of Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, our country continues to fail Black people.

Seven-year-old Aiyana Stanley-Jones, in my district, would have graduated from high school this year if she was not murdered by police when they raided her home, the wrong home.

Yes, who killed George Floyd should be the focus, but also what killed George Floyd. We are talking about centuries of dehumanizing Black folks in our country, and it must end now.

We cannot stop here. We are, again, failing our neighbors when it comes to public safety, education, poverty, structural racism, which is deadly, and it is up to us to tear it down.

It is not enough for us to just say Black lives matter. We, in this Chamber, have the power for real policy change and implementation that truly frees our Black neighbors.

Aiyana, George, Breonna, Malice Green, we failed you, but your murders may be the way not to continue the injustice that we see in our country, and we have to stop it now.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the great State of Colorado (Mr. CROW), an Army Ranger, a patriot, and a great Member of the United States House of Representatives.

Mr. CROW. Mr. Speaker, I rise today in honor of Elijah McClain, a young Black man from Aurora, Colorado, who died in police custody. He was 23 years old.

Before coming to the floor today, I asked Elijah's mother what she wanted to tell the world about her son, and here are her words: ''Elijah spread joy everywhere he went. He was a lover of all beings. He dedicated his energy to healing others through his work as a massage therapist and playing his violin at the animal shelter to keep them from being lonely. Elijah's name will live on in the hearts of all who knew him.''

Colorado was blessed by Elijah's legacy, and last week, we passed the most transformative police bill in the country.

Tonight, it is Congress' turn to do the same. I urge my colleagues to join me and pass the George Floyd Justice in Policing Act. The time for talk in Congress is over. My vote tonight will be cast for Elijah McClain.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from the great State of Texas (Mr. CASTRO), the chair of the Congressional Hispanic Caucus.

Mr. CASTRO of Texas. Mr. Speaker, for far too long, far too many people have lost their lives to police brutality. And for far too long, the government has failed to protect the people. That changes today. This is a first, yet significant step to save lives, especially Black lives.

In my hometown of San Antonio, police violence has existed for generations. In just the last few years, Marquise Jones was killed by an off-duty officer during a routine fender-bender.

Antronie Scott was killed by an officer who thought a cell phone was a gun.

Charles Roundtree was killed by police. He was only 18 years old.

The Latino community has also suffered from police brutality. Andres Guardado and Carlos Lopez are the latest to be killed.

Forty years ago, in San Antonio, Hector Santoscoy was killed by a police officer who had also killed a Black man, Bobby Jo Phillips, in 1968.

The cases we see on video are only a fraction of the misconduct and abuse that occurs every day, leaving long-lasting physical, mental, and sociological damage. The good, lifesaving work of police is undercut by the blue code of secrecy, officers who refuse to tell on each other, police unions that never admit when they are wrong, and politicians who have been afraid to take on police unions.

This Congress must have the courage to act now and pass this legislation.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Illinois (Mr. KRISHNAMOORTHI).

Mr. KRISHNAMOORTHI. Mr. Speaker, I rise today in strong support of the George Floyd Justice in Policing Act.

In 2019, USA Today published the largest public database of disciplinary records for police officers. They found that fewer than 10 percent of officers in most police forces had been investigated. But of those who are investigated, most have 10 or more misconduct charges, and worse, some face more than 100 allegations. Almost all still have their badges today.

To address this issue, the George Floyd Justice in Policing Act includes a national registry to bring transparency to disciplinary decisions, to bring transparency to police misconduct, and to bring transparency to the high cost of irresponsible individuals to taxpayers.

The George Floyd Justice in Policing Act is about transparency and sunlight. We need that now more than ever.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, how much time do we have remaining on our side?

The SPEAKER pro tempore. The gentleman from New York has 7½ minutes remaining.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I am honored to stand for the George Floyd Justice in Policing Act, an important step for racial justice. I hope our approval will soften the hearts in the Senate because there is much to do.

I am honored to work with another champion for justice, Congresswoman BARBARA LEE, whose Marijuana Justice Act would be the next step, repealing Nixon's blatantly racist prohibition of marijuana with its selective enforcement against young Black men, which continues to ensnare tens of thousands of young Black men every month for something that Americans think should be legal.

Let's approve the MORE Act, already passed out of the Judiciary Committee, the next critical step in racial justice reform and protecting young Black men from oppression.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield 1 minute to the distinguished gentleman from the great State of Maryland (Mr. MFUME), the former head of the NAACP as well as the Congressional Black Caucus.

Mr. MFUME. Mr. Speaker, I thank the distinguished gentleman from New York, the chair of our Caucus, for yielding.

I listened intently to the litany that the minority leader chose to deliver, and I watched and looked through a lens of history about his admonitions about our 16th President, Abraham Lincoln, and they were all well-stated.

I think the bottom line, though, is that, in any debate, there ought to be real context. So there are other things that Lincoln said that are relevant to this debate as well.

In 1848, in a speech delivered in Edwardsville, Illinois, he spoke these words to his countrymen. He said:

> When you have succeeded in dehumanizing the Negro; when you have put him down and made it impossible for him to be but as the beasts of the field; when you have extinguished his soul in this world and placed him where the ray of hope is blown out as in the darkness of the damned, are you quite sure that the demon you have roused will not turn and rend you?

Lincoln went on to say:

> Destroy the Negro's spirit and you have planted the seeds of despotism at your own doorstep.

He said:

> Ignore the chains of bondage, and you prepare your own limbs to wear them.

Finally, he said:

> Accustomed to trample on the rights and the freedoms of others, and you would have lost the creative genius of your own independence, and then become the fit subjects of the first cunning tyrant who rises among you.

So while I appreciate the minority leader's comments, I think it is important that we have context in this debate. We have driven here and have been driven here by the actions of people all across this country who want justice, who want an end to police violence, who want an end to rogue cops and want to be able to live, work, and breathe in a society like anyone else.

Mr. JORDAN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I am prepared to close. I have no additional speakers. I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

It seems to me four principles should frame our work in putting together policies that help the country.

First and foremost, we need to recognize, as we all do, the tragedy that took place in Minneapolis. The taking of George Floyd's life was just that, a tragedy. It never should have happened. As I have said before, it is as wrong as wrong can be, and his family deserves justice, as do others.

The Republican leader mentioned Pat Underwood. His death was as wrong as wrong can be, and his family deserves justice as well.

Second, we should condemn violence and also the creation of any type of autonomous zone that is separate from our great country.

I said this earlier today. There is a big difference between peaceful protest and some of the things we have seen. Peaceful protest, that is First Amendment. We have all engaged in it. That is apple pie. That is America.

But peaceful protest is different than the rioting we have seen. Peaceful protest is different than the looting we have seen. Peaceful protest is different than the violence we have witnessed, the attacking of people, the taking of people's businesses and destroying them. Peaceful protest is different than CHAZ and CHOP and these autonomous zones that are forming.

Third, the vast majority—vast, vast majority—of police officers are good, good people doing great work, risking their lives every time they put the uniform on and serve their shift, do their duty.

They are the guys who protect us here on Capitol Hill. They are the folks who rushed into the Twin Towers on 9/11. They are the guys and gals back home, men and women back home, who protect our communities, and we should remember that.

Fourth, defunding the police is crazy, one of the most crazy ideas I have ever heard.

You have the mayor of New York, as I said earlier today, the mayor of New York is going to cut the police a billion dollars. You have the mayor of LA, our second largest city, going to cut the police $150 million. You have a supermajority on the city council of Minneapolis that wants to abolish the police and so many other major cities where they are talking about the same thing.

This Congress started off with Democrats saying abolish ICE. Then it moved to, no, let's get rid of the whole Department of Homeland Security. Now, we have Democrats in big cities around our country saying defund the police, get rid of police departments. It makes no sense.

Those four principles seem to me should be common sense and should form the framework for us to work together and form policy. But unfortunately, the Democrats didn't want to work together. We saw it yesterday in the Senate. We saw it last week in the House, in the committee. We are seeing it today on the floor.

Twelve amendments offered last week, none accepted. No amendments allowed on the floor today. Yesterday, we weren't even allowed to debate it, couldn't even move to debate in the United States Senate.

But as I said, the only bipartisanship we have seen on this issue in the last several weeks on Capitol Hill was yesterday in the Senate when two Democrats and one Independent, tripartisanship, voted to move forward on Senator SCOTT's legislation.

So let's hope, on this issue, this important issue and others, that we can begin to work together for the good of the American people, for the good of this great country—I would say the greatest Nation ever, not perfect, greatest Nation ever though.

When you live in the greatest Nation ever, I think the people of this great country want us to work together to find the solutions that make sense, that make good common sense, and fit within those principles I talked about.

That is what I hoped we could do. Over the last few weeks, unfortunately, that is not the course the majority has taken.

I urge a ''no'' vote, and I yield back the balance of my time.

Mr. JEFFRIES. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by thanking the chair of the Congressional Black Caucus and the prime sponsor of this legislation, KAREN BASS, for her extraordinary leadership on such a critical issue during such a critical moment in time.

I also want to thank the distinguished chair of the House Judiciary Committee, Congressman JERRY NADLER, for his tremendous leadership in ushering this bill through committee and to the floor of the House of Representatives.

□ 1845

I want to thank Speaker PELOSI and the entire House Democratic Caucus for rising to the occasion at this particular moment in time.

I want to thank my colleagues on the other side of the aisle for participating in the debate and sharing their ideas, though I will note that many of my Republican colleagues spent this debate talking about antifa, talking about the autonomous zone, and talking about abolishing the police, which appears

nowhere within the four corners of this legislation.

They know what this bill is really all about. It criminalizes the chokehold, because it is about George Floyd, who was strangled to death with a knee to his neck for 8 minutes and 46 seconds while handcuffed. It is about being handcuffed while Black, about George Floyd.

They know this bill, its really about Tamir Rice, a 12-year-old who was gunned down while playing in a Cleveland park. It is about Tamir Rice because the bill will establish a registry for brutal officers so that jurisdictions will have some visibility into whom they are hiring. The officer who murdered Tamir Rice, this 12-year-old boy, had been fired by a neighboring department for brutal behavior, and then he was hired by the Cleveland Police Department with tragic consequences because they had no visibility into his record. This bill is about Tamir Rice.

They know this bill is about Breonna Taylor, sleeping while Black, gunned down because of a no-knock warrant in a drug case that was falsely executed in Louisville. Now a husband has lost his wife. It is about Breonna Taylor. They know that.

This is about countless individuals in this great country of ours killed by police officers without justification.

Yes, we know that the majority of police officers—certainly the ones I interact with at home in Brooklyn—are hardworking individuals who are in the community to protect and serve. But there are violent officers, there are brutal officers, and there are abusive officers; and far too often they are not held accountable because of a toxic culture that exists and that cannot be denied—not month after month, not year after year, but decade after decade after decade.

We know the names. Many of those names were called today from the floor of the House of Representatives, but the names are too numerous to mention. That is why we are here, to do something transformative about it.

I am thankful for all of those peaceful protesters who have gone out all throughout the four corners of America, yes, led by young African-American women—I love that—and young African-American men, but joined by every other race, Black, White, Latino, Asian, Native American, multiracial, multigenerational, and multicultural, coming together and saying, ''Enough.''

We need to deal with systemic racism in America, and we can start with the cancer of police brutality. That is what the George Floyd Justice in Policing bill is all about. It is not about antifa or some autonomous zone or defunding the police, which they know doesn't appear in this bill.

I don't want to question anybody's good faith, but let's have a real debate. You are entitled to your own opinion; you are not entitled to your own facts. Those words ring true to this very day from the moment that President John Adams uttered them.

So I am thankful to the House Democratic Caucus for rising to the occasion. We collectively have said to the protesters of every race throughout America: We hear you, we see you, and we are you.

Many of you know that the death of George Floyd was not called to my attention by a fellow Member of Congress, by my chief of staff, or by my legislative director. It was called to my attention by my young son, who said: Dad, it has happened again. What are you going to do about it?

Those words, of course, ran through my heart. But I say to him, and I say to all of those other Black children throughout America: We are here today as House Democrats to do something about it.

Pass the George Floyd Justice in Policing Act.

Mr. Speaker, I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I rise today in support of the George Floyd Justice in Policing Act.

Americans have been protesting ever since the nation witnessed the murder of George Floyd at the hands of law enforcement last month. Today, the House of Representatives is taking action to address problems in our broken policing and criminal justice systems by passing The George Floyd Justice in Policing Act.

The bill has many important provisions—

It bans chokeholds, ends no-knock warrants in drug cases and prohibits racial profiling.

It creates national standards for policing policies, such as training, body cameras and use of deadly force.

It provides for data collection.

It removes barriers that make it difficult to hold police officers accountable for misconduct.

Mr. Speaker, I urge my colleagues in the Senate to pass this bill as quickly as possible, and to begin the next step in the process: investing in our communities.

Mr. LEWIS. Mr. Speaker, I rise in strong support of H.R. 7120, the George Floyd Justice in Policing Act.

For far too long, equal justice and protection under the law have been deferred dreams for Black people and communities of color across our country. As we consider this bill, people throughout Metro Atlanta and throughout my home state of Georgia are gripped by pain and anguish over the deaths of Ahmaud Arbery, Rayshard Brooks, Breonna Taylor, George Floyd, Trayvon Martin, Sandra Bland, Philando Castile, Tamir Rice, Jordan Davis, who was the beloved son of our colleague Congresswoman LUCY MCBATH, and countless others. The pain in the depths of our souls is constant and all consuming. It is the seemingly endless nightmare from which we cannot awake.

Today, young people are taking up the mantle in a movement that I know all too well. All over the world, communities are once again joining the call for racial equity and equality. While their feet march towards justice, their pain, their frustration, and petitions cannot—must not—be ignored. The George Floyd Justice in Policing Act provides us with an opportunity to practice what we preach. While we use our speech to advance American ideals such as freedom, liberty, and justice for all, we must use our hands to implement these values. H.R. 7120 puts us on the right path.

Many may seek to mischaracterize this legislation. Some will ignore the opportunities that this bill presents to improve our communities. For example, I greatly appreciate that the authors included my proposal, the Law Enforcement Inclusion Act, which permits Federal grant funds to be used to recruit and train officers from the neighborhoods they are charged to protect and serve. H.R. 7120 also provides law enforcement with the help and training they need to address mental health, drug use, and other complex societal issues. These proposals are partial solutions to the historic disconnect and distrust between communities of color and law enforcement.

Others may argue that the bill does not go far enough. This legislation addresses one Federal part of a complicated puzzle of entrenched, systematic bias and inequality, and we cannot let the perfect be the enemy of the good. Going forward, we must demilitarize law enforcement and establish empathy in our justice system. Make no mistake—much more is needed from cities, counties, State, and Federal authorities in every corner of our country. Our work is cut out for us, and our mandate, from those whom we were elected to represent and serve, is clear.

Mr. Speaker, a democracy cannot thrive where power remains unchecked and justice is reserved for a select few. Ignoring these cries and failing to respond to this movement is simply not an option. For peace cannot exist where justice is not served. I urge each and everyone of our colleagues to support this legislation.

Mr. PAYNE. Mr. Speaker, I ask my colleagues in the U.S. House of Representatives to join me as I rise to support the George Floyd Justice in Policing Act.

Police brutality in our communities of color has been a national pandemic for decades. My colleagues and I can recall quite easily an incident or incidents of police brutality that involve ourselves or our loved ones. We understand what it feels like to be afraid of the very men and women who are supposed to protect you. We understand that we are considered dangerous based on the color of our skin.

Unfortunately, my colleagues on the other side of the aisle don't seem to understand that. They have shown that our law enforcement officials, like our President, are above the law.

That's not right. I am proud to vote for a bill that will go a long way towards healing the rift between our law enforcement agencies and the minority neighborhoods they serve. It will end racial profiling in police conduct. It will ban the use of chokeholds, basically the 21st century's version of lynching. It will eliminate ''no-knock'' warrants in law enforcement, which means police officers must respect the rights of every homeowner and renter regardless of race. It will establish independent prosecutors in cases of excessive force. In addition, it will establish a national standard of conduct for police officers nationwide. This national standard will make it easier to train law enforcement officials across the country to support equal protections under the law for all American citizens.

People of all colors, cultures and creeds have taken to streets across the country to demand action in this cause. They want it established in federal law that black lives matter and the time of killing our men and women of color is over. As our citizens tear down the statutes of racists and bigots across the country, we need to follow suit and tear down the policies that allow racism to exist in our law enforcement.

Mr. Speaker, I know my fellow members of the U.S. House of Representatives agree that the George Floyd Justice in Policing Act deserves to be recognized at this time because it represents a milestone in the American commitment to justice and equality for every citizen. All lives will matter when Black lives matter.

Ms. JOHNSON of Texas. Mr. Speaker, the thousands of peaceful protests and demonstrations that took place in the streets across our country these past few weeks are a product of years of delay in action on the issue of police brutality. Today, we take a meaningful first step towards a solution by passing H.R. 7120, the George Floyd Justice in Policing Act of 2020, with my full support.

It is my hope that this moment in our history will be looked upon as a time when we as a nation came together, regardless of party or politics, in support of sweeping, transformative change—and I believe that this bill is the answer. Among its bold initiatives include banning chokeholds that took the life of George Floyd and no-knock warrants that resulted in the murder of Breonna Taylor; ending court-created doctrines of qualified immunity; and improving oversight regulations to hold law enforcement accountable for misconduct. The Justice in Policing Act is both a reflection upon and remedy for the structural and institutional bias against Black Americans in our society.

It has always been my belief that there must be a relationship between the police and the community they swear to protect—one built on mutual respect, trust, and communication. That is why I was proud to see provisions included in this bill that support community-based safety programs and establish public safety innovation grants for local commissions and task forces to reassess current approaches. Empowering our communities to reimagine public safety in an equitable and just manner is a crucial step to bring about change in the culture of law enforcement.

It is important to note that legislation alone cannot right the wrongs of the past, nor will it assure unconditionally the very liberties guaranteed within its text. Rather, it is in the hearts and minds of Americans in every community that real, purposeful change is initiated. To those who called my offices, wrote letters, or attended protests over the past weeks to demand that Congress take action, know that my vote today lends influence to your voices.

I'd like to thank Speaker PELOSI, Whip CLYBURN, and all Members of House Leadership, Senators CORY BOOKER and KAMALA HARRIS, as well as Chairs of the Congressional Black Caucus and the House Judiciary Committee Representatives BASS and NADLER for the timely and thorough manner in which this bill will be passed.

I strongly urge my colleagues to support H.R. 7120 and ask that the Senate begin debate without delay.

Ms. MOORE. Mr. Speaker, I rise today in support of H.R. 7120—George Floyd Justice in Policing Act of 2020. This legislation has been a long time coming and for many it has arrive too little too late. Our nation is a work in progress, and we will continue to fight for equality under the law in every and all aspects. As we recently celebrate Juneteenth, I am reminded of what my ancestors have endured, and I know that they would be proud of the progress we are making today. I know I am.

This essential legislation has critical provision including supporting the need for more deescalation training for police officers, something that I have long fought for and which has proven time and time again to work. The bill will also block the transfer of weapons of war to police departments, end the no-knock warrants that led to the murder of Breonna Taylor, ban choke holds that killed Eric Garner and George Floyd, and finally end qualified immunity which has shielded police officers from receiving justice for killing or injuring members of the community.

As a member of the Congressional Black Caucus but more importantly as a black mother, grandmother, and now great grandmother, I am so proud to be an original sponsor of the legislation.

Our communities are demanding action, calling for strong and effective action that will help not only prevent future tragedies between police and the communities they patrol, but also help increase trust and build safer communities.

This is a commonsense bill that deserves bipartisan support. This is the first step to making our union more perfect and I urge all my colleagues to support it.

Mr. SMITH of New Jersey. Mr. Speaker, the JUSTICE Act is designed to ensure greater transparency and accountability in policing in order to build safer communities.

I cosponsored the JUSTICE Act because it is a serious, comprehensive and balanced reform initiative—an important step forward.

I am deeply grateful to Senator TIM SCOTT and Congressman PETE STAUBER for authoring this bicameral legislation.

The killing of George Floyd while in custody by a Minneapolis police officer demands justice and has resulted in a fresh and necessary look at crime and policing.

I watched the video of Derek Chauvin kneeling on the neck of Mr. Floyd who pleaded ''I can't breathe'' with horror and disbelief. Chauvin not only betrayed his solemn duty to serve and protect but he betrayed, as well, police officers throughout the nation who serve with great honor and valor, and make enormous sacrifices to protect the innocent and enforce the law.

Today I—like many Americans—believe that nonviolent dialogue and persuasion are not only the best way, but it is the only way to achieve meaningful change.

Those who commit violent acts against police and others, as well as those who destroy property and steal, should be prosecuted to the greatest extent of the law.

The JUSTICE Act that we will vote on today includes new funding of $225 million for improved police training—including best practices for violence deescalation and alternatives to the use of force—which will likely reduce injury or death to both police officers and criminal suspects. The training also includes the most effective approaches to suspects with mental health conditions and developmental disability including individuals with autism.

The JUSTICE Act also authorizes a $500 million matching grant program to help police departments purchase body-worn cameras and receive the necessary training to ensure optimal use. It conditions eligibility for this funding on certain criteria, including usage at all times when an officer arrests or detains anyone.

The evidence for bodycam use is compelling. Studies have shown that the use of body-worn cameras can reduce complaints against officers by up to 90 percent and decrease officers' use of force by 60 percent.

The JUSTICE ACT also provides $500 million for duty-to-intervene training and directs the Attorney General in consultation with state and local governments, and organizations representing rank and file law enforcement officers to develop training curricula on the duty of a law enforcement officer to intervene when another officer engages in excessive use of force.

Had any one of the three officers on the scene in Minneapolis intervened when George Floyd pleaded that he couldn't breathe, his life could have been saved.

Other reforms embedded in the legislation include maintaining and appropriately sharing disciplinary records for officer hiring, use of force reporting to the FBI, no-knock warrant reporting, incentivizing chokehold bans and increased penalties for false police reports.

The JUSTICE Act empowers the Community Oriented Policing Services (COPS) grant program to hire recruiters and enroll candidates in law enforcement academies to ensure racial and demographic representation similar to the communities served, and funds an education program for law enforcement on racism produced by the Smithsonian's National Museum of African American History.

The bill makes lynching a federal crime.

The legislation also creates the Commission on the Social Status of Black Men and Boys which will study and issue a wide-ranging report on conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels and health issues and will make recommendations to address these issues.

That said, why not vote for the Democrat bill that is before the House today as well?

I have serious concerns that the language in H.R. 7120—the Democrat proposal—eviscerates qualified immunity in civil lawsuits for our women and men in law enforcement.

Let's be clear, current policy provides no immunity whatsoever—nor should it ever—from criminal prosecution as in the case of the officer responsible for the death of George Floyd.

But qualified immunity—a judicially created legal doctrine—shields government officials, including law enforcement, from personal liability lawsuits so long as their actions do not violate ''clearly established statutory or constitutional rights of which a reasonable person would have known.''

According to the Congressional Research Service, ''The Supreme Court has observed that qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction and liability when they perform their duties reasonably.''

Section 102 of the Democrat bill ends qualified immunity and states in pertinent part that ''It shall not be a defense or immunity in any action brought under this section against a local law enforcement officer . . . '' even if ''. . . the defendant was acting in good faith, or that the defendant believed, reasonably or otherwise, that his or her conduct was lawful at the time when the conduct was committed. . . .;''

If Section 102 became law, it would likely result in a flood of legal actions—an engraved invitation to sue law enforcement officers.

Moreover, it will deter police from using force where the use of force is necessary to save life or protect property—diminishing the ability of police to provide public safety in dangerous situations.

Finally, a June 15 letter from the NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS—which represents one thousand professional police associations and units and 241,000 officers throughout the United States—wrote: ''Our most significant concerns include amending Section 242 of Title 18 United States Code to lower the standard for mens rea (Title I Subtitle A, Section 101) and the practical elimination of qualified immunity for law enforcement officers (Section 102). Combined, these two provisions take away any legal protections for officers while making it easier to prosecute them for mistakes on the job, not just criminal acts. With the change to qualified immunity, an officer can go to prison for an unintentional act that unknowingly broke an unknown law. We believe in holding officers accountable for their actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith.''

I include the entire letter in the Record:

NATIONAL ASSOCIATION OF
POLICE ORGANIZATIONS, INC.
Alexandria, VA, June 15, 2020.

Hon. JERROLD NADLER,
Chair, Committee on the Judiciary,
House of Representatives, Washington, DC.
Hon. JIM JORDAN,
Ranking Member, Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR CHAIRMAN NADLER AND RANKING MEMBER JORDAN: I am writing to you today on behalf of the National Association of Police Organizations (NAPO), representing over 241,000 sworn law enforcement officers from across the country, to advise you of our opposition to the Justice in Policing Act, H.R. 7120, as currently written.

NAPO is a coalition of police unions and associations from across the nation, which was organized for the purpose of advancing the interests of America's law enforcement officers through legislative advocacy, political action and education.

Unequivocally, what happened to George Floyd was egregious. There is no legal justification, self-defense justification, or moral justification for the actions of the officer. We, as rank-and-file officers, support improving policing practices. While we do have significant concerns with several provisions of the Justice in Policing Act, we believe there are areas that we can come together on to address the need for greater transparency, accountability, and training in law enforcement. However, until our concerns are addressed, we cannot support this legislation.

Our most significant concerns include amending Section 242 of Title 18 United States Code to lower the standard for mens rea (Title I Subtitle A, Section 101) and the practical elimination of qualified immunity for law enforcement officers (Section 102). Combined, these two provisions take away any legal protections for officers while making it easier to prosecute them for mistakes on the job, not just criminal acts. With the change to qualified immunity, an officer can go to prison for an unintentional act that unknowingly broke an unknown law. We believe in holding officers accountable for their actions, but the consequence of this would be making criminals out of decent cops enforcing the laws in good faith.

Another provision of serious concern is the change proposed to the current legal standard of ''objective reasonableness'' for the use of force outlined in the 1989 U.S. Supreme Court decision Graham v. Connor (Sec. 364). The Supreme Court has repeatedly said that the most important factor to consider in applying force is the threat faced by the officer or others at the scene. The use of force has to be reasonable given what the officer perceived to be the threat at the time, not with the 20/20 vision of hindsight. Law enforcement officers across the nation take an oath that they will run towards danger when everyone else is running away—and they do so to protect our families and communities. Subjectively changing the legal standard for holding officers accountable for their actions will have a chilling effect on the men and women in uniform. It undermines their ability to respond in an immediate and decisive manner, and thus creates a hesitation that would threaten the safety of our families, communities and officers.

No cop wants to work with a bad cop—it makes the job more dangerous and difficult. We support ensuring officers who have substantiated serious allegations of misconduct that have been officially and fairly adjudicated can no longer practice law enforcement, but we must ensure officers have due process before they are decertified. Unfortunately, one of the underlying assumptions of the Justice in Policing Act is that law enforcement officers should not get the right to due process, a right we give all citizens, a right all unions work to protect for their members in disciplinary actions.

We support creating national standards for training on de-escalation and communication techniques to help officers to stabilize situations and reduce the immediate threat so that more time, options, and resources can be used to resolve the situation without the use of force. Such training will go much further in achieving the goals of this legislation to reduce the use of lethal force than the lessening of legal protections for officers. We also believe that rank-and-file officers, as practitioners, or their representatives, must play a role in developing national training standards.

Training standards on the use of force and de-escalation would also reduce the use of ''chokeholds'' or carotid artery restraints, which are already banned by law enforcement agencies across the country as a means of less-than lethal force for their officers. However, ''chokeholds'' are a vital tool for officers to have when use of deadly force is justified. If the subject poses an immediate threat to the safety of the officer or others and a ''chokehold'' is the officer's best or only option, it is vital that she is able to use it. We strongly recommend against criminalizing these maneuvers outright and we oppose making them a civil rights violation (Sec. 362(c)). We advise prohibiting ''chokeholds'' unless deadly force is authorized.

Data collection on the use of force is key to improving integrity and transparency in policing. It is important that the data collected on the use of force reflects the entirety of the situation: use of force by officers and use of force against officers, and not just force using firearms. The Federal Bureau of Investigation began collecting such data in their Use of Force Database in 2019, which they established in collaboration with state and local law enforcement.

Data collection, training, and certification all cost a significant amount of money, yet the Justice in Policing Act does not provide additional funding to help states and localities comply with the many mandates of the bill. In fact, in order to ensure compliance, it penalizes states and law enforcement agencies by taking away all or part of the Byrne Justice Assistance Grant (Byrne JAG) and the Community Oriented Policing Services (COPS) Grant funding. The consequence of this on all sectors of the criminal justice system will be long lasting. At a time when it is well known that state and local governments are facing serious budget and revenue holes due to the coronavirus pandemic and officers are facing furloughs and layoffs, this legislation assumes that somehow governments will have the funding to comply with the requirements of the bill. To incentivize compliance with any police reform policies, funding must be provided, and it is imperative that all sides have had their voices heard. This is where the Justice in Policing Act falls the shortest.

I have highlighted a few of the areas where we have strong opposition and others where we agree on the intention and goal. There are additional areas of the Justice in Policing Act not covered in this letter with which we have concerns and those whose objectives we support. We urge you to consider our concerns and the perspective of the officers on the street and give us a seat at the table as this legislation moves forward. Until that consideration is granted, we oppose the Justice in Policing Act.

Thank you for your attention to our concerns and we hope to work collaboratively with you to improve policing practices in America. Please feel free to contact me if you would like to discuss our concerns further.

Sincerely,
WILLIAM J. JOHNSON, ESQ.,
Executive Director.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today in strong support of H.R. 7120, the George Floyd Justice in Policing Act.

I thank my colleague from Los Angeles, the Chairwoman of the Congressional Black Caucus, KAREN BASS, for her tireless work and leadership on this bill.

The murders of George Floyd and Breonna Taylor were a devastating tragedy. My heart breaks for their families and all the families who have lost loved ones as a result of abuse of power at the hands of law enforcement.

We expect members of law enforcement to protect us and help keep our communities safe. When we lose people like George and Breoanna in senseless and bizarre acts of violence, that trust understandably disappears.

Rightfully horrified and angered against displays of police brutality, Americans across the country, of all racial and ethnic backgrounds, are marching in the streets to declare the fundamental truth that Black Lives Matter, and to demand justice for all the lives lost at the hands of police brutality.

The George Floyd Justice in Policing Act is a bold bill that will help address racial injustice and police brutality, head on, for all Americans.

Also important is that it will help rebuild the trust between the majority of good, decent law enforcement officers and the communities they have sworn to protect and to serve.

The George Floyd Justice in Policing Act will help to save lives.

It will ban chokeholds, like the one used to murder George Floyd as he cried out for his mother.

It bans no-knock warrants, like the one used by Louisville police officers which resulted in the shooting death of Breonna Taylor while she was sleeping in her home.

This bill will bring transparency to law enforcement practices by mandating the use of body cameras and holding officers who abuse their power accountable.

Furthermore, this bill ends qualified immunity, a legal protection that makes it nearly impossible for victims of police brutality to hold their abusers liable.

This bill also reduces the ability of corrupt police officers to work in new jurisdictions by creating a national database on police misconduct.

In response to the militarization of our police force, this bill will also stop the transfer of military weapons to law enforcement agencies in our communities. Weapons of war have no place on our streets.

And finally, H.R. 7120 closes the law enforcement consent loophole, making it a crime for law enforcement to engage in any sexual activity with individuals in their custody.

This bill is not the end-all solution. It will not end the root causes of systemic racism and police brutality. Nor will it address the systems of oppression that have affected communities of color for centuries.

Creating an equal, just, and inclusive America is critical work we all still have ahead of us.

The George Floyd Justice in Policing Act is a positive step in the right direction. And it is firm declaration by Congress that Black lives matter.

I look forward to working with Representative BASS and my colleagues to continue to combat racial injustice throughout our nation.

I urge my colleagues to support this vital bill.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committee on the Judiciary, as an original cosponsor of the legislation, and the author of several of its key legislative provisions, I rise in strong and enthusiastic support of H.R. 7120, the George Floyd Justice In Policing Act of 2020, which marks a defining turning point in our country.

By the millions, Americans have taken to the streets in protest to affirm that no longer will the people of this country tolerate or acquiesce in horrible policing practices that include excessive and unnecessary uses of lethal force that has diminished community trust of policing practices across the country and has angered and terrified communities of color who are overwhelmingly and disproportionately its innocent victims.

Mr. Speaker, the horrifying killing of George Floyd on May 25, 2020 by a Minneapolis police office shocked and awakened the moral consciousness of the nation.

Untold millions have seen the terrifying last 8:46 of life drained from a black man, George Floyd, taking his last breaths face down in the street with his neck under the knee of a police officer who, along with his three cohorts, was indifferent to his cries for help and pleas that he 'can't breathe.'

It direct response, for the past several weeks civil protests against police brutality have occurred nightly in cities large and small all across the nation.

These protests are a direct reaction to the horrific killing of George Floyd but are most motivated by a deep-seated anger and frustration to the separate and unequal justice African Americans receive at the hands of too many law enforcement officers.

The civil disobedience being witnessed nightly in the streets of America are also in memory of countless acts of the inequality and cruelty visited upon young African American men and women no longer with us in body but forever with us in memory.

Beloved souls like Breanna Taylor in Louisville, Kentucky; Stephan Clark in Sacramento, California; Eric Garner and Sean Bell in New York City; Sandra Bland in Waller County, Texas; Jordan Baker in Houston, Texas; 12-year old Tamir Rice in Cleveland; and Michael Brown in Ferguson, Missouri, also, Pamela Turner, Sandra Bland, and Danny Ray Thomas.

They remember as well the senseless killings of Ahmaud Arbery and Trayvon Martin by self-appointed vigilantes, Robbie Tolan, shot by police at his own home and he lived but was seriously injured.

And the continuing need for their activism is reflected in the most recent outrage, which began on June 12, 2020 and ended in the senseless slaughter of Rayshard Brooks, who was simply sleeping in his car at a local Wendy's restaurant, by a uniformed officer of the Atlanta Police Department.

Indeed, the history goes back much further, past Amidou Diallo in New York City, past the Central Park Five, past Emmitt Till, past the Racist abuse of law enforcement power during the struggle for civil rights and equal treatment.

Mr. Speaker, the times we are in demand that action be taken and that is precisely what my colleagues in the Congressional Black Caucus, on this committee, and Congressional Democrats did in introducing H.R. 7120, the George Floyd Justice in Policing Act of 2020.

And we are taking the next bold action today in voting to pass this legislation and send it to the Senate and on to the White House for presidential signature and enactment.

I support this bold legislation not just as a senior member of the House Judiciary Committee who also served on the House Working Group on Police Strategies, but also a mother of a young African American male who knows the anxiety that African American mothers feel until they can hug their sons and daughters who return home safely, and on behalf of all those relatives and friends who grieve over the loss a loved one whose life and future was wrongly and cruelly interrupted or ended by mistreatment at the hands of the police.

The George Floyd Justice in Policing Act of 2020 is designed to destroy the pillars of systemic racism in policing practices that has victimized communities of color, and especially African Americans for decades, is overdue, too long overdue.

This legislation puts the Congress of the United States, on record against racial profiling in policing and against the excessive, unjustified, and discriminatory use of lethal and force by law enforcement officers against persons of color.

The legislation means no longer will employment of practices that encourage systemic mistreatment of persons because of their race be ignored or tolerated.

With our vote today to pass the George Floyd Justice in Policing Act of 2020, the government of the United States is declaring firmly, forcefully, and unequivocally that Black Lives Matter.

It is true all lives matter, they always have.

But that Black lives matter too, and in so many other areas of civic life, this nation has not always lived up to its promise but that the promise is worthy of fulfilling.

Every African American parent, and every African America child, knows all too well 'The Talk' and the importance of abiding by the rules for surviving interactions with the police.

While many police officers take this responsibility seriously and strive to treat all persons equally and with respect, their efforts are too often undermined by some of their colleagues who abuse the enormous trust and confidence placed in them.

And systemically racist systems and practices left in place can corrupt even the most virtuous police officers.

So, the most important criminal justice reforms needed to improve the criminal justice system are those that will increase public confidence and build trust and mutual respect between law enforcement and the communities they swear an oath and are willing to risk their lives to protect and serve.

That is the overriding purpose and aim of the George Floyd Justice in Policing Act of 2020, which contains numerous provisions to weed out and eliminate systemic racism in police practices.

Specifically, this legislation holds police accountable in our courts by:

1. Amending the *mens rea* requirement in federal law (18 U.S.C. Section 242) to prosecute police misconduct from ''willfulness'' to a ''recklessness'' standard;

2. Reforming qualified immunity so that individuals are not barred from recovering damages when police violate their constitutional rights;

3. Incentivizing state attorneys general to conduct pattern and practice investigations and improving the use of pattern and practice investigations at the federal level by granting the Department of Justice Civil Rights Division subpoena power;

4. Incentivizing states to create independent investigative structures for police involved deaths; and

5. Creating best practices recommendations based on the Obama 21st Century Policing Task force.

I am particularly pleased that the George Floyd Justice In Policing Act includes the End Racial Profiling Now Act, which I introduced to ban the pernicious practice of racial profiling.

In addition, I am proud that this legislation includes as Title I, Subtitle B, the bipartisan and bicameral George Floyd Law Enforcement Trust and Integrity Act, which I introduced as H.R. 7100.

This legislation provides incentives for local police organizations to voluntarily adopt performance-based standards to ensure that incidents of deadly force or misconduct will be minimized through appropriate management and training protocols and properly investigated, should they occur.

The legislation directs the Department of Justice to work cooperatively with independent accreditation, law enforcement and community-based organizations to further develop and refine the accreditation standards and

grants conditional authority to the Department of Justice to make grants to law enforcement agencies for the purpose of obtaining accreditation from certified law enforcement accreditation organizations.

As I have stated many times, direct action is vitally important but to be effective it must be accompanied by political, legislative, and governmental action, which is necessary because the strength and foundation of democratic government rests upon the consent and confidence of the governed.

Effective enforcement of the law and administration of justice requires the confidence of the community that the law will be enforced impartially and that all persons are treated equally without regard to race or ethnicity or religion or national origin.

As the great jurist Judge Learned Hand said: ''If we are to keep our democracy, there must be one commandment: thou shalt not ration justice.''

Equal justice is the proud promise America makes to all persons; the George Floyd Justice in Policing Act will help make that promise a lived reality for African Americans, who have not ever known it to be true in the area of community-police relations.

And when Black Lives Matter, then and only then can it truthfully be said that all lives matter.

Finally, let me say a few words in memory of the man whose sacrifice of his inalienable right to life has galvanized the world and awakened the sleeping giant of moral decency.

Mr. Speaker, in Acts 2:23 of the Scriptures it is written that ''This man was handed over to you by God's deliberate plan and foreknowledge; and you with the help of wicked men, put him to death by nailing him to the cross.''

Duty calls us to improve the quality of policing in America.

We cannot agitate for change one day and then allow things to remain the same, to allow wicked men to keep committing this crime against humanity.

This behavior did not begin with George Floyd; there is a 400-years of history here, from slave patrols, to Jim Crow to Bull Connor to the modern day lynching of George Floyd by Minneapolis police officer Derek Chauvin.

But the good news is that right is on our side; God has stepped in.

In John 1:46 it is said, ''can anything good come out of Nazareth?''

When he growing up I am sure there were people who saw George Floyd and asked can anything good come out of the Third Ward of Houston?

We now know the answer is clearly yes.

George Floyd was here in service to God's divine plan.

And as his daughter Gianna said, her Daddy changed the world.

Thank you, George Floyd for what you have done for us, for helping us find our voice and our resolve.

We will not let you down; we will finish the job.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1017, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. STAUBER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. STAUBER. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Stauber moves to recommit the bill, H.R. 7120, to the Committee on Judiciary with instructions to report the same back to the House forthwith, with the following amendment:

Strike section 2 and all that follows, and insert the following (and conform the table of contents accordingly):

TITLE I—LAW ENFORCEMENT REFORMS

SEC. 101. GEORGE FLOYD AND WALTER SCOTT NOTIFICATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''George Floyd and Walter Scott Notification Act''.

(b) NATIONAL USE-OF-FORCE DATA COLLECTION.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152) is amended by adding at the end the following:

''(h) NATIONAL USE-OF-FORCE DATA COLLECTION.—

''(1) DEFINITIONS.—In this section—

''(A) the term 'law enforcement officer'—

''(i) means any officer, agent, or employee of a State, unit of local government, or an Indian tribe authorized by law or by a government agency to engage in or supervise the prevention detection, or investigation of any violation of criminal law, or authorized by law to supervise sentenced criminal offenders; and

''(ii) includes an individual described in clause (i) who is employed or volunteers in a full-time, part-time, or auxiliary capacity;

''(B) the term 'National Use-of-Force Data Collection' means the National Use-of-Force Data Collection of the Federal Bureau of Investigation; and

''(C) the term 'serious bodily injury' means bodily injury that involves a substantial risk of death, unconsciousness, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

''(2) REPORTING REQUIREMENT.—For each fiscal year in which a State or unit of local government receives funds under subsection (a), the State or unit of local government shall report to the National Use-of-Force Data Collection on an annual basis and pursuant to guidelines established by the Federal Bureau of Investigation, information regarding—

''(A) a use-of-force event by a law enforcement officer in the State or unit of local government that involves—

''(i) the fatality of an individual that is connected to use of force by a law enforcement officer;

''(ii) the serious bodily injury of an individual that is connected to use of force by a law enforcement officer; and

''(iii) in the absence of either death or serious bodily injury, when a firearm is discharged by a law enforcement officer at or in the direction of an individual;

''(B) any event in which a firearm is discharged by a civilian at or in the direction of a law enforcement officer; and

''(C) the death or serious bodily injury of a law enforcement officer that results from any discharge of a firearm by a civilian, or any other means, including whether the law enforcement officer was killed or suffered serious bodily injury as part of an ambush or calculated attack.

''(3) INFORMATION REQUIRED.—For each use-of-force event required to be reported under paragraph (2), the following information shall be provided, as required by the Federal Bureau of Investigation:

''(A) Incident information.

''(B) Subject information.

''(C) Officer information.

''(4) COMPLIANCE.—

''(A) INELIGIBILITY FOR FUNDS.—

''(i) FIRST FISCAL YEAR.—

''(I) STATES.—For the first fiscal year beginning after the date of enactment of the George Floyd and Walter Scott Notification Act in which a State fails to comply with paragraph (2) with respect to a State law enforcement agency, the State shall be subject to a 20-percent reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year, and if any unit of local government within the State fails to comply with paragraph (2), the State shall be subject to a reduction of the funds allocated for retention by the State under section 505(c) that is equal to the percentage of the population of the State represented by the unit of local government, not to exceed 20 percent.

''(II) LOCAL GOVERNMENTS.—For the first fiscal year beginning after the date of enactment of the George Floyd and Walter Scott Notification Act in which a unit of local government fails to comply with paragraph (2), the unit of local government shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the unit of local government for that fiscal year under this subpart.

''(ii) SUBSEQUENT FISCAL YEARS.—

''(I) STATES.—Beginning in the first fiscal year beginning after the first fiscal year described in clause (i)(I) in which a State fails to comply with paragraph (2) with respect to a State law enforcement agency, the percentage by which the funds described in clause (i)(I) are reduced shall be increased by 5 percent each fiscal year the State fails to comply with paragraph (2), except that such reduction shall not exceed 25 percent in any fiscal year.

''(II) LOCAL GOVERNMENTS.—Beginning in the first fiscal year beginning after the first fiscal year described in clause (i)(II) in which a unit of local government fails to comply with paragraph (2), the percentage by which the funds described in clause (i)(II) are reduced shall be increased by 5 percent each fiscal year the unit of local government fails to comply with paragraph (2), except that such reduction shall not exceed 25 percent in any fiscal year.

''(B) REALLOCATION.—Amounts not allocated under a program referred to in subparagraph (A) to a State or unit of local government for failure to comply with paragraph (2) shall be reallocated under the program to States or units of local government that have complied with paragraph (2).

''(5) PUBLIC AVAILABILITY OF DATA.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Director of the Federal Bureau of Investigation shall publish, and make available to the public, the National Use-of-Force Data Collection.

''(6) FBI OUTREACH AND TECHNICAL ASSISTANCE.—The Director of the Federal Bureau of Investigation shall provide to a State or unit of local government technical assistance and training for the collection and submission of data in accordance with this subsection.''.

SEC. 102. BREONNA TAYLOR NOTIFICATION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Breonna Taylor Notification Act of 2020''.

(b) NO-KNOCK WARRANT REPORTS.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as amended by section 101 of this Act, is amended by adding at the end the following:

''(i) NO-KNOCK WARRANT REPORTS.—

''(1) DEFINITIONS.—In this subsection:

''(A) FEDERAL LAW ENFORCEMENT AGENCY.—The term 'Federal law enforcement agency' means any agency of the United States authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of Federal criminal law.

''(B) NO-KNOCK WARRANT.—The term 'no-knock warrant' means a warrant that authorizes a law enforcement officer to enter a certain premises to execute a warrant without first knocking or otherwise announcing the presence of the law enforcement officer if a court of competent jurisdiction finds reasonable suspicion that knocking and announcing the presence of law enforcement would—

''(i) pose a danger to the officer, a suspect, or a third party on the premises;

''(ii) inhibit the investigation; or

''(iii) allow the destruction of evidence.

''(C) STATE LAW ENFORCEMENT AGENCY; LOCAL LAW ENFORCEMENT AGENCY.—The terms 'State law enforcement agency' and 'local law enforcement agency' mean an agency of a State or unit of local government, respectively, that is authorized to engage in or supervise the prevention, detection, investigation, or prosecution of any violation of criminal law.

''(2) REPORT TO ATTORNEY GENERAL.—

''(A) REQUIREMENT.—

''(i) IN GENERAL.—Subject to clause (iii), not later than January 31 of the first calendar year beginning after the date of enactment of the Breonna Taylor Notification Act of 2020, and annually thereafter—

''(I) a State that receives funds under subsection (a) shall submit to the Attorney General a report that includes, for each no-knock warrant carried out by a State law enforcement agency of the State during the preceding calendar year, the information described in subclauses (I) through (V) of paragraph (3)(A)(i); and

''(II) a unit of local government that receives funds under subsection (a) shall submit to the Attorney General a report that includes—

''(aa) for each no-knock warrant carried out by a local law enforcement agency of the unit of local government during the preceding calendar year, the information described in subclauses (I) through (V) of paragraph (3)(A)(i); and

''(bb) the crime rate data for the unit of local government for the preceding calendar year.

''(ii) STATE OVERSIGHT OF LOCAL GOVERNMENTS.—A State that receives funds under subsection (a) shall ensure that each unit of local government within the State submits to the Attorney General a report that includes, in accordance with clause (i)(II) of this subparagraph—

''(I) for each no-knock warrant carried out by a local law enforcement agency of the unit of local government during the preceding calendar year, the information described in subclauses (I) through (V) of paragraph (3)(A)(i); and

''(II) the crime rate data for the unit of local government for the preceding calendar year.

''(iii) OPEN INVESTIGATIONS.—A State or unit of local government—

''(I) may not submit the information described in subclauses (I) through (V) of paragraph (3)(A)(i) for a no-knock warrant relating to an investigation that has not been closed as of the date on which the applicable report is due under clause (i) of this subparagraph; and

''(II) shall include any information withheld under subclause (I) in the earliest subsequent report submitted under clause (i) after the investigation has been closed.

''(B) PENALTY.—

''(i) IN GENERAL.—

''(I) FIRST FISCAL YEAR.—

''(aa) STATES.—

''(AA) FAILURE TO COMPLY BY STATE.—For the first fiscal year that follows a fiscal year in which a State failed to comply with subparagraph (A) with respect to a State law enforcement agency, the State shall be subject to a 20-percent reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year.

''(BB) FAILURE TO COMPLY BY LOCAL GOVERNMENT.—For the first fiscal year that follows a fiscal year in which a unit of local government within a State failed to comply with subparagraph (A), the State shall be subject to a reduction of the funds that would otherwise be allocated for retention by the State under section 505(c) for that fiscal year by a percentage that is equal to the percentage of the population of the State that lives in the unit of local government, which may not exceed 20 percent.

''(bb) UNITS OF LOCAL GOVERNMENT.—For the first fiscal year that follows a fiscal year in which a unit of local government failed to comply with subparagraph (A), the unit of local government shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the unit of local government under this subpart for that fiscal year.

''(II) SUBSEQUENT FISCAL YEARS.—

''(aa) STATES.—Beginning in the first fiscal year beginning after the first fiscal year described in subclause (I)(aa)(AA) in which a State fails to comply with subparagraph (A) with respect to a State law enforcement agency, the percentage by which the funds described in subclause (I)(aa)(AA) are reduced shall be increased by 5 percent each fiscal year the State fails to comply with subparagraph (A) with respect to a State law enforcement agency, except that such reduction shall not exceed 25 percent in any fiscal year.

''(bb) LOCAL GOVERNMENTS.—Beginning in the first fiscal year beginning after the first fiscal year described in subclause (I)(bb) in which a unit of local government fails to comply with subparagraph (A), the percentage by which the funds described in subclause (I)(bb) are reduced shall be increased by 5 percent each fiscal year the unit of local government fails to comply with subparagraph (A), except that such reduction shall not exceed 25 percent in any fiscal year.

''(ii) REALLOCATION.—Amounts not allocated by reason of clause (i) to a State or unit of local government for failure to comply with subparagraph (A) shall be reallocated to States or units of local government, respectively, that have complied with subparagraph (A).

''(iii) EFFECTIVE DATE.—Clause (i) shall take effect with respect to the third annual report due under subparagraph (A) after the date of enactment of the Breonna Taylor Notification Act of 2020.

''(3) ATTORNEY GENERAL REPORT.—

''(A) IN GENERAL.—Subject to subparagraph (B), not later than March 31 of the first calendar year beginning after the date of enactment of the Breonna Taylor Notification Act of 2020, and annually thereafter, the Attorney General shall publish a report that includes—

''(i) for each no-knock warrant carried out by a Federal law enforcement agency, State law enforcement agency, or local law enforcement agency during the preceding calendar year—

''(I) the reason for which the warrant was issued, including each violation of law listed on the warrant;

''(II) whether, in the course of carrying out the warrant—

''(aa) force resulting in property damage, serious bodily injury, or death was used; or

''(bb) any law enforcement officer, suspect, or bystander was injured or killed;

''(III) the sex, race, ethnicity, and age of each person found at the location for which the no-knock warrant was issued;

''(IV) whether the location searched matched the location described in the warrant;

''(V) whether the warrant included the particularized information required under the Fourth Amendment to the Constitution of the United States, as interpreted by the Supreme Court of the United States, and any other applicable Federal, State, or local law related to the use of no-knock warrants; and

''(ii) for each local law enforcement agency for which information is submitted under clause (i) for a calendar year, the crime rate data for the applicable unit of local government for that calendar year.

''(B) OPEN INVESTIGATIONS.—The Attorney General—

''(i) may not publish any information described in subparagraph (A) for a no-knock warrant relating to an investigation that has not been closed as of the date on which the applicable report is due under that paragraph; and

''(ii) shall include any information withheld under clause (i) in the earliest subsequent report published under subparagraph (A) after the investigation has been closed.''.

SEC. 103. GUIDANCE.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General, in coordination with the Director of the Federal Bureau of Investigation and State and local law enforcement agencies, shall issue guidance on best practices relating to establishing standard data collection systems that capture the information required to be reported under subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively, and that ensure the reporting under such subsections (h) and (i) is consistent with data reported under the Death in Custody Reporting Act of 2013 (34 U.S.C. 60105 et seq.), section 20104(a)(2) of the Violent Crime Control and Law Enforcement Act of 1994 (34 U.S.C. 12104(a)(2)), which shall include standard and consistent definitions for terms, including the term ''use of force''.

(b) PRIVACY PROTECTIONS.—Nothing in section 101 or 102 shall be construed to supersede the requirements or limitations under section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'').

SEC. 104. COMPLIANCE ASSISTANCE GRANTS.

(a) IN GENERAL.—The Attorney General may award grants to States and units of local government to assist in the collection of the information required to be reported under subsections (h) and (i) of section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as added by sections 101 and 102 of this Act, respectively.

(b) APPLICATION.—A State or unit of local government seeking a grant under this section shall submit an application at such time, in such manner, and containing such information as the Attorney General may require.

(c) AMOUNT OF GRANT.—Each grant awarded under this section shall be not more than $1,000,000.

(d) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section, there is authorized to be appropriated, and there is appropriated, out of any money in the Treasury not otherwise appropriated for the fiscal year ending September 30, 2020, $112,000,000, to remain available until expended.

SEC. 105. INCENTIVIZING BANNING OF CHOKEHOLDS.

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

(1) chokeholds are extremely dangerous maneuvers that can easily result in serious bodily injury or death;

(2) George Floyd's death has become a flashpoint to compel the need to address the use of chokeholds by law enforcement officers across the United States;

(3) the National Consensus Policy on Use of Force, a collaborative effort among 11 of the most significant law enforcement leadership and labor organizations in the United States, concluded in a discussion paper on the use of force that chokeholds are extremely dangerous and recommended restricting their use, consistent with this section; and

(4) law enforcement agencies throughout the United States must create policies that guard against the use of this maneuver to help prevent the death of civilians whom they encounter, and engender more trust and faith among law enforcement officers and the communities they serve.

(b) INCENTIVIZING BANNING OF CHOKEHOLDS.—

(1) COPS GRANT PROGRAM ELIGIBILITY.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381), as amended by section 601 of this Act, is amended by adding at the end the following:

''(o) BANNING OF CHOKEHOLDS.—

''(1) CHOKEHOLD DEFINED.—In this subsection, the term 'chokehold' means a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.

''(2) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year beginning after the date of enactment of the JUSTICE Act, a State or unit of local government may not receive funds under this section for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have an agency-wide policy in place for each law enforcement agency of the State or unit of local government that prohibits the use of chokeholds except when deadly force is authorized.''.

(2) BYRNE GRANT PROGRAM ELIGIBILITY.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152), as amended by section 102 of this Act, is amended by adding at the end the following:

''(j) BANNING OF CHOKEHOLDS.—

''(1) CHOKEHOLD DEFINED.—In this subsection, the term 'chokehold' means a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.

''(2) LIMITATION ON ELIGIBILITY FOR FUNDS.—Beginning in the first fiscal year beginning after the date of enactment of the JUSTICE Act, a State or unit of local government may not receive funds under this part for a fiscal year if, on the day before the first day of the fiscal year, the State or unit of local government does not have an agency-wide policy in place for each law enforcement agency of the State or unit of local government that prohibits the use of chokeholds except when deadly force is authorized.''.

(c) FEDERAL LAW ENFORCEMENT AGENCIES.—

(1) DEFINITION.—In this subsection, the term ''chokehold'' means a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.

(2) FEDERAL POLICY.—The Attorney General shall develop a policy for Federal law enforcement agencies that bans the use of chokeholds except when deadly force is authorized.

(3) REQUIREMENT.—The head of each Federal law enforcement agency shall implement the policy developed under paragraph (2).

SEC. 106. FALSIFYING POLICE INCIDENT REPORTS.

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

(1) when a law enforcement officer commits an offense that deprives a citizen of their rights, privileges, and immunities protected under the Constitution and laws of the United States, that behavior is penalized to punish those involved and to deter future conduct;

(2) where serious bodily injury or death results from the acts described in paragraph (1), punishment must be severe;

(3) a law enforcement officer who intentionally submits a false police report in connection with an act described in paragraph (1) should also be punished severely;

(4) false reporting described in paragraph (3) not only serves to conceal potential criminal conduct and obstruct the administration of justice, false reporting also undermines the trust and confidence that communities place in law enforcement agencies;

(5) obstruction of justice is intolerable in any form, particularly in the form described in this subsection;

(6) the deterioration of trust and confidence between law enforcement agencies and communities must be abated; and

(7) severe penalties must be imposed for individuals who create false police reports in connection with criminal civil rights violations resulting in serious bodily injury or death.

(b) OFFENSE.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''SEC. 1041. FALSE REPORTING.

''(a) OFFENSE.—It shall be unlawful for any person to knowingly and willfully falsify a police report in a material way with the intent to falsify, conceal, or cover up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury (as defined in section 1365) occurs.

''(b) PENALTY.—Any person who violates subsection (a) shall be fined under this title, imprisoned for not more than 20 years, or both.''.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by inserting after the item relating to section 1040 the following:

''1041. False reporting.''.

(d) SENTENCING ENHANCEMENT FOR FALSIFICATION OF POLICE REPORTS.—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines to ensure that the guidelines provide an additional penalty increase of not fewer than 4 offense levels if the defendant knowingly and willfully falsifies a report in a material way with the intent to falsify, conceal, or cover up a material fact, in furtherance of the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States where death or serious bodily injury occurs.

TITLE II—BODY-WORN CAMERAS

SEC. 201. BODY-WORN CAMERA PARTNERSHIP GRANT PROGRAM.

Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.) is amended by adding at the end the following:

''SEC. 509. BODY-WORN CAMERA PARTNERSHIP GRANT PROGRAM.

''(a) DEFINITIONS.—In this section—

''(1) the term 'covered government' means a State, unit of local government, or Indian Tribe;

''(2) the term 'Director' means the Director of the Bureau of Justice Assistance; and

''(3) the term 'unit of local government', notwithstanding section 901, does not include an Indian Tribe.

''(b) AUTHORIZATION OF GRANTS.—The Director may make grants to eligible covered governments for use by the covered government for—

''(1) the purchase of body-worn cameras;

''(2) necessary initial supportive technological infrastructure for body-worn cameras for law enforcement officers in the jurisdiction of the grantee;

''(3) the development of policies and procedures relating to the use of body-worn cameras;

''(4) training on the use of body-worn cameras;

''(5) the storage, retention, viewing, auditing, and release of footage from body-worn cameras; and

''(6) personnel, including law enforcement, prosecution, and criminal defense personnel, to support the administration of the body-worn camera program of the covered government.

''(c) ELIGIBILITY.—

''(1) APPLICATION.—For a covered government to be eligible to receive a grant under this section, the chief executive officer of the covered government shall submit to the Director an application in such form and containing such information as the Director may require.

''(2) POLICIES AND PROCEDURES ASSURANCES.—The application under paragraph (1) shall, as required by the Director, provide assurances that the covered government will establish policies and procedures in accordance with subsection (d).

''(d) REQUIRED POLICIES AND PROCEDURES.—

''(1) IN GENERAL.—A covered government receiving a grant under this section shall develop policies and procedures related to the use of body-worn cameras that—

''(A) are developed with community input, including from prosecutors and organizations representing crime victims, in accordance with recognized best practices;

''(B) require that a body-worn camera be activated when a law enforcement officer arrests or detains any person in the course of the official duties of the officer, with consideration to sensitive cases;

''(C) apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera is engaged, functional, and properly secured at all times during which the camera is required to be worn;

''(D) require training for—

''(i) the proper use of body-worn cameras; and

''(ii) the handling and use of the obtained video and audio recordings;

''(E) provide clear standards for privacy, data retention, and use for evidentiary purposes in a criminal proceeding, including in

the case of an assault on a law enforcement officer; and

''(F) make footage available to the public in response to a valid request under an applicable freedom of information law if the footage can be made available—

''(i) without compromising an ongoing investigation or revealing the identity of third parties, including victims, informants, or witnesses; and

''(ii) with consideration given to the rights of victims and surviving family members.

''(2) PUBLICATION.—A covered government receiving a grant under this section shall make all policies and procedures regarding body-worn cameras available on a public website.

''(3) GUIDANCE.—The Director shall issue guidance to covered governments related to the requirements under paragraph (1).

''(e) GRANT AMOUNTS.—

''(1) MINIMUM AMOUNT.—

''(A) IN GENERAL.—Each fiscal year, unless the Director has awarded a fully funded grant for each eligible application submitted by a State and any units of local government within the State under this section for the fiscal year, the Director shall allocate to the State and units of local government within the State for grants under this section an aggregate amount that is not less than 0.5 percent of the total amount appropriated for the fiscal year for grants under this section.

''(B) CERTAIN TERRITORIES.—For purposes of the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands, subparagraph (A) shall be applied by substituting '0.25 percent' for '0.5 percent'.

''(2) MAXIMUM AMOUNT.—

''(A) AMOUNT PER COVERED GOVERNMENT.—A covered government may not receive a grant under this section for a fiscal year in an amount that is greater than 5 percent of the total amount appropriated for grants under this section for the fiscal year.

''(B) AGGREGATE AMOUNT PER STATE.—A State and each covered government within the State may not receive grants under this section for a fiscal year in an aggregate amount that is more than 20 percent of the total amount appropriated for grants under this section for the fiscal year.

''(f) MATCHING FUNDS.—The portion of the costs of a body-worn camera program provided by a grant under this section—

''(1) may not exceed 50 percent; and

''(2) subject to subsection (e)(2), shall equal 50 percent if the grant is to a unit of local government with fewer than 100,000 residents.

''(g) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall not be used to supplant covered government funds, but shall be used to increase the amount of funds that would, in the absence of Federal funds, be made available from covered government sources for the purposes of this section.

''(h) REPORTS TO THE DIRECTOR.—A covered government that receives a grant under this section shall submit to the Director, for each year in which funds from a grant received under this section are expended, a report at such time and in such manner as the Director may reasonably require, that contains—

''(1) a summary of the activities carried out under the grant and an assessment of whether the activities are meeting the needs identified in the grant application; and

''(2) such other information as the Director may require.

''(i) REPORTS TO CONGRESS.—Not later than 90 days after the end of a fiscal year for which grants are made under this section, the Director shall submit to Congress a report that includes—

''(1) the aggregate amount of grants made under this section to each covered government for the fiscal year;

''(2) a summary of the information provided by covered governments receiving grants under this section; and

''(3) a description of the priorities and plan for awarding grants among eligible covered governments, and how the plan will ensure the effective use of body-worn cameras to protect public safety.

''(j) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $500,000,000, to remain available until expended.''.

SEC. 202. PENALTIES FOR FAILURE TO USE BODY-WORN CAMERAS.

(a) DEFINITION.—In this section, the term ''covered provision'' means—

(1) section 509 of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as added by section 201; and

(2) any other provision of law that makes funds available for the purchase of body-worn cameras.

(b) REQUIREMENT.—

(1) STATES.—A State that receives funds under a covered provision shall—

(A) have a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn; and

(B) ensure that any entity to which the State awards a subgrant under the covered provision has a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

(2) OTHER ENTITIES.—An entity other than a State that receives funds under a covered provision shall have a policy in place to apply discipline to any law enforcement officer who intentionally fails to ensure that a body-worn camera purchased using those funds is engaged, functional, and properly secured at all times during which the camera is required to be worn.

(c) COMPLIANCE.—

(1) INELIGIBILITY FOR FUNDS.—

(A) FIRST FISCAL YEAR.—

(i) STATES.—For the first fiscal year beginning after the date of enactment of this Act in which a State fails to comply with subsection (b)(1), the State shall be subject to a 20-percent reduction of the funds that would otherwise be provided to the State under the applicable covered provision for that fiscal year.

(ii) OTHER ENTITIES.—For the first fiscal year beginning after the date of enactment of this Act in which an entity other than a State fails to comply with subsection (b)(2), the entity shall be subject to a 20-percent reduction of the funds that would otherwise be allocated to the entity under the applicable covered provision for that fiscal year.

(B) SUBSEQUENT FISCAL YEARS.—

(i) STATES.—Beginning in the first fiscal year beginning after the first fiscal year described in subparagraph (A)(i) in which a State fails to comply with subsection (b), the percentage by which the funds described in subparagraph (A)(i) are reduced shall be increased by 5 percent each fiscal year the State fails to comply with subsection (b), except that such reduction shall not exceed 25 percent in any fiscal year.

(ii) OTHER ENTITIES.—Beginning in the first fiscal year beginning after the first fiscal year described in subparagraph (A)(i) in which a an entity other than a State fails to comply with subsection (b), the percentage by which the funds described in subparagraph (A)(ii) are reduced shall be increased by 5 percent each fiscal year the entity fails to comply with subsection (b), except that such reduction shall not exceed 25 percent in any fiscal year.

(2) REALLOCATION.—Amounts not allocated under covered provision to a State or other entity for failure to comply with subsection (b) shall be reallocated under the covered provision to States or other entities that have complied with subsection (b).

TITLE III—LAW ENFORCEMENT RECORDS RETENTION

SEC. 301. LAW ENFORCEMENT RECORDS RETENTION.

(a) IN GENERAL.— Part E of title I of the Omnibus Crime Control and Safe Streets Acts of 1968 (34 U.S.C. 10151 et seq.) is amended by adding at the end the following:

''Subpart 4—Law Enforcement Records Retention

''SEC. 531. LAW ENFORCEMENT RECORDS RETENTION.

''(a) DEFINITIONS.—In this section—

''(1) the term 'applicable covered system', with respect to a law enforcement agency, means the covered system of the covered government of which the law enforcement agency is part;

''(2) the term 'covered government' means a State or unit of local government;

''(3) the term 'covered system' means a system maintained by a covered government under subsection (b); and

''(4) the term 'disciplinary record'—

''(A) means any written document regarding an allegation of misconduct by a law enforcement officer that—

''(i) is substantiated and is adjudicated by a government agency or court; and

''(ii) results in—

''(I) adverse action by the employing law enforcement agency; or

''(II) criminal charges; and

''(B) does not include a written document regarding an allegation described in subparagraph (A) if the adjudication described in clause (i) of that subparagraph has been overturned on appeal.

''(b) RECORDS RETENTION REQUIREMENTS.—

''(1) RECORDS RETENTION SYSTEM.—A covered government that receives funds under this part shall maintain a system for sharing disciplinary records of law enforcement officers that meets the requirements under paragraph (2).

''(2) REQUIREMENTS.—In administering a covered system, a covered government shall—

''(A) retain each disciplinary record or internal investigation record regarding a law enforcement officer that is prepared by a law enforcement agency of the covered government;

''(B) retain a record of each award or commendation regarding a law enforcement officer that is prepared by a law enforcement agency of the covered government;

''(C) establish a policy that ensures that each record included in the covered system is retained and accessible for not less than 30 years;

''(D) allow a law enforcement officer, counsel for a law enforcement officer, or the representative organization of a law enforcement officer to—

''(i) submit information to the covered system relating to a disciplinary record or internal investigation record regarding the law enforcement officer that is retained under subparagraph (A); or

''(ii) obtain access to the covered system in order to review a disciplinary record or internal investigation record described in clause (i);

''(E) allow any Federal, State, or local law enforcement agency to access any record included in the covered system for the purpose of making a decision to hire a law enforcement officer;

''(F) require that, before hiring a law enforcement officer, a representative of a law enforcement agency of the covered government with hiring authority—

''(i) search the applicable covered system of each law enforcement agency that has employed the applicant as a law enforcement officer in order to determine whether the applicant has a disciplinary record, internal investigation record, or record of an award or commendation on file; and

''(ii) if a record described in clause (i) exists, review the record in full before hiring the law enforcement officer; and

''(G) prohibit access to the covered system by any individual other than an individual who is authorized to access the covered system for purposes of—

''(i) submitting records or other information to the covered system as described in subparagraphs (A), (B), and (D); or

''(ii) reviewing records or other information in the covered system as described in subparagraphs (E) and (F).

''(c) INELIGIBILITY FOR FUNDS.—

''(1) IN GENERAL.— A covered government may not receive funds under section 505, 506, 515, or 516 unless the covered government is in compliance with subsection (b) of this section.

''(2) REALLOCATION.—Amounts not allocated under a section referred to in paragraph (1) to a covered government for failure to comply with subsection (b) shall be reallocated under that section to covered governments that have complied with subsection (b).

''(d) ONE-TIME GRANT.—

''(1) IN GENERAL.—The Attorney General shall award a grant to each State, using an apportionment formula that reflects the differences between each State, to be used by the State and units of local government within the State to establish covered systems.

''(2) AMOUNT.—The amount of a grant awarded to a State under paragraph (1) shall be not less than $1,000,000.

''(3) DIRECT APPROPRIATIONS.—For the purpose of making grants under this subsection, there is authorized to be appropriated, and there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended.

''(e) INDEMNIFICATION.—

''(1) IN GENERAL.—The United States shall indemnify and hold harmless a covered government, and any law enforcement agency thereof, against any claim (including reasonable expenses of litigation or settlement) by any person or entity related to—

''(A) the retention of records in a covered system as required under subsection (b); or

''(B) the review of records included in a covered system as required under subsection (b).

''(2) LIMITATION.—Paragraph (1) shall not apply to the release of a record—

''(A) to a non-law enforcement entity or individual; or

''(B) for a purpose other than making a decision to hire a law enforcement officer.''.

(b) EFFECTIVE DATE.—Section 531(c) of title I of the Omnibus Crime Control and Safe Streets Acts of 1968, as added by subsection (a), shall take effect on October 1 of the first fiscal year beginning after the date of enactment of this Act.

TITLE IV—JUSTICE FOR VICTIMS OF LYNCHING

SEC. 401. SHORT TITLE.

This title may be cited as the ''Justice for Victims of Lynching Act of 2020''.

SEC. 402. FINDINGS.

Congress finds the following:

(1) The crime of lynching succeeded slavery as the ultimate expression of racism in the United States following Reconstruction.

(2) Lynching was a widely acknowledged practice in the United States until the middle of the 20th century.

(3) Lynching was a crime that occurred throughout the United States, with documented incidents in all but 4 States.

(4) At least 4,742 people, predominantly African Americans, were reported lynched in the United States between 1882 and 1968.

(5) Ninety-nine percent of all perpetrators of lynching escaped from punishment by State or local officials.

(6) Lynching prompted African Americans to form the National Association for the Advancement of Colored People (referred to in this section as the ''NAACP'') and prompted members of B'nai B'rith to found the Anti-Defamation League.

(7) Mr. Walter White, as a member of the NAACP and later as the executive secretary of the NAACP from 1931 to 1955, meticulously investigated lynchings in the United States and worked tirelessly to end segregation and racialized terror.

(8) Nearly 200 anti-lynching bills were introduced in Congress during the first half of the 20th century.

(9) Between 1890 and 1952, 7 Presidents petitioned Congress to end lynching.

(10) Between 1920 and 1940, the House of Representatives passed 3 strong anti-lynching measures.

(11) Protection against lynching was the minimum and most basic of Federal responsibilities, and the Senate considered but failed to enact anti-lynching legislation despite repeated requests by civil rights groups, Presidents, and the House of Representatives to do so.

(12) The publication of ''Without Sanctuary: Lynching Photography in America'' helped bring greater awareness and proper recognition of the victims of lynching.

(13) Only by coming to terms with history can the United States effectively champion human rights abroad.

(14) An apology offered in the spirit of true repentance moves the United States toward reconciliation and may become central to a new understanding, on which improved racial relations can be forged.

(15) Having concluded that a reckoning with our own history is the only way the country can effectively champion human rights abroad, 90 Members of the United States Senate agreed to Senate Resolution 39, 109th Congress, on June 13, 2005, to apologize to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

(16) The National Memorial for Peace and Justice, which opened to the public in Montgomery, Alabama, on April 26, 2018, is the Nation's first memorial dedicated to the legacy of enslaved Black people, people terrorized by lynching, African Americans humiliated by racial segregation and Jim Crow, and people of color burdened with contemporary presumptions of guilt and police violence.

(17) Notwithstanding the Senate's apology and the heightened awareness and education about the Nation's legacy with lynching, it is wholly necessary and appropriate for the Congress to enact legislation, after 100 years of unsuccessful legislative efforts, finally to make lynching a Federal crime.

(18) Further, it is the sense of Congress that criminal action by a group increases the likelihood that the criminal object of that group will be successfully attained and decreases the probability that the individuals involved will depart from their path of criminality. Therefore, it is appropriate to specify criminal penalties for the crime of lynching, or any attempt or conspiracy to commit lynching.

(19) The United States Senate agreed to unanimously Senate Resolution 118, 115th Congress, on April 5, 2017, ''[c]ondemning hate crime and any other form of racism, religious or ethnic bias, discrimination, incitement to violence, or animus targeting a minority in the United States'' and taking notice specifically of Federal Bureau of Investigation statistics demonstrating that ''among single-bias hate crime incidents in the United States, 59.2 percent of victims were targeted due to racial, ethnic, or ancestral bias, and among those victims, 52.2 percent were victims of crimes motivated by the offenders' anti-Black or anti-African American bias''.

(20) On September 14, 2017, President Donald J. Trump signed into law Senate Joint Resolution 49 (Public Law 115–58; 131 Stat. 1149), wherein Congress ''condemn[ed] the racist violence and domestic terrorist attack that took place between August 11 and August 12, 2017, in Charlottesville, Virginia'' and ''urg[ed] the President and his administration to speak out against hate groups that espouse racism, extremism, xenophobia, anti-Semitism, and White supremacy; and use all resources available to the President and the President's Cabinet to address the growing prevalence of those hate groups in the United States''.

(21) Senate Joint Resolution 49 (Public Law 115–58; 131 Stat. 1149) specifically took notice of ''hundreds of torch-bearing White nationalists, White supremacists, Klansmen, and neo-Nazis [who] chanted racist, anti-Semitic, and anti-immigrant slogans and violently engaged with counter-demonstrators on and around the grounds of the University of Virginia in Charlottesville'' and that these groups ''reportedly are organizing similar events in other cities in the United States and communities everywhere are concerned about the growing and open display of hate and violence being perpetrated by those groups''.

(22) Lynching was a pernicious and pervasive tool that was used to interfere with multiple aspects of life—including the exercise of Federally protected rights, as enumerated in section 245 of title 18, United States Code, housing rights, as enumerated in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631), and the free exercise of religion, as enumerated in section 247 of title 18, United States Code. Interference with these rights was often effectuated by multiple offenders and groups, rather than isolated individuals. Therefore, prohibiting conspiracies to violate each of these rights recognizes the history of lynching in the United States and serves to prohibit its use in the future.

SEC. 403. LYNCHING.

(a) OFFENSE.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''§ 250. Lynching

''Whoever conspires with another person to violate section 245, 247, or 249 of this title or section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631) shall be punished in the same manner as a completed violation of such section, except that if the maximum term of imprisonment for such completed violation is less than 10 years, the person may be imprisoned for not more than 10 years.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 13 of title 18,

United States Code, is amended by inserting after the item relating to section 249 the following:

''250. Lynching.''.

TITLE V—COMMISSION ON THE SOCIAL STATUS OF BLACK MEN AND BOYS ACT

SEC. 501. SHORT TITLE.

This title may be cited as the ''Commission on the Social Status of Black Men and Boys Act''.

SEC. 502. COMMISSION ESTABLISHMENT AND MEMBERSHIP.

(a) ESTABLISHMENT.—The Commission on the Social Status of Black Men and Boys (hereinafter in this title referred to as ''the Commission'') is established within the United States Commission on Civil Rights Office of the Staff Director.

(b) MEMBERSHIP.—The Commission shall consist of 19 members appointed as follows:

(1) The Senate majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(2) The Senate minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(3) The House of Representatives majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(4) The House of Representatives minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(5) The Chair of the Congressional Black Caucus shall be a member of the Commission, as well as 5 additional Members of the Congressional Black Caucus who shall be individuals that either sit on the following committees of relevant jurisdiction or are experts on issues affecting Black men and boys in the United States, including—

(A) education;

(B) justice and Civil Rights;

(C) healthcare;

(D) labor and employment; and

(E) housing.

(6) The Staff Director of the United States Commission on Civil Rights shall appoint one member from within the staff of the United States Commission on Civil Rights who is an expert in issues relating to Black men and boys.

(7) The Chair of the United States Equal Employment Opportunity Commission shall appoint one member from within the staff of the United States Equal Employment Opportunity Commission who is an expert in equal employment issues impacting Black men.

(8) The Secretary of Education shall appoint one member from within the Department of Education who is an expert in urban education.

(9) The Attorney General shall appoint one member from within the Department of Justice who is an expert in racial disparities within the criminal justice system.

(10) The Secretary of Health and Human Services shall appoint one member from within the Department of Health and Human Services who is an expert in health issues facing Black men.

(11) The Secretary of Housing and Urban Development shall appoint one member from within the Department of Housing and Urban Development who is an expert in housing and development in urban communities.

(12) The Secretary of Labor shall appoint one member from within the Department of Labor who is an expert in labor issues impacting Black men.

(13) The President of the United States shall appoint 2 members who are not employed by the Federal Government and are experts on issues affecting Black men and boys in America.

(c) MEMBERSHIP BY POLITICAL PARTY.—If after the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

SEC. 503. OTHER MATTERS RELATING TO APPOINTMENT; REMOVAL.

(a) TIMING OF INITIAL APPOINTMENTS.—Each initial appointment to the Commission shall be made no later than 90 days after the Commission is established. If any appointing authorities fail to appoint a member to the Commission, their appointment shall be made by the Staff Director of the Commission on Civil Rights.

(b) TERMS.—Except as otherwise provided in this section, the term of a member of the Commission shall be 4 years. For the purpose of providing staggered terms, the first term of those members initially appointed under paragraphs (1) through (5) of section 502 shall be appointed to 2-year terms with all other terms lasting 4 years. Members are eligible for consecutive reappointment.

(c) REMOVAL.—A member of the Commission may be removed from the Commission at any time by the appointing authority should the member fail to meet Commission responsibilities. Once the seat becomes vacant, the appointing authority is responsible for filling the vacancy in the Commission before the next meeting.

(d) VACANCIES.—The appointing authority of a member of the Commission shall either reappoint that member at the end of that member's term or appoint another person meeting the qualifications for that appointment. In the event of a vacancy arising during a term, the appointing authority shall, before the next meeting of the Commission, appoint a replacement to finish that term.

SEC. 504. LEADERSHIP ELECTION.

At the first meeting of the Commission each year, the members shall elect a Chair and a Secretary. A vacancy in the Chair or Secretary shall be filled by vote of the remaining members. The Chair and Secretary are eligible for consecutive reappointment.

SEC. 505. COMMISSION DUTIES AND POWERS.

(a) STUDY.—

(1) IN GENERAL.—The Commission shall conduct a systematic study of the conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels including postsecondary education and college, and health issues.

(2) TRENDS.—The Commission shall document trends regarding the topics described in paragraph (1) and report on the community impacts of relevant government programs within the scope of such topics.

(b) PROPOSAL OF MEASURES.—The Commission shall propose measures to alleviate and remedy the underlying causes of the conditions described in subsection (a), which may include recommendations of changes to the law, recommendations for how to implement related policies, and recommendations for how to create, develop, or improve upon government programs.

(c) SUGGESTIONS AND COMMENTS.—The Commission shall accept suggestions or comments pertinent to the applicable issues from members of Congress, governmental agencies, public and private organizations, and private citizens.

(d) STAFF AND ADMINISTRATIVE SUPPORT.—The Office of the Staff Director of the United States Commission on Civil Rights shall provide staff and administrative support to the Commission. All entities of the United States Government shall provide information that is otherwise a public record at the request of the Commission.

SEC. 506. COMMISSION MEETING REQUIREMENTS.

(a) FIRST MEETING.—The first meeting of the Commission shall take place no later than 30 days after the initial members are all appointed. Meetings shall be focused on significant issues impacting Black men and boys, for the purpose of initiating research ideas and delegating research tasks to Commission members to initiate the first annual report described in section 507.

(b) QUARTERLY MEETINGS.—The Commission shall meet quarterly. In addition to all quarterly meetings, the Commission shall meet at other times at the call of the Chair or as determined by a majority of Commission members.

(c) QUORUM; RULE FOR VOTING ON FINAL ACTIONS.—A majority of the members of the Commission constitute a quorum, and an affirmative vote of a majority of the members present is required for final action.

(d) EXPECTATIONS FOR ATTENDANCE BY MEMBERS.—Members are expected to attend all Commission meetings. In the case of an absence, members are expected to report to the Chair prior to the meeting and allowance may be made for an absent member to participate remotely. Members will still be responsible for fulfilling prior commitments, regardless of attendance status. If a member is absent twice in a given year, he or she will be reviewed by the Chair and appointing authority and further action will be considered, including removal and replacement on the Commission.

(e) MINUTES.—Minutes shall be taken at each meeting by the Secretary, or in that individual's absence, the Chair shall select another Commission member to take minutes during that absence. The Commission shall make its minutes publicly available and accessible not later than one week after each meeting.

SEC. 507. ANNUAL REPORT GUIDELINES.

The Commission shall make an annual report, beginning the year of the first Commission meeting. The report shall address the current conditions affecting Black men and boys and make recommendations to address these issues. The report shall be submitted to the President, the Congress, members of the President's Cabinet, and the chairs of the appropriate committees of jurisdiction. The Commission shall make the report publicly available online on a centralized Federal website.

SEC. 508. COMMISSION COMPENSATION.

Members of the Commission shall serve on the Commission without compensation.

TITLE VI—ALTERNATIVES TO THE USE OF FORCE, DE-ESCALATION, BEHAVIORAL HEALTH CRISES AND DUTY TO INTERVENE TRAINING

SEC. 601. TRAINING ON ALTERNATIVES TO USE OF FORCE, DE-ESCALATION, AND BEHAVIORAL HEALTH CRISES.

(a) DEFINITIONS.—Section 901(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251(a)) is amended—

(1) in paragraph (27), by striking ''and'' at the end;

(2) in paragraph (28), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(29) the term 'de-escalation' means taking action or communicating verbally or nonverbally during a potential force encounter in an attempt to stabilize the situation and

reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary; and

''(30) the term 'behavioral health crisis' means a situation in which the behavior of a person puts the person at risk of hurting himself or herself or others or prevents the person from being able to care for himself or herself or function effectively in the community, including a situation in which a person is under the influence of a drug or alcohol, is suicidal, or experiences symptoms of a mental illness.''.

(b) COPS PROGRAM.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended by adding at the end the following:

''(n) TRAINING IN ALTERNATIVES TO USE OF FORCE, DE-ESCALATION TECHNIQUES, AND BEHAVIORAL HEALTH CRISES.—

''(1) TRAINING CURRICULA.—The Attorney General, in consultation with relevant law enforcement agencies of States and units of local government, labor organizations, professional law enforcement organizations, and mental health organizations, shall develop training curricula in—

''(A) alternatives to use of force and de-escalation tactics; and

''(B) safely responding to a person experiencing a behavioral health crisis, including techniques and strategies that are designed to protect the safety of the person experiencing the behavioral health crisis, law enforcement officers, and the public.

''(2) CERTIFIED PROGRAMS.—The Attorney General shall establish a process to certify public and private entities that offer courses in alternatives to use of force, de-escalation tactics, and techniques and strategies for responding to a behavioral health crisis using the training curricula established under paragraph (1) or equivalents to the training curricula established under paragraph (1).

''(3) TRANSITIONAL REGIONAL TRAINING PROGRAMS FOR STATE AND LOCAL AGENCY PERSONNEL.—Until the end of fiscal year 2023, the Attorney General shall, and thereafter may, provide regional training to equip and certify personnel from law enforcement agencies of States and units of local government in a State to conduct training using the training curricula established under paragraph (1).

''(4) LIST.—The Attorney General shall publish a list of law enforcement agencies of States and units of local government that employ officers who have successfully completed a course described under paragraph (2) or (3), which shall include—

''(A) the total number of law enforcement officers employed by the agency;

''(B) the number of officers who have completed the course; and

''(C) whether personnel from the law enforcement agency are certified to conduct training.

''(5) DIRECT APPROPRIATIONS.—For the purpose of making grants under this subsection there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $100,000,000, to remain available until expended.''.

(c) BYRNE JAG PROGRAM.—Subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.) is amended—

(1) by redesignating section 508 as section 511; and

(2) by inserting after section 507 the following:

''SEC. 508. LAW ENFORCEMENT TRAINING PROGRAMS.

''(a) DEFINITIONS.—In this section—

''(1) the term 'approved course in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis' means a course using the training curricula established under section 1701(n)(1) or equivalents to such training curricula—

''(A) provided by the Attorney General under section 1701(n)(3); or

''(B) provided by a certified entity; and

''(2) the term 'certified entity' means a public or private entity that has been certified by the Attorney General under section 1701(n)(2).

''(b) AUTHORITY.—The Attorney General shall, from amounts made available for this purpose under subsection (e), make grants to States for use by the State or a unit of government located in the State to—

''(1) pay for costs associated with conducting the training and for attendance by law enforcement personnel at an approved course in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis; and

''(2) procure training in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis from a certified entity.

''(c) ALLOCATION OF FUNDS.—

''(1) IN GENERAL.—Of the total amount appropriated to carry out this section for a fiscal year, the Attorney General shall allocate funds to each State in proportion to the total number of law enforcement officers in the State as compared to the total number of law enforcement officers in the United States.

''(2) TRAINING FOR STATE LAW ENFORCEMENT OFFICERS.—Each State may retain from the total amount of funds provided to the State for the purposes described in this section an amount that is not more than the amount that bears the same ratio to the total amount of funds as the ratio of—

''(A) the total number of law enforcement officers employed by the State; to

''(B) the total number of law enforcement officers employed by the State and units of local government within the State.

''(3) TRAINING FOR LOCAL LAW ENFORCEMENT OFFICERS.—A State shall make available to units of local government in the State for the purposes described in this section the amounts remaining after a State retains funds under paragraph (2). At the request of a unit of local government, the State may use an amount of the funds allocated to the unit of local government under this paragraph to facilitate training in alternatives to use of force, de-escalation tactics, or techniques and strategies for responding to a behavioral health crisis to law enforcement officers employed by the unit of local government.

''(d) REPORTING.—

''(1) UNITS OF LOCAL GOVERNMENT.—Any unit of local government that receives funds from a State under subsection (c)(3) shall submit to the State a report indicating—

''(A) the number of law enforcement officers that have completed training described in this section;

''(B) the total number of law enforcement officers employed by the unit of local government; and

''(C) any barriers to providing the training.

''(2) STATES.—Any State that receives funds under subsection (c)(2) shall, after receiving the reports described in paragraph (1), submit to the Attorney General—

''(A) such reports; and

''(B) a report by the State indicating—

''(i) the number of law enforcement officers employed by the State that have completed training described in this section;

''(ii) the total number of law enforcement officers employed by the State; and

''(iii) any barriers to providing the training.

''(e) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $250,000,000, to remain available until expended.''.

SEC. 602. TRAINING ON DUTY TO INTERVENE.

Subpart 1 of part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.), as amended by section 201, is amended by adding at the end the following:

''SEC. 510. TRAINING ON DUTY TO INTERVENE.

''(a) TRAINING PROGRAM.—

''(1) IN GENERAL.—The Attorney General, in consultation with relevant law enforcement agencies of States and units of local governments and organizations representing rank and file law enforcement officers, shall develop a training curriculum for law enforcement agencies and officers on the development, implementation, fulfillment, and enforcement of a duty of a law enforcement officer to intervene when another law enforcement officer is engaged in excessive use of force.

''(2) CERTIFIED PROGRAMS.—The Attorney General shall establish a process to certify public and private entities that offer courses on the duty to intervene that are equivalent to the training curriculum established under paragraph (1).

''(3) TRANSITIONAL REGIONAL TRAINING PROGRAMS.—Until the end of fiscal year 2023, the Attorney General shall provide regional training workshops for law enforcement officers of States and units of local government, using the training curriculum established under paragraph (1).

''(4) LIST.—The Attorney General shall publish a list of law enforcement agencies of States and units of local government that employ officers who have successfully completed a course described under paragraph (2) or (3), which shall include the total number of law enforcement officers employed by the agency and the number of officers who have completed the course.

''(b) GRANT PROGRAM.—

''(1) AUTHORIZATION.—The Attorney General may make grants to State and local law enforcement agencies to—

''(A) pay for costs associated with attendance by law enforcement personnel at a training course approved by the Attorney General under paragraph (2) or (3) of subsection (a); and

''(B) procure training in the duty to intervene from a public or private entity certified under subsection (a)(2).

''(2) APPLICATION.—Each State or local law enforcement agency seeking a grant under this subsection shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require.

''(c) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section, there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $500,000,000, to remain available until expended.''.

TITLE VII—NATIONAL CRIMINAL JUSTICE COMMISSION ACT

SEC. 701. SHORT TITLE.

This title may be cited as the ''National Criminal Justice Commission Act of 2020''.

SEC. 702. FINDINGS.

Congress finds that—

(1) it is in the interest of the United States to establish a commission to undertake a comprehensive review of the criminal justice system;

(2) there has not been a comprehensive study since the President's Commission on Law Enforcement and Administration of Justice was established in 1965;

(3) in a span of 18 months, the President's Commission on Law Enforcement and Administration of Justice produced a comprehensive report entitled ''The Challenge of Crime in a Free Society'', which contained 200 specific recommendations on all aspects of the criminal justice system involving—

(A) Federal, State, Tribal, and local governments;

(B) civic organizations;

(C) religious institutions;

(D) business groups; and

(E) individual citizens; and

(4) developments over the intervening 50 years require once again that Federal, State, Tribal, and local governments, law enforcement agencies, including rank and file officers, civil rights organizations, community-based organization leaders, civic organizations, religious institutions, business groups, and individual citizens come together to review evidence and consider how to improve the criminal justice system.

SEC. 703. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the ''National Criminal Justice Commission'' (referred to in this title as the ''Commission'').

SEC. 704. PURPOSE OF THE COMMISSION.

The Commission shall—

(1) undertake a comprehensive review of the criminal justice system;

(2) submit to the President and Congress recommendations for Federal criminal justice reform; and

(3) disseminate findings and supplemental guidance to the Federal Government, as well as to State, local, and Tribal governments.

SEC. 705. REVIEW, RECOMMENDATIONS, AND REPORT.

(a) GENERAL REVIEW.—The Commission shall undertake a comprehensive review of all areas of the criminal justice system, including the criminal justice costs, practices, and policies of the Federal, State, local, and Tribal governments.

(b) RECOMMENDATIONS.—

(1) IN GENERAL.—Not later than 18 months after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress recommendations for changes in Federal oversight, policies, practices, and laws designed to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice at every step of the criminal justice system.

(2) UNANIMOUS CONSENT.—If a unanimous vote of the members of the Commission at a meeting where a quorum is present pursuant to section 706(d) approves a recommendation of the Commission, the Commission may adopt and submit the recommendation under paragraph (1).

(3) PUBLIC ACCESS.—The recommendations submitted under this subsection shall be made available to the public.

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the first meeting of the Commission, the Commission shall disseminate to the Federal Government, as well as to State, local, and Tribal governments, a report that details the findings and supplemental guidance of the Commission regarding the criminal justice system at all levels of government.

(2) MAJORITY VOTE.—If a majority vote of the members of the Commission approves a finding or supplemental guidance at a meeting where a quorum is present pursuant to section 706(d), the finding or supplemental guidance may be adopted and included in the report required under paragraph (1).

(3) DISSENTS.—In the case of a member of the Commission who dissents from a finding or supplemental guidance approved by a majority vote under paragraph (2), the member may state the reason for the dissent in writing and the report described in paragraph (1) shall include the dissent.

(4) PUBLIC ACCESS.—The report submitted under this subsection shall be made available to the public.

(d) PRIOR COMMISSIONS.—The Commission shall take into consideration the work of prior relevant commissions in conducting the review of the Commission.

(e) STATE AND LOCAL GOVERNMENTS.—In issuing the recommendations and report of the Commission under this section, the Commission shall not infringe on the legitimate rights of the States to determine the criminal laws of the States or the enforcement of such laws.

(f) PUBLIC HEARINGS.—The Commission shall conduct public hearings in various locations around the United States.

(g) CONSULTATION WITH GOVERNMENT AND NONGOVERNMENT REPRESENTATIVES.—

(1) IN GENERAL.—The Commission shall—

(A) closely consult with Federal, State, local, and Tribal governments and nongovernment leaders, including—

(i) State, local, and Tribal law enforcement officials, including rank and file officers;

(ii) legislators;

(iii) public health officials;

(iv) judges;

(v) court administrators;

(vi) prosecutors;

(vii) defense counsel;

(viii) victims' rights organizations;

(ix) probation and parole officials;

(x) criminal justice planners;

(xi) criminologists;

(xii) civil rights and liberties organizations;

(xiii) community-based organization leaders;

(xiv) formerly incarcerated individuals;

(xv) professional organizations; and

(xvi) corrections officials; and

(B) include in the final report required under subsection (c) summaries of the input and recommendations of the leaders consulted under subparagraph (A).

(2) UNITED STATES SENTENCING COMMISSION.—To the extent the review and recommendations required by this section relate to sentencing policies and practices for the Federal criminal justice system, the Commission shall conduct the review in consultation with the United States Sentencing Commission.

(h) SENSE OF CONGRESS ON UNANIMITY.—It is the sense of Congress that, given the national importance of the matters before the Commission—

(1) the Commission should work toward developing findings and supplemental guidance that are unanimously supported by the members of the Commission; and

(2) a finding or supplemental guidance unanimously supported by the members of the Commission should take precedence over a finding or supplemental guidance that is not unanimously supported.

SEC. 706. MEMBERSHIP.

(a) IN GENERAL.—The Commission shall be composed of 14 members, as follows:

(1) The President shall appoint 1 member, who shall serve as a co-chairperson of the Commission.

(2) The co-chairperson described in paragraph (1) shall appoint 6 members in consultation with the leadership of—

(A) the Senate and House of Representatives of the same political party as the President;

(B) the Committee on the Judiciary of the House of Representatives of the same political party as the President; and

(C) the Committee on the Judiciary of the Senate of the same political party as the President.

(3) The leader of the Senate, in consultation with the leader of the House of Representatives who is a member of the opposite party of the President, shall appoint 1 member, who shall serve as a co-chairperson of the Commission.

(4) The co-chairperson described in paragraph (3) shall appoint 6 members in consultation with the leadership of—

(A) the Senate and House of Representatives of the opposite political party as the President;

(B) the Committee on the Judiciary of the House of Representatives of the opposite political party as the President; and

(C) the Committee on the Judiciary of the Senate of the opposite political party as the President.

(b) MEMBERSHIP.—

(1) IN GENERAL.—A member shall be appointed based upon knowledge or experience in a relevant area, including—

(A) law enforcement;

(B) criminal justice;

(C) national security;

(D) prison and jail administration;

(E) prisoner reentry;

(F) public health, including—

(i) physical and sexual victimization;

(ii) drug addiction; or

(iii) mental health;

(G) the rights of victims;

(H) civil rights;

(I) civil liberties;

(J) court administration;

(K) social services; or

(L) State, local, or Tribal government.

(2) LAW ENFORCEMENT REPRESENTATION.—

(A) MEMBERS APPOINTED BY THE CO-CHAIRPERSONS.—Of the 6 members appointed by the co-chairperson under subsection (a)(2)—

(i) not fewer than 2 shall be representatives from Federal, State, or local law enforcement agencies, including not less than 1 representative from a rank and file organization; and

(ii) not fewer than 1 shall be a representative from a Tribal law enforcement agency.

(B) OTHER MEMBERS.—Of the 6 members appointed under subsection (a)(4)—

(i) not fewer than 2 shall be representatives of Federal, State, or local law enforcement agencies, including not less than 1 representative from a rank and file organization; and

(ii) not fewer than 1 shall be a representative from a Tribal law enforcement agency.

(3) DISQUALIFICATION.—If an individual possesses a personal financial interest in the discharge of a duty of the Commission, the individual may not be appointed as a member of the Commission.

(4) TERMS.—A member shall be appointed for the duration of the Commission.

(c) APPOINTMENTS AND FIRST MEETING.—

(1) APPOINTMENTS.—Each member of the Commission shall be appointed not later than 45 days after the date of enactment of this Act.

(2) FIRST MEETING.—The Commission shall hold the first meeting of the Commission on the date, whichever is later, that is not later than—

(A) 60 days after the date of enactment of this Act; or

(B) 30 days after the date on which funds are made available for the Commission.

(3) ETHICS.—At the first meeting of the Commission, the Commission shall—

(A) draft appropriate ethics guidelines for members and staff of the Commission, including guidelines relating to—

(i) conflict of interest; and

(ii) financial disclosure;

(B) consult with the Committees on the Judiciary of the Senate and the House of Representatives as a part of drafting the guidelines; and

(C) provide each Committee described in subparagraph (B) with a copy of the guidelines completed under subparagraph (A).

(d) MEETINGS, QUORUM, AND VACANCIES.—

(1) MEETINGS.—The Commission shall meet at the call of—

(A) the co-chairpersons; or

(B) a majority of the members of the Commission.

(2) QUORUM.—Except as provided in paragraph (3)(B), a majority of the members of the Commission shall constitute a quorum for purposes of conducting business, except that 2 members of the Commission shall constitute a quorum for purposes of receiving testimony.

(3) VACANCIES.—

(A) IN GENERAL.—A vacancy in the Commission shall not affect a power of the Commission, and the vacancy shall be filled in the same manner in which the original appointment was made.

(B) QUORUM.—In the case of a vacancy occurring after the date that is 45 days after the date of enactment of this Act, until the date on which the vacancy is filled, a majority of the members of the Commission shall constitute a quorum if—

(i) not fewer than 1 member of the Commission appointed under paragraph (1) or (2) of subsection (a) is present; and

(ii) not fewer than 1 member of the Commission appointed under paragraph (3) or (4) of subsection (a) is present.

(e) ACTIONS OF THE COMMISSION.—

(1) IN GENERAL.—The Commission—

(A) shall, subject to section 705, act by a resolution agreed to by a majority of the members of the Commission voting and present; and

(B) may establish a panel composed of less than the full membership of the Commission for purposes of carrying out a duty of the Commission under this title, which—

(i) shall be subject to the review and control of the Commission; and

(ii) may make a finding or determination that may be considered a finding or determination of the Commission if the finding or determination is approved by the Commission.

(2) DELEGATION.—If authorized by the co-chairpersons of the Commission, a member, agent, or staff member of the Commission may take an action that the Commission may take under this title.

SEC. 707. ADMINISTRATION.

(a) STAFF.—

(1) EXECUTIVE DIRECTOR.—The Commission shall have a staff headed by an Executive Director, who shall be paid at a rate established for the Certified Plan pay level for the Senior Executive Service under section 5382 of title 5, United States Code.

(2) APPOINTMENTS AND COMPENSATION.—The co-chairpersons of the Commission shall designate and fix the compensation of the Executive Director and, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The Executive Director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of such title 5.

(B) MEMBERS OF THE COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(4) THE COMPENSATION OF MEMBERS.—

(A) NON-FEDERAL EMPLOYEES.—A member of the commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board.

(B) FEDERAL EMPLOYEES.—A member of the commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(5) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular places of business of the member in the performance of services for the Commission.

(b) EXPERTS AND CONSULTANTS.—With the approval of the Commission, the Executive Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(c) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the request of the Commission, a Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) OTHER RESOURCES.—

(1) IN GENERAL.—The Commission shall have reasonable access to materials, resources, statistical data, and other information such Commission determines to be necessary to carry out its duties from—

(A) the Library of Congress;

(B) the Department of Justice;

(C) the Office of National Drug Control Policy;

(D) the Department of State; and

(E) other agencies of the executive or legislative branch of the Federal Government.

(2) REQUESTS FOR RESOURCES.—The co-chairpersons of the Commission shall make requests for the access described in paragraph (1) in writing when necessary.

(e) VOLUNTEER SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission—

(1) may—

(A) accept and use the services of an individual volunteering to serve without compensation; and

(B) reimburse the individual described in subparagraph (A) for local travel, office supplies, and for other travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code; and

(2) shall consider the individual described in paragraph (1) an employee of the Federal Government in performance of those services for the purposes of—

(A) chapter 81 of title 5, United States Code, relating to compensation for work-related injuries;

(B) chapter 171 of title 28, United States Code, relating to tort claims; and

(C) chapter 11 of title 18, United States Code, relating to conflicts of interest.

(f) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—Except as provided in paragraph (3), the Commission may directly secure from an agency of the United States information necessary to enable the Commission to carry out this title.

(2) PROCEDURES.—Upon the request of the co-chairpersons of the Commission, the head of the agency shall furnish any information requested under paragraph (1) to the Commission.

(3) SENSITIVE INFORMATION.—The Commission may not have access to sensitive information regarding ongoing investigations.

(g) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(h) BIANNUAL REPORTS.—The Commission shall submit biannual status reports to Congress regarding—

(1) the use of resources;

(2) salaries; and

(3) all expenditures of appropriated funds.

(i) CONTRACTS.—

(1) IN GENERAL.—The Commission may enter into a contract with a Federal or State agency, a private firm, an institution, or an individual for the conduct of an activity necessary to the discharge of a duty or responsibility of the Commission.

(2) TIMING.—A contract, lease, or other legal agreement the Commission enters into may not extend beyond the date of the termination of the Commission.

(j) GIFTS.—The Commission may accept, use, or dispose of a gift or donation of a service or property.

(k) ADMINISTRATIVE ASSISTANCE.—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out the responsibilities of the Commission under this title, which may include—

(1) human resource management;

(2) budget;

(3) leasing;

(4) accounting; or

(5) payroll services.

(l) NON-APPLICABILITY OF FACA AND PUBLIC ACCESS TO MEETINGS AND MINUTES.—

(1) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(2) MEETINGS AND MINUTES.—

(A) MEETINGS.—

(i) ADMINISTRATION.—Each meeting of the Commission shall be open to the public, except that a meeting or any portion of it may be closed to the public if it concerns matters or information described in section 552b(c) of title 5, United States Code.

(ii) INTERESTED INDIVIDUALS.—An interested individual may—

(I) appear at an open meeting;

(II) present an oral or written statement on the subject matter of the meeting; and

(III) be administered an oath or affirmation.

(iii) NOTICE.—Each open meeting of the Commission shall be preceded by timely public notice in the Federal Register of the time, place, and subject of the meeting.

(B) MINUTES AND PUBLIC ACCESS.—

(i) MINUTES.—Minutes of each open meeting shall be kept and shall contain a record of—

(I) the people present;

(II) a description of the discussion that occurred; and

(III) a copy of each statement filed.

(ii) PUBLIC ACCESS.—The minutes and records of each open meeting and other documents that were made available to or prepared for the Commission shall be available for public inspection and copying at a single location in the offices of the Commission.

(m) ARCHIVING.—Not later than the date described in section 709, all records and papers of the Commission shall be delivered to the Archivist of the United States for deposit in the National Archives.

SEC. 708. DIRECT APPROPRIATIONS.

(a) IN GENERAL.— For the purpose of carrying out this title, there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $14,000,000, to remain available until expended.

(b) LIMITATION.—None of the funds provided by this section may be used for international travel.

SEC. 709. SUNSET.

The Commission shall terminate 60 days after the date on which the Commission submits the report required under section 705(c) to Congress.

TITLE VIII—LAW ENFORCEMENT AGENCY HIRING AND EDUCATION

Subtitle A—Hiring

SEC. 801. LAW ENFORCEMENT AGENCY HIRING.

Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381(b)) is amended—

(1) by redesignating paragraphs (22) and (23) as paragraphs (23) and (24), respectively;

(2) in paragraph (23), as so redesignated, by striking ''(21)'' and inserting ''(22)''; and

(3) by inserting after paragraph (21) the following:

''(22) for a law enforcement agency that has a substantially different racial and ethnic demographic makeup than the community served by the agency, to hire recruiters and enroll law enforcement officer candidates in law enforcement academies to become career law enforcement officers who have racial and ethnic demographic characteristics similar to the community;''.

SEC. 802. REAUTHORIZATION OF LAW ENFORCEMENT GRANT PROGRAMS.

(a) EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.—Section 511 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351; 82 Stat. 197), as so redesignated by this Act, is amended by striking ''this subpart $1,095,000,000 for each of the fiscal years 2006 through 2012'' and inserting ''this subpart, including sections 508, 509, and 510, $800,000,000 for each of fiscal years 2021 through 2025''.

(b) REAUTHORIZATION OF COPS ON THE BEAT GRANT PROGRAM.—Section 1001(a)(11)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)(11)(A)) is amended by striking ''part Q, to remain available until expended $1,047,119,000 for each of fiscal years 2006 through 2009'' and inserting ''part Q, including section 1701(n), to remain available until expended $400,000,000 for each of fiscal years 2021 through 2025''.

Subtitle B—Training

SEC. 811. DEFINITIONS.

In this subtitle:

(1) DIRECTOR.—The term ''Director'' means the Director of the National Museum of African American History and Culture.

(2) ELIGIBLE PROGRAM PARTICIPANT.—The term ''eligible program participant'' means a Federal, State, or local law enforcement officer or recruiter, or a candidate in a law enforcement academy.

SEC. 812. PROGRAM AUTHORIZED.

(a) DIRECT APPROPRIATIONS.— For the purpose of carrying out this subtitle, there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $10,000,000, to remain available until expended.

(b) DONATIONS, GIFTS, BEQUESTS, AND DEVISES OF PROPERTY.—In accordance with chapter 23 of title 36, United States Code, and in furtherance of the purposes of this subtitle, the Director is authorized to solicit, accept, hold, administer, invest, and use donated funds and gifts, bequests, and devises of property, both real and personal.

(c) USE OF FUNDS.—The Director, using funds appropriated under subsection (a) and resources received under subsection (b), including through the engagement of eligible program participants as appropriate and in consultation with the National Law Enforcement Museum—

(1) shall develop and nationally disseminate a curriculum to educate eligible program participants on the history of racism in the United States; and

(2) shall carry out education program training for eligible program participants that focuses on—

(A) racial reconciliation with the goal of understanding the history of racism in America;

(B) improving relationships between law enforcement and the communities they serve; and

(C) training eligible program participants who can effectively train their law enforcement peers in their State and communities.

(d) APPLICATIONS.—The Director may seek the engagement of an eligible program participant under subsection (c) by requiring submission of an application to the Director at such time, in such manner, and based on such competitive criteria as the Director may require.

SEC. 813. ONLINE EDUCATION RESOURCES.

(a) WEBSITE.—The Director shall maintain on the website of the National Museum of African American History and Culture a special section designated for education resources to improve awareness and understanding of the history of racism in the United States and to promote racial reconciliation through best practices to improve relations between law enforcement and the communities they serve. The website and resources shall be made publicly available.

(b) INFORMATION DISTRIBUTION.—The Director shall distribute information about the activities funded under this subtitle through the website of the National Museum of African American History and Culture, and shall respond to inquiries for supplementary information concerning such activities.

(c) BEST PRACTICES.—The information distributed by the Director shall include best practices for educators.

SEC. 814. NATIONAL MUSEUM OF AFRICAN AMERICAN HISTORY AND CULTURE COUNCIL.

The National Museum of African American History and Culture Council established under section 5 of the National Museum of African American History and Culture Act (20 U.S.C. 80r-3), shall have governance responsibility for the programs and activities carried out under this subtitle in accordance with the National Museum of African American History and Culture Act (20 U.S.C. 80r).

SEC. 815. ENGAGEMENT OF ELIGIBLE PROGRAM PARTICIPANTS.

(a) IN GENERAL.—An eligible program participant shall be engaged at the discretion of the Director to participate in education program activities authorized under this subtitle and approved by the Director pursuant to an application described in section 812(d).

(b) ENGAGEMENT PERIOD.—Engagement of eligible program participants under this subtitle shall be for a period determined by the Director.

(c) PRIORITY.—In engaging eligible program participants under section 812, the Director shall give priority to applications from such participants who work for a Federal, State, or local law enforcement agency that does not, at the time application is made, offer any education programming on the history of racism or best practices to improve race relations between law enforcement and the communities they serve.

SEC. 816. ANNUAL REPORT.

Not later than February 1 of each year, the Director shall submit to the Congress a report describing the activities carried out under this subtitle.

TITLE IX—BEST PRACTICES AND STUDIES

SEC. 901. BEST PRACTICES.

(a) IN GENERAL.—The National Criminal Justice Commission established under title VIII (referred to in this title as the ''Commission'') shall—

(1) develop recommended best practices guidelines to ensure fair and effective policing tactics and procedures that encourage equitable justice, community trust, and law enforcement officer safety;

(2) include the recommended best practices described in paragraph (1) in the recommendations of the Commission required under section 705; and

(3) best practices for developing standards for law enforcement officer due process.

(b) REQUIREMENTS.—The best practices required to be developed under subsection (a) shall include—

(1) best practices for the hiring, firing, suspension, and discipline of law enforcement officers; and

(2) best practices for community transparency and optimal administration of a law enforcement agency.

SEC. 902. STUDY.

(a) IN GENERAL.—The Commission shall conduct a study on the establishment and operation of use of force review boards by States and units of local government, wherein citizens can assist law enforcement agencies in reviewing use of force incidents.

(b) INCLUSION IN COMMISSION RECOMMENDATIONS.—The Commission shall include a report on the study conducted under subsection (a), which shall include recommendations, if any, for best practices for State and local use of force review boards, as well as best practices for developing standards for law enforcement officer due process, in the recommendations of the Commission required under section 705.

SEC. 903. MENTAL HEALTH STUDY.

(a) IN GENERAL.—The Commission shall conduct a study on law enforcement officer training, crisis intervention teams, co-responder programs, personnel requirements, Federal resources, and pilot programs needed to improve nationwide law enforcement officer engagement on issues related to mental health, homelessness, and addiction.

(b) INCLUSION IN COMMISSION RECOMMENDATIONS.—The Commission shall include a report on the study conducted under subsection (a), which shall include recommendations, if any, in the recommendations of the Commission required under section 705.

SEC. 904. STUDY AND PROPOSAL ON IMPROVING ACCOUNTABILITY FOR DOJ GRANTS.

(a) DEFINITIONS.—In this section—

(1) the term ''covered grant'' means a grant awarded under a covered grant program; and

(2) the term ''covered grant program'' means—

(A) the Edward Byrne Memorial Justice Assistance Grant Program under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10151 et seq.);

(B) the ''Cops on the Beat'' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381 et seq.); and

(C) any other grant program administered by the Attorney General that provides funds to law enforcement agencies.

(b) STUDY AND PROPOSAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall study, and submit to Congress a proposal regarding, the possible implementation of a method to improve accountability for law enforcement agencies that receive funds from covered grant programs.

(c) CONTENTS.—In carrying out subsection (b), the Attorney General shall develop discrete performance metrics for law enforcement agencies that apply for and receive funds from covered grant programs, the parameters of which shall—

(1) establish benchmarks of progress, measured on a semiannual or annual basis, as appropriate;

(2) require annual accounting by a recipient of a covered grant of the progress made toward each benchmark described in paragraph (1); and

(3) provide that—

(A) the failure to achieve a benchmark described in paragraph (1) shall constitute a violation of the grant agreement;

(B) if a recipient does not cure a violation by achieving the applicable benchmark not later than 90 days after the date of the violation, the recipient shall return the amounts of the covered grant to the Attorney General; and

(C) a law enforcement agency that violates a grant agreement may not apply for a covered grant for a period of 1 year.

TITLE X—CLOSING THE LAW ENFORCEMENT CONSENT LOOPHOLE ACT

SEC. 1001. PROHIBITION ON ENGAGING IN SEXUAL ACTS WHILE ACTING UNDER COLOR OF LAW.

(a) IN GENERAL.—Section 2243 of title 18, United States Code, is amended—

(1) in the section heading, by adding at the end the following: ''**or by any person acting under color of law**'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

''(c) OF AN INDIVIDUAL BY ANY PERSON ACTING UNDER COLOR OF LAW.—

''(1) IN GENERAL.—Whoever, acting under color of law, knowingly engages in a sexual act with an individual who has been arrested by, is detained by, or is in custody of any Federal law enforcement officer, shall be fined under this title, imprisoned not more than 15 years, or both.

''(2) DEFINITION.—In this subsection, the term 'sexual act' has the meaning given the term in section 2246.''; and

(4) in subsection (d), as so redesignated, by adding at the end the following:

''(3) In a prosecution under subsection (c), it is not a defense that the other individual consented to the sexual act.''.

(b) ABUSIVE SEXUAL CONTACT.—Section 2244(a) of title 18, United States Code, is amended by—

(1) in paragraph (4), by striking ''or'' at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

''(5) subsection (c) of section 2243 of this title had the sexual contact been a sexual act, shall be fined under this title, imprisoned not more than 15 years, or both; or''.

(c) DEFINITION.—Section 2246 of title 18, United States Code, is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (6) the following:

''(7) the term 'Federal law enforcement officer' has the meaning given the term in section 115.''.

(d) CLERICAL AMENDMENT.—The table of sections for chapter 109A of title 18, United States Code, is amended by amending the item related to section 2243 to read as follows:

''2243. Sexual abuse of a minor or ward or by any person acting under color of law.''.

SEC. 1002. INCENTIVE FOR STATES.

(a) AUTHORITY TO MAKE GRANTS.—The Attorney General is authorized to make grants to States that have in effect a law that—

(1) makes it a criminal offense for any person acting under color of law of the State to engage in a sexual act (as defined in section 2246 of title 18, United States Code) with an individual who has been arrested by, is detained by, or is in custody of any law enforcement officer; and

(2) prohibits a person charged with an offense described in paragraph (1) from asserting the consent of the other individual as a defense.

(b) REPORTING REQUIREMENT.—A State that receives a grant under this section shall submit to the Attorney General, on an annual basis, information on—

(1) the number of reports made to law enforcement agencies in that State regarding persons engaging in a sexual act (as defined in section 2246 of title 18, United States Code) while acting under color of law during the previous year; and

(2) the disposition of each case in which sexual misconduct by a person acting under color of law was reported during the previous year.

(c) APPLICATION.—A State seeking a grant under this section shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may reasonably require, including information about the law described in subsection (a).

(d) GRANT AMOUNT.—The amount of a grant to a State under this section shall be in an amount that is not greater than 10 percent of the average of the total amount of funding of the 3 most recent awards that the State received under the following grant programs:

(1) Part T of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10441 et seq.) (commonly referred to as the ''STOP Violence Against Women Formula Grant Program'').

(2) Section 41601 of the Violence Against Women Act of 1994 (34 U.S.C. 12511) (commonly referred to as the ''Sexual Assault Services Program'').

(e) GRANT TERM.—

(1) IN GENERAL.—The Attorney General shall provide an increase in the amount provided to a State under the grant programs described in subsection (d) for a 2-year period.

(2) RENEWAL.—A State that receives a grant under this section may submit an application for a renewal of such grant at such time, in such manner, and containing such information as the Attorney General may reasonably require.

(3) LIMIT.—A State may not receive a grant under this section for more than 4 years.

(f) USES OF FUNDS.—A State that receives a grant under this section shall use—

(1) 25 percent of such funds for any of the permissible uses of funds under the grant program described in paragraph (1) of subsection (d); and

(2) 75 percent of such funds for any of the permissible uses of funds under the grant program described in paragraph (2) of subsection (d).

(g) DIRECT APPROPRIATIONS.—For the purpose of making grants under this section, there is authorized to be appropriated, and there is appropriated, out of amounts in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, $25,000,000, to remain available until expended.

(h) DEFINITION.—For purposes of this section, the term ''State'' means each of the several States and the District of Columbia, Indian Tribes, and the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands.

SEC. 1003. REPORTS TO CONGRESS.

(a) REPORT BY ATTORNEY GENERAL.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Attorney General shall submit to Congress a report containing—

(1) the information required to be reported to the Attorney General under section 1002(b); and

(2) information on—

(A) the number of reports made, during the previous year, to Federal law enforcement agencies regarding persons engaging in a sexual act (as defined in section 2246 of title 18, United States Code) while acting under color of law; and

(B) the disposition of each case in which sexual misconduct by a person acting under color of law was reported.

(b) REPORT BY GAO.—Not later than 1 year after the date of enactment of this Act, and each year thereafter, the Comptroller General of the United States shall submit to Congress a report on any violations of section 2243(c) of title 18, United States Code, as amended by section 1001, committed during the 1-year period covered by the report.

TITLE XI—EMERGENCY FUNDING

SEC. 1101. EMERGENCY DESIGNATION.

(a) IN GENERAL.—The amounts provided under this Act, or an amendment made by this Act, are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(b) DESIGNATION IN SENATE.—In the Senate, this Act, and the amendments made by this Act, is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

Mr. STAUBER (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota is recognized for 5 minutes in support of his motion.

Mr. STAUBER. Mr. Speaker, I rise today to talk about two stories, two parallel stories that are not conflicting but coexist in our world today.

The first story is that of a police officer in Anytown, USA, the police officer who swore a solemn oath to serve and protect her community and who every day proudly puts on the badge, gets in her car, and goes to her job knowing full well that she may not come home. She has a family and kids whom she wants to see graduate. She still puts on

the badge every day because she cares deeply about making her community a better and safer place.

I know this story well from my 23 years as a law enforcement officer. It is a narrative of pride that needs to be known and heard. It is a narrative that deserves admiration and respect.

The second story is of a Black teenager also in Anytown, USA, who watched Walter Scott get shot in the back in South Carolina, who saw Ahmaud Arbery go out for a jog and not come back, and who saw George Floyd murdered at the hands of police and who is genuinely afraid and uncertain that, if he leaves his home and goes out to the store for his mother, he may not come back.

These communities feel abandoned, they feel left behind by their government, and by sitting in this Chamber today and bringing up a bill that is so partisan that it will go nowhere after its consideration here, the majority is proving them right. The majority is telling that Black teenager and that officer that their concerns can wait until after election day.

Mr. Speaker, my motion to recommit asks that we consider both stories, both perspectives. My motion to recommit, which is the JUSTICE Act, was the product of Senator TIM SCOTT's and my sharing two different stories and finding solutions that inspire real change. The JUSTICE Act makes the necessary reforms that should have been made a long time ago.

I know, when it comes to hiring an officer, there is no room for mistakes. This JUSTICE Act improves access to prior disciplinary records, ensuring that officers who continuously act outside of their policies, procedures, and training can never move from department to department.

It emphasizes community-reflective recruitment, ensuring the makeup of police departments more closely resemble the communities that they serve.

It restores investment in community policing. This is a philosophy that you don't police your community; you police with your community.

It invests in improved police training, with a focus on de-escalation techniques and the duty to intervene. It increases funding for body camera usage, which helps identify bad officers and exonerate the good ones.

Mr. Speaker, I ask that you vote for this motion to recommit. I ask that you vote for real change, for reforming our law enforcement, for implementing community policing best practices, for more body cameras, for de-escalation training, for duty to intervene, and for mental health training.

I ask that you vote for that officer who wants to come home to her kids and for that Black teenager who, today, feels left behind.

At a time when so many feel divided and our Nation needs healing, let us be the shining city upon the hill. Let us stand together as one Congress and as leaders of this Nation and advance real and much-needed police reform.

Mr. Speaker, vote ''yes'' on this motion to recommit.

I yield back the balance of my time.

Ms. BASS. Mr. Speaker, I rise today in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Ms. BASS. Mr. Speaker, there is nothing new under the Sun. The Black people have battled police brutality since policing began in this Nation. But times have changed; our country has changed.

A few years ago, we had to explain that racism still exists despite the election of Barack Obama, twice. Now, 76 percent of Americans consider racism and discrimination a big problem. That is progress.

A few years ago, we had to explain why we say Black lives matter. Now, 67 percent of Americans support the Black Lives Matter movement.

Just a few weeks ago, we had to explain the anger and frustration we saw unfolding in the streets. But, again, 67 percent of registered voters supported the peaceful protest in response to George Floyd's death.

This is a powerful moment for our Nation, and there is a powerful movement in our Nation, a rainbow movement reflecting the wonderful diversity of the whole world. Protests have taken place in over 60 countries and on every continent. Thousands are marching in the streets screaming, ''I can't breathe.'' They are screaming for change, transformative change, change that finally ends police brutality.

The movement is calling us to act. What is your answer?

I will vote for passage of the George Floyd Justice in Policing Act. And today my vote will be dedicated to the parents of Tamir Rice, because today is his 18th birthday.

Mr. Speaker, I ask my colleagues on both sides of the aisle to oppose this motion to recommit and pass the underlying bill.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), who is my esteemed colleague and friend and the most senior CBC member on the House Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman from California for yielding.

Mr. Speaker, I rise today to ask the question: Where is the party of Lincoln?

Where is the moment of courage when the slaves were freed in that moment in 1863?

This Senate bill, the MTR, does not rise to the occasion of those who are in the streets. It fails the moment. It does not require anything. It does not ban, require, or create.

The Senate bill is threadbare and lacking in substance. It does not even provide a proper baseline for negotiation. It does not contain any mechanism to hold law enforcement officers accountable in court for their misconduct.

It does not address mens rea, a standard that should be the basis of due process. For too long, it has allowed law enforcement officers to evade criminal liability for excessive force.

It is absolutely imperative that any meaningful policing reform contain accountability. It fails the moment.

□ 1900

TIM SCOTT introduced the Walter Scott bill many years ago. It has yet to see the light of day in the United States Senate.

Where is the party of Lincoln?

The JUSTICE Act has little to do with the urgent need, the cry of our people, or those gathering around me in Cuney Homes who came to me, friends of George Floyd, who knew Big Floyd, and said, ''What does this bill do? Will it do anything?''

And as I told them about the bill, unlike this George Floyd Act, which repurposes existing grant moneys, I let them know that this bill will give money to community groups, not give bunches of dollars to those who will continue the same patterns.

For too long, the disciplinary and misconduct records of officers who pose a knowing threat to public safety have been shielded from the public in a manner that has resulted in great harm to the communities they are entrusted to. Our bill shines the light.

The Senate bill and the motion to recommit does nothing but closes the door and says nothing about Black Lives Matter. In fact, it is a system that encourages the collection of records. We can give him credit for working in a hostile Chamber, but members of the CBC have prioritized and made sure that the issues of today are important.

Let me be very clear. There are some notable distinctions between the two proposals.

The House Justice and Policing Act vastly deals with a more systemic approach to accountability by developing national policing standards and requiring police departments to gain accreditation. It is a friend of police. It gives and deals with professionalizations. It has a national registry. It is not private. It is public. It is systemic racism, and so we must be transparent.

This fails the moment. The Justice and Policing Act takes a multiprong approach to eliminating the use of chokeholds. In this bill, George Floyd would not have lived. In the Justice and Policing Act, we could have saved his life and Eric Garner's.

How does the House bill ban no-knock warrants? We do it.

And the Senate bill, all it does is study. We have no time for studying. It must be accountable time now. Now is the time.

Can you believe that the JUSTICE bill, Senator SCOTT's bill, this bill does not have anything in it about use of

force? Nothing about banning or racial profiling, nothing to fix the Federal criminal prosecution standards, nothing to roll back unqualified immunity, and nothing on limitations of military hardware and disbursements.

Mr. Speaker, I ask my brothers and sisters: Where is the party of Lincoln?

Where is the party of the Constitution that says we create a more perfect union to create justice?

Mr. Speaker, this bill here is the cry of those who have never been heard. It gives us a pathway for success. I am glad to stand with the Congressional Black Caucus and the Justice Department to say that this bill has to pass, the Justice and Policing Act named after George Floyd.

Ms. BASS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. STAUBER. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered.

The House will resume proceedings on postponed questions at a later time.

PATENTS FOR HUMANITY PROGRAM IMPROVEMENT ACT

Mr. JOHNSON of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 7259) to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7259

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 ''Patents for Humanity Program Improvement Act''.

SEC. 2. TRANSFERABILITY OF ACCELERATION CERTIFICATES.

(a) IN GENERAL.—A holder of an acceleration certificate issued pursuant to the Patents for Humanity Program (established in the notice entitled ''Humanitarian Awards Pilot Program'', published at 77 Fed. Reg. 6544 (February 8, 2012)), or any successor thereto, of the United States Patent and Trademark Office, may transfer (including by sale) the entitlement to such acceleration certificate to another person.

(b) REQUIREMENT.—An acceleration certificate transferred under subsection (a) shall be subject to any other applicable limitations under the notice entitled ''Humanitarian Awards Pilot Program'', published at 77 Fed. Reg. 6544 (February 8, 2012), or any successor thereto.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. JOHNSON) and the gentleman from Virginia (Mr. CLINE) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. JOHNSON of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 7259, which strengthens the U.S. Patent and Trademark Offices' Patents for Humanity Awards competition by allowing the competition's prize to be transferable to third parties, introduced by my colleague, LUCY MCBATH, the Representative from the great State of Georgia.

Mr. Speaker, H.R. 7259 has bipartisan support. As chairman of the Committee on the Judiciary's Intellectual Property Subcommittee, I am proud to cosponsor this legislation alongside Representative MARTHA ROBY, ranking member of the subcommittee, and our subcommittee colleague, Representative BEN CLINE.

Intellectual property and innovation are what help our country flourish. In Congress, we have been committed to ensuring that the intellectual property system incentivizes innovation to the greatest extent possible.

Through its support for the USPTO's Patents For Humanity Program, this bill accomplishes that goal. And I want to read a little bit from the USPTO.gov website about the Patents for Humanity Program.

How do patents help improve lives globally through inspired innovators making a difference? And I will quote here: ''Patents for Humanity is the USPTO's awards program for those using game-changing technology to address global challenges. It provides business incentives for patent holders who find ways to reach underserved communities. These success stories can help others learn how to harness innovation for human progress. All patent holders can participate,'' it says.

Since 2012, the program has given 21 awards, not just to big companies, but also small and medium-sized enterprises, startups, universities, and nonprofits. Together, their work has improved millions of lives around the globe. In addition to receiving public recognition of their work, winners will be issued certificates entitling them to expedite select proceedings at the USPTO.

Mr. Speaker, I believe we have a list of some of those winners thus far, and I would love to read those names into the RECORD.

The Patents for Humanity Program highlights the ways that innovation and intellectual property can help solve global humanitarian challenges. Past award recipients have created low-cost phototherapy devices to treat infants with jaundice and distributed chemical packets that removed contaminants from drinking water, to name just a few. Winners receive a certificate that allows them, as I said, to accelerate certain patent matters at the USPTO.

Mr. Speaker, I would read into the RECORD the names of some award winners to you:

In 2018, Russell Crawford won the award for creating tools for low-cost drilling of water wells to reach deep aquifers free from soil contaminants.

The organization, Brooklyn Bridge to Cambodia, Incorporated, won in 2018 for creating an affordable rice planting device that helps Cambodian farmers improve their crop yields and which minimizes the number of farmers—mostly women—who have to work in the most exhausting and unhealthy conditions.

Also, the firm, Solight Design, won the award in 2018 for designing a portable solar light that has been distributed to over 200,0000 people worldwide, including many in refugee camps.

Also, the firm, Sanivation, LLC, for designing a waste processing plant that transforms human waste into sanitary briquettes that replace wood and charcoal for heating and cooking, with four plants serving 10,000 people in Kenya by the end of the year.

And also, in 2018, Because International won the award for distributing 180,000 pairs of resizable shoes in over 95 countries, with local manufacturing taking place in Ethiopia, and plans for Haiti and Kenya.

And there are a number of others that have won this prestigious Patents for Humanity Award. All the way back to 2013, American Standard, SunPower Corporation, Nutriset, Golden Rice, GRIT: Global Research Innovation and Technology. And also, Nokero, DuPont Pioneer. And last but not least, Intermark Partners Strategic Management, LLP.

Mr. Speaker, all should be commended for winning this prestigious award and contributing to the betterment of humanity.

Mr. Speaker, under H.R. 7259, award winners will be able to transfer this acceleration certificate to third parties. This will strengthen participation in the Patents for Humanity Program and further encourage the use of innovation and the intellectual property for critical humanitarian purposes.

The USPTO's program and this legislation reflect our country's strong commitment to intellectual property and our understanding of the important ways that innovation can do good and solve hard problems.

I am pleased to cosponsor this legislation, which is sponsored, as I said, by my colleague, LUCY MCBATH from Georgia's Sixth Congressional District. And I am pleased to cosponsor this legislation, and I urge my colleagues to support its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. CLINE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the chair for his leadership and for being a patron of the bill. And Congresswoman MCBATH, from the Sixth District of Virginia to the Sixth District of Georgia, I want to commend her for her leadership on this important issue.

Mr. Speaker, American technological leadership is critical to the health and competitiveness of our economy and to the well-being of people throughout the world. American researchers and biotechnology companies are currently leading the charge for a COVID–19 vaccine. Patents are a key factor in our technological leadership by providing incentives for innovation.

Since 2012, the Patents for Humanity Program has helped the U.S. patent system encourage such innovation in key areas, such as in medicine, nutrition, and energy.

□ 1915

Mr. Speaker, the chairman eloquently listed several of the past award winners and the description of the acceleration certificate that they have been awarded that encourages them to keep innovating by providing for the acceleration of a patent application's examination at the PTO.

This bill supports the admirable work of the Patents for Humanity Program, the inventors it promotes, and ensures that transferability of their certificates empowers the inventors who are recognized by this program and grants them greater flexibility to bring their inventions to market and continue working toward the next great invention.

I am proud to cosponsor this bill and support the inventors powering technological leadership today and in the future. I urge my colleagues to support this bipartisan measure.

I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Georgia (Mrs. MCBATH), the sponsor of this legislation.

Mrs. MCBATH. Mr. Speaker, I would like to thank my colleague and good friend from the great Peach State of Georgia, Representative JOHNSON.

Mr. Speaker, I rise in support of my bill, the Patents for Humanity Program Improvement Act. I was pleased to introduce this bipartisan legislation with my Republican colleague, Congressman CLINE. We are also joined in leading the bill by my good friend, Congressman JOHNSON, who is the chair of the House Judiciary Subcommittee on Courts, Intellectual Property, and the Internet, and Congresswoman ROBY of Alabama, who is the ranking member of the subcommittee. I thank each of them for their support and for their leadership.

I am also thankful for the work of Senator PATRICK LEAHY and Senator CHUCK GRASSLEY, each former chairs of the Senate Judiciary Committee, who have long championed this legislation in a bipartisan effort in the Senate.

This bill takes two important steps to promote innovation. First, it codifies the Patents for Humanity Program of the U.S. Patent and Trademark Office, a program that recognizes those who are using creative thinking to address our world's biggest challenges.

Patents for Humanity winners receive acceleration certificates that enable them to get expedited review of their next big idea when they bring it to the USPTO.

The second part of this bill strengthens the Patents for Humanity Program by making those acceleration certificates transferrable. This makes the prize more meaningful to the recipients, whether they are ready to tackle a new challenge or pursue investments that can help them bring their innovation and their invention to those that are in need.

I am so very proud to be able to support the Patents for Humanity Program. It recognizes the achievements of innovators from across the public and private sectors, including startups, established companies, universities and nonprofits.

It is truly important that we uplift those who use their skills to develop technology and ideas that benefit our world. This legislation encourages inventors to pursue lifesaving ideas and solutions to the world's global humanitarian challenges.

Its passage today is a wonderful example of all of us coming together in a bipartisan manner to help solve problems that impact millions across the globe. And I am proud that we can do our part to expand this program and give innovators more freedom to support one another.

I thank the scientists, researchers, engineers, inventors, and problem-solvers who look for ways that they can improve the lives of others. From curing disease to ending hunger, to raising the quality of life for people across the globe, these innovators are truly doing good work.

I thank them for their efforts, and I urge my colleagues to support them by supporting this legislation.

Mr. CLINE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, again, I want to thank the patron and thank the chairman and ranking member of the subcommittee and the full Judiciary Committee for their work on this bipartisan bill, an important measure which supports the inventors powering American technological leadership today and in the future. I urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. JOHNSON of Georgia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, H.R. 7259 is a straightforward but important bill that will encourage additional innovations that address humanitarian challenges. I urge my colleagues to support the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. JOHNSON) that the House suspend the rules and pass the bill, H.R. 7259.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GEORGE FLOYD JUSTICE IN POLICING ACT OF 2020

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to recommit on the bill (H.R. 7120) to hold law enforcement accountable for misconduct in court, improve transparency through data collection, and reform police training and policies, offered by the gentleman from Minnesota (Mr. STAUBER), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to recommit.

The vote was taken by electronic device, and there were—yeas 180, nays 236, not voting 14, as follows:

[Roll No. 118]

YEAS—180

Abraham	Cloud	Graves (LA)
Aderholt	Cole	Graves (MO)
Allen	Collins (GA)	Green (TN)
Amodei	Comer	Griffith
Armstrong	Conaway	Grothman
Arrington	Cook	Guest
Bacon	Crawford	Guthrie
Baird	Crenshaw	Hagedorn
Balderson	Davis, Rodney	Hartzler
Banks	DesJarlais	Hern, Kevin
Bergman	Diaz-Balart	Herrera Beutler
Biggs	Dunn	Hice (GA)
Bilirakis	Estes	Higgins (LA)
Bishop (NC)	Ferguson	Hill (AR)
Bost	Fitzpatrick	Holding
Brady	Fleischmann	Hollingsworth
Brooks (AL)	Flores	Hudson
Brooks (IN)	Fortenberry	Huizenga
Buchanan	Foxx (NC)	Hurd (TX)
Buck	Fulcher	Johnson (LA)
Bucshon	Gaetz	Johnson (OH)
Budd	Garcia (CA)	Johnson (SD)
Burchett	Gianforte	Jordan
Burgess	Gibbs	Joyce (OH)
Byrne	Gohmert	Joyce (PA)
Calvert	Gonzalez (OH)	Katko
Carter (GA)	Gooden	Keller
Chabot	Gosar	Kelly (MS)
Cheney	Granger	Kelly (PA)
Cline	Graves (GA)	King (NY)

Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Lucas
Luetkemeyer
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Murphy (NC)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Posey
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Thompson (PA)
Thornberry
Tiffany
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NAYS—236

Adams
Aguilar
Allred
Amash
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Harris
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Massie
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NOT VOTING—14

Babin
Barr
Bishop (UT)
Carter (TX)
Curtis
Duncan
Emmer
Gallagher
King (IA)
Loudermilk
Marchant
Mullin
Rooney (FL)
Sensenbrenner

□ 2000

Messrs. COURTNEY, GARCIA of Illinois, SWALWELL of California, Mrs. TRAHAN, Mr. NORCROSS, Ms. SLOTKIN, Messrs. HIGGINS of New York, RASKIN, ROSE of New York, and Ms. TLAIB changed their vote from ''yea'' to ''nay.''

Messrs. BOST, SMUCKER, GROTHMAN, RODNEY DAVIS of Illinois, and AMODEI changed their vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LOUDERMILK. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 118 and "nay" on rollcall No. 116.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Axne (Raskin)
Cárdenas (Gomez)
DeSaulnier (Matsui)
Deutch (Rice (NY))
Engel (Titus)
Frankel (Kuster (NH))
Garamendi (Boyle, Brendan F.)
Johnson (TX) (Jeffries)
Khanna (Gomez)
Kind (Beyer)
Kirkpatrick (Gallego)
Langevin (Lynch)
Lawson (FL) (Evans)
Lewis (Kildee)
Lieu, Ted (Beyer)
Lipinski (Cooper)
Lofgren (Boyle, Brendan F.)
Lowenthal (Beyer)
Lowey (Meng)
Moore (Beyer)
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Kuster (NH))
Sánchez (Roybal-Allard)
Serrano (Meng)
Watson Coleman (Pallone)
Welch (McGovern)
Wilson (FL) (Hayes)

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. BASS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3 of House Resolution 965, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 236, nays 181, not voting 14, as follows:

[Roll No. 119]

YEAS—236

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fitzpatrick
Fletcher
Foster
Frankel
Fudge
Gabbard
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Heck
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Hurd (TX)
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Kirkpatrick
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Upton
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—181

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Bacon
Baird
Balderson
Banks
Bergman
Biggs
Bilirakis
Bishop (NC)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Byrne
Calvert
Carter (GA)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Dunn
Estes
Ferguson
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Garcia (CA)
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill (AR)
Holding
Hollingsworth

Hudson	Moolenaar	Stefanik
Huizenga	Mooney (WV)	Steil
Johnson (LA)	Murphy (NC)	Steube
Johnson (OH)	Newhouse	Stewart
Johnson (SD)	Norman	Stivers
Jordan	Nunes	Taylor
Joyce (OH)	Olson	Thompson (PA)
Joyce (PA)	Palazzo	Thornberry
Katko	Palmer	Tiffany
Keller	Pence	Timmons
Kelly (MS)	Perry	Tipton
Kelly (PA)	Posey	Turner
King (NY)	Reed	Van Drew
Kinzinger	Reschenthaler	Wagner
Kustoff (TN)	Rice (SC)	Walberg
LaHood	Riggleman	Walden
LaMalfa	Roby	Walker
Lamborn	Rodgers (WA)	Walorski
Latta	Roe, David P.	Waltz
Lesko	Rogers (KY)	Watkins
Long	Rose, John W.	Weber (TX)
Loudermilk	Rouzer	Webster (FL)
Lucas	Roy	Wenstrup
Luetkemeyer	Rutherford	Westerman
Marshall	Scalise	Williams
Massie	Schweikert	Wilson (SC)
Mast	Scott, Austin	Wittman
McCarthy	Shimkus	Womack
McCaul	Simpson	Woodall
McClintock	Smith (MO)	Wright
McHenry	Smith (NE)	Yoho
McKinley	Smith (NJ)	Young
Meuser	Smucker	Zeldin
Miller	Spano	
Mitchell	Stauber	

NOT VOTING—14

Babin	Duncan	Mullin
Barr	Emmer	Rogers (AL)
Bishop (UT)	Gallagher	Rooney (FL)
Carter (TX)	King (IA)	Sensenbrenner
Curtis	Marchant	

□ 2039

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. EMMER. Madam Speaker, on June 25th, I was unable to be present in the House Chamber to cast my vote on several pieces of legislation. If present, I would have voted NAY on the Previous Question (RC 116), NAY on H. Res. 1017 (RC 117), YEA on the Motion to Recommit (RC 118), and NAY on H.R. 7120 (RC 119).

PERSONAL EXPLANATION

Mr. BABIN. Madam Speaker, had I been present, I would have voted NO on Roll Call No. 116 (PQ on H. Res. 1017); NO on Roll Call No. 117 (Adoption of the Combined Rule for H. Res. 1017); YES on Roll Call No. 118 (MTR on H.R. 7120—George Floyd Justice in Policing Act); and NO on Roll Call No. 119 (Final Passage of H.R. 7120—George Floyd Justice in Policing Act).

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 965, 116TH CONGRESS

Axne (Raskin)	Kind (Beyer)	Napolitano (Correa)
Cárdenas (Gomez)	Kirkpatrick (Gallego)	Payne (Wasserman Schultz)
DeSaulnier (Matsui)	Langevin (Lynch)	Pingree (Kuster (NH))
Deutch (Rice (NY))	Lawson (FL) (Evans)	Sánchez (Roybal-Allard)
Engel (Titus)	Lewis (Kildee)	Serrano (Meng)
Frankel (Kuster (NH))	Lieu, Ted (Beyer)	Watson Coleman (Pallone)
Garamendi (Boyle, Brendan F.)	Lipinski (Cooper)	Welch (McGovern)
Johnson (TX) (Jeffries)	Lofgren (Boyle, Brendan F.)	Wilson (FL) (Hayes)
Khanna (Gomez)	Lowenthal (Beyer)	
	Lowey (Meng)	
	Moore (Beyer)	

PERMISSION TO INCLUDE AMENDMENT TEXT IMMEDIATELY PRIOR TO VOTE ON PREVIOUS QUESTION ON HOUSE RESOLUTION 1017

Mr. WOODALL. Mr. Speaker, I ask unanimous consent that I be permitted to insert the text of the amendment I would have offered had the House rejected the previous question on House Resolution 1017, along with extraneous material, into the CONGRESSIONAL RECORD immediately prior to the vote on ordering the previous question on House Resolution 1017.

The SPEAKER pro tempore (Mr. CUNNINGHAM). Is there objection to the request of the gentleman from Georgia?

There was no objection.

PREDATORY LENDING

(Ms. KAPTUR asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. KAPTUR. Mr. Speaker, I rise in strong support of Chairwoman WATERS' resolution disapproving of President Trump's efforts to gut the Community Reinvestment Act, and I salute her for her leadership to support the financially underserved communities across our Nation.

The administration's immoral rule change would roll back critical financial protections at a time when millions of Americans are facing down dire COVID–19 crises.

Fair credit for all has always been an elusive goal for our Nation. Predatory lending is a plague in countless American communities, many of which are comprised of minorities or low-income residents.

The Community Reinvestment Act says your money belongs to you, not to any loan shark, predatory lender, fast buck artist, or financial institution sucking the wealth out of your neighborhood.

We must not only strengthen the CRA, but also increase the reach of credit unions and build out postal banking platforms to extend critical financial lifelines and fair credit to those who need it most.

Mr. Speaker, I urge swift passage of this critical legislation, and I urge my colleagues to support it.

□ 2045

IN RECOGNITION OF DR. RUTUL DALAL

(Mr. KELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KELLER. Mr. Speaker, as Pennsylvania's 12th Congressional District continues to emerge from the COVID–19 virus pandemic, we can recognize the people in our community that have played a uniquely outstanding role in this unprecedented time.

Today, I recognize the work of Dr. Rutul Dalal, the head of the infectious diseases unit at UPMC Williamsport. In the early days of the pandemic, Dr. Dalal, along with the administration of UPMC Williamsport, provided a critical voice of reason, calm, and thoughtfulness in reassuring our community of local health providers' ability to deal with COVID–19.

Dr. Dalal was a participant in a rural health roundtable our team held in March that discussed COVID–19 testing capabilities, surge capacity, and what government can do to ensure the medical community has the tools it needs.

Dr. Dalal later joined me for a telephone townhall on COVID–19, where he spoke to over 10,000 residents in Central and Northeastern Pennsylvania about how to protect themselves in the pandemic and answered their questions. Throughout the pandemic, Dr. Dalal has spoken with many area lawmakers, community leaders, and others, while maintaining his hospital responsibilities on the front lines of fighting this terrible virus.

For his work, professionalism, and expertise, Dr. Dalal is truly a PA–12 COVID–19 hero.

PROTECTION OF CIVIL AND HUMAN RIGHTS

(Mr. SARBANES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SARBANES. Mr. Speaker, for too long, we have not had the courage as a Nation to say, ''Black lives matter.'' Well, now it is a new day. Anguished and outraged by the killings of Ahmaud Arbery, Breonna Taylor, George Floyd, and so many others whose families have been left grieving, we are finally beginning to speak truth and take action.

These killings have left us despondent and deeply angry that America cannot rid itself of the disease of racism and violence, and the police, and prosecutors, too, often inflict pain on the very communities they are charged with serving. But we are also determined—determined not to let this moment pass without an uncompromising demand for justice on behalf of the victims' families and on behalf of a Nation in search of its soul.

For the sake of our future, we must overcome this legacy of violence and ensure that the civil and human rights of every person in our country are protected.

Mr. Speaker, I am proud to support the George Floyd Justice in Policing Act of 2020.

A PARTISAN BILL TO NOWHERE

(Mr. MEUSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEUSER. Mr. Speaker, what started as a tragedy, then turned disturbingly into our streets, resulted

with tonight's vote with a partisan bill to nowhere.

The people we have been elected to serve have asked—in fact, demanded—that this Congress do something to calm the unrest in our communities. Congress was asked to lead. Instead, this House has decided to bring forth another partisan bill to nowhere.

Senator TIM SCOTT and others worked tirelessly in an inclusionary matter and developed the JUSTICE Act, a bill that would bring law and order and justice to communities.

This bill will not become law. This bill that has been passed in the House will not become law because it was not inclusionary and would not reform the police. But by eliminating qualified immunity and no-knock warrants, it would put people and police into dangerous and costly scenarios.

Mr. Speaker, this bill is another lost opportunity to serve the people we serve.

TESTING SITES NEEDED TO SAVE LIVES

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE. Mr. Speaker, I say to my community in Houston that I know that they are celebrating the idea that the George Floyd Justice in Policing Act has passed. I look forward to going home and engaging with them and indicating that we are re-imagining police and that we are building on police-community relations.

I also make mention of the fact that as I left Houston, the State of Texas had 5,000 new COVID–19 cases. Today, we have counted 900 cases in the Houston, Harris County area. People are dying. People are being tested positive, and we need help.

Mr. Speaker, it is important that we pass the HEROES Act, but more importantly, that we keep our testing open. On Saturday, I will open another one-day testing site, my 11th, working with local health professionals. The city of Houston and Harris County need our help, and we must continue these testing sites. We must keep them open. I encourage everyone in Houston, get tested. If you are positive, give us your blood for antibodies after you have cured. But more importantly, wear your mask, wash your hands, and socially distance. We have to save lives.

WILKES COMMUNITY COLLEGE

(Ms. FOXX of North Carolina asked and was given permission to address the House for 1 minute.)

Ms. FOXX of North Carolina. Mr. Speaker, over the past few months, we have seen remarkable progress in the fight against COVID–19. Our small businesses, manufacturers, and even schools have stepped up to produce necessary PPE for their communities and frontline providers.

As of last month, Wilkes Community College Ashe Campus—located in my district—delivered over 741 3D-printed face shields to various locations in the High Country. Originally, this 3D printing endeavor was going to support Ashe Memorial Hospital, but now it has turned into a regional resource for healthcare providers across western North Carolina.

To Mike Windish and Chris Kearley—the two engineering instructors at Wilkes Community College—and their colleagues who are spearheading this effort, thank you, and keep up the good work.

HOPE FOR THE FUTURE OF BLACK BOYS AND GIRLS

(Mrs. LAWRENCE asked and was given permission to address the House for 1 minute.)

Mrs. LAWRENCE. Mr. Chair, today, I am so hopeful after the vote for the George Floyd Justice in Policing Act, I can now look at those little children, those little Black girls and boys when they say, ''Am I safe?'' ''Does anyone care about my future?''

Mr. Speaker, I am so proud that this was a bipartisan bill. I strongly encourage the Senate to come to the table and let's continue to do our job and ensure that the future of America is one that is inclusive: that is one Nation under God, indivisible, with liberty and justice for all.

FROM AGONY TO ACTION

(Mrs. BEATTY asked and was given permission to address the House for 1 minute.)

Mrs. BEATTY. Mr. Speaker, I stand here today on the United States House floor to say thank you to my colleagues who voted for House bill 7120, Justice in Policing Act 2020. Tomorrow, I go back home to the Third Congressional District, and I say to them, ''This is what we did for you.''

Mr. Speaker, it was worth me marching. It was worth me kneeling for 8 minutes and 46 seconds so many times in my district. And now, today, I can say that I was Speaker pro tem when this bill came to the floor. It sends a great message home to my district. It tells them if we can do this at the Federal level, then we can do this at the State, the county, and the city level.

Mr. Speaker, it is my honor to stand here and say: From agony to action.

ISSUES OF THE DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Mr. Speaker, it is my honor to yield to the gentlewoman from North Carolina (Ms. FOXX), my friend.

JUSTICE ACT

Ms. FOXX of North Carolina. Mr. Speaker, I thank the gentleman from Texas (Mr. GOHMERT), my colleague and my classmate, for yielding time to me this evening.

Mr. Speaker, at such a pivotal moment in the history of our country, Democrats are choosing posturing over progress. Yesterday, Senate Democrats blocked consideration of the JUSTICE Act, and claimed it did not go far enough to address their issues with regards to police reform.

One of the most puzzling pieces to this story that even after Senator SCOTT offered to increase the allotment of amendments on the bill, Senate Democrats turned around and walked out of the room. They had the opportunity to work in the spirit of bipartisanship, but they ignored it. Are they genuinely afraid of bipartisan collaboration, or are they more focused on scoring political points with their own base? You be the judge.

Mr. Speaker, over the past few weeks, we have heard dangerous rhetoric regarding the defunding of law enforcement, and it is downright concerning. The men and women of law enforcement lay down their lives every day in the line of duty.

And this course of action that Democrats are championing is an affront to health, safety, and security of our communities. Law and order are fundamental tenets of a free society, but when anarchy is assigned a higher value than protecting the American people, the lines become blurred and discord will prevail.

Mr. Speaker, I would be remiss if I did not address imprudent comments made on Tuesday by the Speaker of the House. She asserted that Republicans are trying to get away with the murder of George Floyd. Let her words sink in for a moment.

Two weeks ago, Democrat leadership called passing police reform ''a life-or-death situation.'' But now that we have introduced legislation that addresses this issue, they have changed their tune entirely.

Republicans stand at the ready to deliver this reform while Speaker PELOSI is looking for the next media sound bite. Her rhetoric is nothing short of disgraceful. Instead of sowing seeds of division and resorting to crafting legislation behind closed doors, it is time that she and our colleagues across the aisle come to the table to work alongside of us. Maybe it is too daunting of a task for them. Forsaking bipartisanship in favor of a my-way-or-the-highway approach will not move us closer to enacting meaningful police reform.

Mr. Speaker, we are ready to work with our Democrat colleagues, and all they need to do is pull a seat up to the table and join us.

Mr. GOHMERT. Mr. Speaker, I am proud to call VIRGINIA FOXX my classmate. We have been through a lot together, but nothing like what is currently going on in this country right now. Extraordinary.

And we are hearing from people back home and from those who are not from

my district that have called my office—or called my wife's phone—and left nasty, vicious messages about our hearing. People who saw the subterfuge going on in the Committee on the Judiciary yesterday, they need to understand, back before I became a district judge in Texas, handling major, civil litigation and felony, criminal cases—up to and including death penalty cases—I tried a lot of cases, a lot of different courts, Federal, State. And from time to time, you would see judges who were not fair, and they played their partisan, silly games. Sometimes it was just a power thing.

□ 2100

But I determined, when I was a judge, nobody was going to be treated like that, and we didn't do that.

There were time limits on opening statements and closing arguments, as there were when I was chief justice of our court of appeals. I enforced the times, and I made sure that both sides had those times followed because, to me, what applied in court applies here, one of the last bastions of civility in the country.

Even when there are riots and protests going on, as long as the legislature and the courts are acting civilly—and that doesn't mean you can't yell at each other. Sometimes, debates get very, very emotional, and some of us get very passionate about the things we feel. But it should never lead to violence.

We have those arguments. Everybody gets treated fairly. And I have to say, I have been unhappy with some Republican committee chairs in the past, but at least they treated both sides the same way.

But we have seen in the Judiciary Committee, which has a storied history, with strong, freedom-loving patriots like Daniel Webster—possibly the leading advocate against slavery of his day, and certainly the most articulate advocate against slavery in this country, a strong Christian, ethical, moral man. But we have seen such incredible partisanship in our committee, and I mean by that unfair enforcement of the rules.

Yes, I get passionate about it because I still believe in fairness. You shouldn't treat people the way Republicans have been treated in the Judiciary Committee.

Why is that important? Well, for one thing, it sets an example to the rest of the country that it is okay to just run over, ignore, threaten, create havoc for the people who you disagree with. That message goes out loud and clear: I am screwing over the other side by the rules, by using and flaunting my authority, and so what? If you agree with me, join me in abusing our discretion.

Well, we are seeing that abuse go across the country. What are we seeing across the country? We have seen Democratic Governors, some of them, and in our biggest cities where the biggest problems are occurring, and Black lives that matter are being shot in record numbers, as they were in Chicago, and instead of using our system to address the problems that have arisen, we have statements like this, this headline from a Black Lives Matter leader: ''If this country doesn't give us what we want, then we will burn down this system.''

Well, this system has had millions of Americans suffer and over a million die in the service of our country so that we would have the freedoms we do.

One thing has been very clear to me from studying history. I really got into it in high school, majored in it, and never stopped studying it. But one thing is very clear: This country is an anomaly.

You know, Jesus said, you remember, they are going to hate you; they hated me first. We were told you will suffer for Christ's sake.

This was a country where you didn't suffer for being a Christian. That is an incredible little bubble in time and in space in the history of the world. This is an unusual country.

As Alexis de Tocqueville pointed out about the churches and the amazing—yes, there are other religions, and we respect that, respect those, as long as they are peaceful and don't want to tear down the system or burn down the system.

But de Tocqueville pointed out that this country seems to have adopted Christian principles throughout their government. They are more at play in what is happening in America than anywhere else.

That is paraphrased. I don't have his quotes, but there are many of them. Some of them that he was given credit for saying he didn't say. But he certainly observed that.

But this little anomaly of self-government in time and space is in grave risk. Anybody that has studied world history understands that. There are people all over the country we have heard from that understand that.

So when people are allowed, even without burning down the system, to burn down minority communities, burn down other people's property, destroy businesses, tear down statues that reflect history, good and bad, without going through the system the right way, the peaceful way, the way available, they are already figuratively burning down this system.

You want a statue removed or you want a name changed, you do what they are doing in Tyler, Texas, where they have petitioned, as I understand it, the school board. I am not sure if they have taken action yet. But that is the way you do it. You go make your case.

If you don't like what is going on, then you simply run for office and replace those people who are not doing what you believe is the right thing. That is the way it goes; that is the way it is supposed to go; and that is the way people who want to destroy America are not doing it.

If there is an offensive statue, go get it changed, but we might want you to pay for replacing that with something else. Those who refuse to learn from history, as we know, are destined to repeat it.

It is good to talk about people who made big mistakes in our history instead of doing like the Marxist leaders of the crime wave across the country are trying to do.

Now, there are some who aren't Marxists, and they don't know they are being used by Marxists. But the things that are going on are right out of the Marxist playbook.

It was seen in 1917 in and around what became the Soviet Union. It was seen by Chavez in Venezuela. It has been seen in many places. It was seen by the Chinese under Mao.

Hitler was a monster. And his murder of and the attempted genocide of the Jewish people should never be forgotten. But some people are denying it even happened. It did happen.

So you have two basically totalitarian socialist forms of government. And I know my friend, my colleague—he probably wouldn't call me his friend—

as chairman of the Judiciary Committee immediately reacts when you mention that the fascists were really socialists. It was the National Socialist Workers Party in Germany. That is what the Nazis were.

They believed in the same kind of totalitarian socialist government that Soviet leaders believed in, and they created in the Soviet Union with their communist government and in China with their communist government what so many want to drive us to right now. They killed more people than any form of government in the history of the world.

Now, 20 million is only the estimate of what Stalin starved to death in Ukraine when there was actually plenty of food, but he intentionally starved them to death. Mao, there was probably 40, 60 million, depending on whom you believe, that he killed, determined to make the country better.

If you look at how many people the coronavirus has killed, which came from China—you can give them credit for killing millions more, I am sure, before this is all over. Although we do have some in the U.S. Government that have an interest—maybe it is pecuniary, some kind of interest—in defending China and condemning the United States. It kind of tells you where their heart is.

This country, as Ron Maxwell said some years back, from its beginning, it has been about liberation. We have George Washington over there. People are trying to tear down his statues. When you travel the world, people know the good about that man more so than American students do anymore because the Bill Ayers of the country, the terrorists of their day—terrorists in another way now.

But they realized blowing things up, sit-ins, riots were not getting it done, so they went into our colleges and universities, many of them, and began to

teach their socialist/Marxist ideas that have never worked and have led to more death and suffering than any other type of government.

But they have taught them this is the way to go. Many millennials have bought into that because they don't know true history. This is serious stuff.

As I have talked to parliamentarians, members of parliament in Europe, members of government in other parts of the world, including Australia—and there are things about America that bug them. Some think we are too arrogant.

But when it comes down to it, wise people in other countries that have freedom at this time, they know if the United States' freedom is destroyed by Marxists or anybody else, there will be no other safe place in the world that Americans can go to find the freedom that is at risk right now. If America's freedom goes down, there is no other place to go.

I know Ronald Reagan said no generation that has ever lost freedom ever got it back in the same generation. I am telling you, if we don't stop the insurrection that is being allowed to occur under liberal mayors, liberal Governors, then we are going to lose the country. And Donald Trump is determined not to let that happen.

But under our Constitution, there are some places if the mayor or the Governor won't request help, the President is going to have difficulty getting it there to protect things. That is just the way it is.

□ 2115

There are consequences to electing feckless leaders who are afraid to do what needs to be done to protect this greatest bastion of freedom that has ever existed.

As I said earlier, this has been a history in this country of liberation. Slavery should never have been allowed to get started here. But this country, despite the liberal garbage that is out there, it was not founded on the basis of slavery.

If you look at Thomas Jefferson's original words in the original Declaration of Independence, his first draft, he knew slavery was bad and destructive to this country. Perhaps it is the longest grievance against King George—if it is not the longest, one of the longest. He lays at the feet of King George of England the horrible thing that was going on in America, the atrocity called slavery.

King George should never have allowed that to get started here, to be legal here, but it was. People in Virginia at the time were not supposed to free their slaves. George Washington, he knew it was wrong as well. In his will, he freed all the slaves upon his wife's death.

Now, there are some things that don't make sense to some of us here and now because we weren't living in that day. But the thing that we can be absolutely certain about is that no human being—only one—has ever been perfect. Anything that involves humans is going to be imperfect.

Again, our history has been one of setting freedom as the goal, recognizing that freedom is a gift of God. But like any inheritance, if you don't fight for it, you are not going to have it.

Slavery, we had a revolution after the first great awakening, the great Christian awakening in the 1700s, followed by the Revolution, the pursuit of freedom and freedom of choice. The second great awakening in the 1800s was followed by a horrendous civil war.

What Lincoln said, the words are inscribed on the inside of the north wall of the Lincoln Memorial, and you can tell he is trying to get a grip on this. He knows there is a God. He believes at that time in God. Steve Mansfield has a great book documenting Lincoln's days from his early 20s when he bragged about being an infidel, not believing in God, until the time he was elected President. He knew a guy like him could never have gotten elected President unless there was a God that allowed it to be.

But in that second inaugural speech, I think it was about a month before he was assassinated, you can find it toward the middle of the speech, it is inscribed there. He is trying to work through how this horrible war could occur when there is a good and just God. He works through it, and he understands and quotes scripture in like three places in that part.

But he says: Needs be that offenses come, but woe be to the person by whom the offense cometh.

That offense he was talking about was slavery. He knew it was an atrocity. He wanted to end it.

He talks about, though, both the North and South read the same Bible. Both pray to the same God. The prayers of both couldn't be answered. The prayers of neither have been fully answered. But then he goes on to point out that if it be God's will that every drop of blood drawn by the lash is going to have to be drawn by the sword, then we still have to say, as he said, what was said 3,000 years ago: The judgments of the Lord are true and righteous all together.

Mr. Speaker, I am joined by friends here on the floor. My friend, the chairman of the Freedom Caucus, he is a freedom lover. Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, I thank the gentleman, and I appreciate his staunch and relentless pursuit of freedom, his defense of our liberty and this tremendous country.

I am going to take a few minutes and talk about some things that are going on in the country today that I think need to be addressed. As we ruminate upon these things and consider the direction of this Nation, I feel like I need to, quite frankly, express my gratitude to that thin blue line that spends so much time working, training, making sacrifices on our behalf, the men and women of the police agencies, local, State, and Federal.

Every day that they put on that uniform, every shift that they put on that uniform, at any time day or night, and go out, they understand that they could be called upon to sacrifice the full measure of who they are on our behalf, and I thank them.

In fact, I was recently talking to a friend of mine who is a police officer, and he expressed to me his concerns because what we are seeing is inexplicable, inexplicable to the rational mind. We understand protests. We appreciate protests. The First Amendment guarantees us that right. We get to stand up. We get to express our disapprobation of our government.

In fact, I think back to Thomas Jefferson, and he was asked one time why he refused to take action against a particular individual who slandered him repeatedly. He said: You know what? My friends know the truth and believe me; my enemies will never believe me; and this individual can say what they want to say.

We believe that to be true. So we understand protests. What we don't understand so much is when it becomes lawless rioting where you imperil somebody's right to life, liberty, or the pursuit of happiness. That is the problem that we are going through today.

Tonight, apparently, one of the statues or monuments was to be dragged down tonight. They have rescheduled the spontaneous tear-down for tomorrow. We will see how that goes for them.

The point is, we recognize that we have God-given freedoms. We set many of those forth in the Constitution of the United States, and we have spent 200-some-odd years trying to defend those trying to move toward a more perfect union.

So I give my gratitude to the men and women of our police agencies. You may be wearing blue, you may be wearing green like the Border Patrol, but you all sacrifice for us to have our freedoms.

I want to talk briefly now, if it is okay with my host, about the bill that was passed out of the House earlier this evening. I have the privilege of serving with the gentleman from Texas on the Judiciary Committee, so we got to hear the markup and the efforts to run that through, and we also got to offer amendments.

I know that the good gentleman offered an amendment. I know I offered an amendment. They were not entertained. In fact, we were ridiculed for offering the amendments.

The implication by many in that committee was that by merely offering an amendment to that bill, we were racist. That was the implication of what they said. It is unfortunate because nothing could be further from the truth. We were trying to get at some very important changes in that

bill, which would make it a viable bill, would make it work, perhaps.

But one of the things I find most intriguing is the elimination completely of qualified limited immunity, and I will tell you why. We grant qualified limited immunity to many who work in government. We do that because they are asked to do a hard job, and they won't be able to do that job without taking some personal risks.

But the elimination of qualified limited immunity means that not only will those who are criminally reckless or criminally culpable but those who are merely negligent or even those who follow the procedures to the letter who don't violate a constitutional right, who don't violate a law, will be exposed. Not just them, but all of their finances will be subject to garnishment, execution. Houses can be lost, their families left in ruin and desolation.

So I posit that because when we were trying to offer amendments to actually provide reforms that we thought would be good and necessary, yet provide some protections, we were rebuffed and told that our attention was nonsensical. Then, on the other hand, if we would just grant them passage of the bill, maybe they would allow us to amend it later.

Well, of course, we couldn't stop the passage of the bill. We are a majoritarian body. But here is what this means. If you are a police officer with 19 years in, you know what that means for you? That means you are sitting in your car when somebody needs help. Why would you get out and risk your family and everything you have worked for, for 19 years, on a potential liability?

Now, there will be those that make this sacrifice because that is the kind of men and women who enter the police force. But you put them at such a serious risk, they have to make an almost risk-reward calculation every time they encounter a situation that would call for police contact.

So, that is what happens. There will be many younger on who will do the same. Others 5 years in, they will say: You know what? I am going to change careers. I can go somewhere else where I don't expose my family.

What this ultimately means is more vacancies in the big cities. In my State, the big cities have hundreds of police vacancies. You won't fill them because you can't recruit. You can't recruit, you can't train. You can't train, you can't retain.

You are going to have seriously decimated police forces, certainly, in the big cities. One of our colleagues, he said: Oh, the police should just go get E&O insurance like lawyers and doctors. Not really viable.

They said, well, the department will remain liable. Well, so will the individual. But if you have joint and several liability and it comes back to the department, and you have a department with five officers in it, they can't afford E&O insurance, nor can they afford to take care of this situation.

□ 2130

Departments will be decimated large and small. What does that mean? You are going to see increased crime, higher crime rates. That is what this bill that was voted out of this House today will produce, mark my words. And right now we are having unrest throughout the Nation.

I tell you that I am grateful for the police from the agencies State, local, and Federal who are willing to stand in that breach. I call upon our FBI Director to make arrests, and I call upon our U.S. Attorney General to charge and prosecute those who have engaged in criminal conduct.

The number one call I get is for a restoration of law and order. That is what they want. That is what my constituents want. And it doesn't matter the political party. That is across the board.

So I conclude with these remarks. This country is at a crossroads. It could be the leftist, Marxist point of view that we allow to take over in this Bolshevik-type of conduct that is going on, or we can resort and restore the law and order and the freedoms that we have long held dear and make sure those freedoms apply to every citizen in our society.

I have great and tremendous hope in these people. I know our President has that same hope, and I believe we are going to get there. We are going to restore this, and we will be at peace, and we will be prosperous again.

Mr. GOHMERT. Mr. Speaker, I appreciate so much my friend from Arizona. I was asked earlier today by someone: Everybody needs friends; who are your friends in Congress? And I am looking at two of my best friends right here. It may be sad, but that is the case, and I am grateful for the friendship.

We had a press conference, the Freedom Caucus did, and I appreciate your leadership. I want to address my remarks to the Chair. I appreciate so much the leadership of the chairman of the Freedom Caucus in having the press conference.

But one guy said he had a question, and Congressman BIGGS called on him, and he ends up saying, you know, he made a case that you are not spending enough money here in Washington on local police. And this is probably the same clown that goes out and says, you know, we need to defund the police. We need to defund the military because that is going on. And the great irony, then he comes up to us and says we need you to spend more money because we are trying to defund the police back home. It is quite ironic.

Mr. Speaker, I yield as much time as he may consume to the gentleman from Florida (Mr. YOHO). We have been through a lot together, and I have such great respect, and I am going to miss the gentleman from Florida. It may be because he was a veterinarian before he came up here, so he was quite used to dealing with the wrong end of a horse and was trained well for being in Congress.

Mr. YOHO. Mr. Speaker, I thank the kind gentleman from Texas for yielding. And it was easier dealing with the south end than the north end of the horse, and the stuff that comes out was easier to wash off.

I am sure I am like you. I get a lot of people who call me, especially in the last week. Here is a message a good friend of mine sent.

My 85-year old mother, who is always very calm and nice, last night looked at me and said: You need to call your Congressman. You need to call him and ask him what we can do. We have to do something to stop these ''idiots'' for tearing down statues and burning the flag. Patty, his wife, jumped and said: Yeah, what can we do? I was at a loss for words. What can we do? Just spinning a little bit.

My response to him was these people will be arrested. They will be charged, and they will have to pay the fines for damaging that property.

And being a Christian, as I know you are, Louie, this, too, shall pass. We have to have the faith that this country will live beyond us.

And, I have had the privilege of being chairman of the Asia Pacific Subcommittee last Congress, and I am the ranking member this Congress, which means you are the lead Republican. And we have dealt with the Asia Pacific theater.

We have dealt with Hong Kong, and we all know Hong Kong is a province of China. There was an agreement in 1997, for 50 years Hong Kong was supposed to be ruled as a semiautonomous region and an independent judiciary. Well, 23 years into that, Xi Jinping has said, as far as he is concerned, that is null and void.

So they are basically putting Chinese Communist Party rules in Hong Kong, and so the students are rioting—not just the students, 25 percent of the population, from babies with their mothers and dads to grandparents. Twenty-five percent, 2 million people are out in the streets.

Do you know why? Because they have had liberty and freedom. That is the only thing they have ever known. The Chinese Communist Party cannot tolerate liberty and freedom because it scares them.

And so these people have a very strong need to protest, but they don't have the ability to protest because, if you protest over there, you are going to prison, you are being picked up.

I mean, we are going to have a hearing next week, and we are hearing how the police picked these people up and the things that they do to them, and some of those people never will be heard from again.

Yet, in our country, we are so blessed with the liberties and freedoms that I wonder sometimes, and I know, myself, I am guilty of this, sometimes I take those liberties and freedoms for granted. But I tell you what, at times like this, this is not a time to take these for granted. We need to thank every

servicemember currently serving, our law enforcement, first responders for the liberties and freedoms that we can experience every day. And that posterity of past generations has passed that on to us.

And I was going to go down to the statue today, but unfortunately votes got in, and we didn't get out of here until almost 8:30.

The Emancipation Statue, when you know the story of that, it is unconscionable that anybody would want to tear that down, regardless of your political beliefs.

I want to read something, and I want to put this in perspective, and I want the people that are out there protesting—and absolutely, you have a right to protest, and what happened to George Floyd should not happen to any American, I don't care what the color of your skin is. That should not happen to anybody. But this quote that I want to read, I think, puts things very much in perspective.

It says: ''The lesson taught at this point by human experience is simply this, that the man who will get up will be helped up; and the man who will not get up will be allowed to stay down . . . Personal independence is a virtue and it is the soul out of which comes the sturdiest manhood. But there can be no independence without a large share of self-dependence, and this virtue cannot be bestowed. It must be developed from within.'' And I am going to add, in a country that honors liberties and freedoms and your constitutional rights.

That was spoken by this gentleman right here, Mr. Frederick Douglass, in the 1800s. Frederick Douglass, born into slavery, rose himself out of that, educated himself to read, went through slavery, the Civil War, and he said this when he was there with President Lincoln, or at the dedication of the Emancipation Statue.

I think there is a lot to be learned from these people who are out there. And I don't want to say they are ignorant in a dumb way, but they are ignorant in either not recognizing their history or ignoring it. There is not a big difference. They should learn from the past. They should learn from a man who was there.

I thank the gentleman for allowing me to be here, and I truly will miss you as one of the Members of Congress. God bless you.

Mr. GOHMERT. Mr. Speaker, I thank my brother.

Frederick Douglass, what an extraordinary story, and he was extremely helpful to Lincoln, prodding him on when others were encouraging Lincoln not to do what needed to be done. Incredible man, how he could go through all of the horrors that he did and yet he still had his eyes on freedom, not just for himself but for everybody.

As my friend from Florida was pointing out about ignorance of protestors, it could be ignorance—and I am quite sure they are ignorant of their history because of some of the things they are tearing down and vandalizing, including there is a story from Mary Margaret Olohan, ''Rioters Vandalize World War II Memorial, D.C. Monuments.''

''Communist Emblem Spray Painted on North Carolina WWII Memorial.'' That is from Jake Dima.

''George Floyd Rioters Deface 16 Boston statues.'' And I don't think it is fair to say those are George Floyd rioters, because George Floyd's family has spoken against this kind of thing. They don't want George Floyd to have a legacy of violence and destruction in the wake of saying that is because of George Floyd. They want reforms. ''George Floyd Rioters Deface 16 Boston Statues, Including Memorial Honoring Black Civil War Regiment.''

These people aren't about Black Lives Matter, and you can tell that every time you see some spoiled White bourgeois person going up to a Black policeman or Black policemen and women and taunting them, calling them every name in the book. To that person, Black lives don't matter or they would not be treating an African American the way we have seen them do it on video.

Another article from Daily Wire: ''Rioters Destroy Statue of Union Colonel Who Died Fighting Slavery, Confederacy. Also Destroy The 'Forward' Statue.''

Washington's historic St. John's Church was damaged by rioters. Here is another one from the Blaze: ''Rioters Tear Down More Statues Including Ulysses S. Grant, Who Defeated the Confederacy and 'Destroyed the KKK.' ''

''Rioters Deface Memorial Honoring Those Killed by Communist Regimes.''

''Armenian Genocide Memorial in Denver Part of Mass Vandalism at Colorado State Capitol—Public Radio of Armenia.''

''Park Volunteer Outraged Over Vandalism of Philadelphia Abolitionist Statue.''

And for those who are out there rioting, ''abolitionist'' means they were trying to end slavery. I know that is a big word for you. But as this park volunteer said, he—and he is talking about abolitionist Matthias Baldwin. The quote was: ''He Was BLM Before There Was a Slogan.'' And yet as Zachary Evans writes about, they vandalized his statue.

And then George Washington's statue in Baltimore is defaced. Only man in history to lead a revolutionary military, win the Revolution. When it was all over, he comes in and they even sent him a copy of a bill where they gave him power to make contracts and pay whatever he needed to pay. And the cover letter basically said, look, we are giving you all this extra power, but we know when you have no further need for it, you will give it back. Except no one in the history of the world has, before or since George Washington, had that kind of power and gave it back. And he did.

I was in the Maldive Islands some years back with a few other Members of Congress. It is a beautiful little island south of India in the Indian Ocean, and one of their leaders sitting by me during our lunch, he said: We are a relatively new democracy. He said: We are always hearing rumors about military coups.

For those rioters out there, a military coup is when the military tries to take over the government from a civilian government, and he said there are always those rumors.

And then he paused and he said: We never had a George Washington to set the proper example.

On the other side of the world, 180 degrees from here, this little island, they know how important what George Washington did, how important that was.

□ 2145

It was wrong to have slaves. Slavery was wrong.

Thank God for William Wilberforce, for people like John Quincy Adams and Daniel Webster that fought so hard to bring an end to slavery.

But it tells you these people, they are not about freedom. They are about Marxist, Leninist, the most murderous form of government in the entire history of the world.

I am joined by a friend, and I sure don't want to hurt him politically, but I just love this brother, and he happens to represent an area in southern Texas, and that is Mr. CHIP ROY, one of the most principled people I have ever met.

Mr. Speaker, I yield to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I appreciate my friend from Texas and for those kind remarks. I appreciate how much he has dedicated to spending time on the floor of the House of Representatives, which is what we should be doing as Members of this body. He does it and he does it often, and then he includes others in it.

I just wish we had more. I just wish we had debate. I wish we had amendments. But we don't.

And we shouldn't kid ourselves. For whoever watches this C–SPAN clip or whoever is watching it right now, the fact of the matter is, this institution known as Congress is badly broken. We don't have vigorous debate, neither in this body nor on the other side of this Capitol in the United States Senate.

The Senate, where I worked as a staffer for a number of years, I can remember having bills where we would have 30, 40, 50, 60 amendments, and debate back and forth, and offer them and vote on them, and at the end of that, then decide whether we support that legislation or not. We don't do that anymore.

We get a bill, like today, brought to the floor of the House of Representatives by the majority, and we are told that is the vote.

The same thing in the Senate. We have a bill that is brought to the floor

of the Senate, and the author of the bill, Senator SCOTT, offers 20 amendments to the other side, including a manager's package, and it is rejected out of hand, no debate, no discussion on amendments.

And the American people are sitting at home going, What is going on? Why won't this institution—its Congress—do anything?

Right now, we have three, maybe four Members of the United States Congress in this room.

Tomorrow, we will have a couple of votes, and then we will fly home. And what will we have accomplished this week while our Nation is struggling with statues being toppled, people being killed, and here we sit?

What is everybody in this body doing right now? Are they out having dinner? Are they out having a drink? Are they home asleep?

But right now, just this last weekend, we had 104 shootings in Chicago, 14 were killed, several teenagers. A 3-year-old boy was killed this weekend.

There is a 325 percent increase year over year of shootings in New York City. We had a gentleman who was washing his car's tire, had somebody come up right behind him and shoot him in the head on the streets of New York City.

We have gone a long ways away from the kind of law and order, rule of law that is married to liberty that has made this country great for so long.

It is incumbent upon this body and this institution to do our job. It is incumbent upon us to stand up for the rule of law so that liberty can prosper, so that we secure the blessings of liberty as the Constitution outlines as our responsibility.

I have no idea what it is like to be a Black American and I will never know what it is like to be a Black American. I can only imagine. I can only talk to people.

I do know what it is like to be a law enforcement person, because my grandfather was the chief of police of a small west Texas town. I worked as an assistant United States Attorney. I worked in law enforcement in the U.S. Attorney's Office.

Of the 76 million interactions that we have between law enforcement and citizens in this country every year—or at least last year there were 76 million—there is a study of about 100,000 interactions that said 99 percent of those didn't result in taking anybody into custody; and of that remaining 1 percent, 98 percent of those resulted in no force that resulted in any kind of injury or anything significant. Well, of that 76 million, that leaves you about 15,000.

Now, you dive into that, and there are some egregious wrongs. And we and everybody in this body want to deal with those wrongs, but today we didn't debate any of those serious issues about what we can do.

We had a bill brought to the floor that literally wipes clean qualified immunity for our law enforcement officers, just gets rid of it. So after 50-something years of operating under this, this bill would just, boom, get rid of it without so much as a real debate.

Why didn't we offer an amendment, for example, that would have returned to the 2009 standard before the court changed it to say, You know what? Maybe we should adjudicate every constitutional claim alongside a claim of qualified immunity. Because the court just made that up in 2009.

Because you know what about qualified immunity? It is all made up by courts, because this body doesn't do its job, this body doesn't speak, because this body doesn't ever sit down and do our job and offer amendments and debate and vote. The legislature should speak on these issues.

Why didn't we talk about no-knock warrants? Why didn't we offer an amendment?

We can debate, vote on it, vote it up or down, and then move on. This is what this body is supposed to do. It is what is so frustrating.

Mr. GOHMERT. Mr. Speaker, I don't want anybody listening to think when the gentleman asks why didn't we offer amendments that we had the opportunity to do that. The majority determined there would be no amendments allowed.

I know my friend from Texas and I were talking earlier today about, you know, we could have voted for a bill that included some things that were in the Democrats' bill, but they would not allow any amendments.

The qualified immunity, where law enforcement officers were going to get sued, every arrest they ever make, most likely they were going to end up spending more time in civil court than they were in enforcing the law, we needed to work those things out. But there were no amendments made, because the majority said, We don't need your input. This was figuratively what they said: We don't need your input. We don't want your input. We can pass it by ourselves.

They stopped TIM SCOTT's bill. He was open to having amendments. They didn't want to make amendments down there.

They want a symbol. And there is nothing that symbolizes that aspect that they want a symbol and not a real fix more than their adding the watered down Emmett Till bill into this law enforcement bill, which is an embarrassment to say that 10 years for being involved in a lynching would be the maximum punishment.

BOBBY RUSH has been working on this for years, and he put a life sentence maximum in. I think it ought to be the death penalty, but okay, Democrats are in the majority, so I was willing to drop out the death penalty.

They didn't want that. They wanted a symbol, not anything effective.

Mr. Speaker, I yield to my friend from Texas.

Mr. ROY. Mr. Speaker, the gentleman is exactly right with respect to who is calling the shots and how we are operating. And we did want to offer amendments, and we would.

I think, in all honesty, it is a bipartisan problem in both the Senate and the House that we need to figure out how to get back to any kind of regular order so that we can actually debate and amend.

So I will just close with this, because the gentleman has been kind, and he has reserved the time. I will say that as we look at our country right now, that we need a good dose of hard work by the people that have been elected to represent it. And we are not doing that. It is just plain and simple. We are not doing our job here to represent the American people, to come here, debate, vote.

We are not doing our job right now to stand up for America and to defend its institutions and to defend the rule of law and to defend law enforcement while figuring out how to hold people accountable to make sure that liberty and justice is protected.

We are not doing our job to protect churches, we are not doing our job to protect our monuments, and we are not doing our job to push back on mob rule.

Mr. Speaker, I thank the gentleman for giving me the time to join him. And may we all work together to preserve this great republic and secure the blessings of liberty.

Mr. GOHMERT. Mr. Speaker, I thank my friend for being here tonight.

I know he was asking rhetorical questions. And for those involved in the riots, let me explain: ''rhetorical'' means it is not looking for an answer back.

When he said we weren't making amendments or we didn't do this or that, we weren't doing our job, I know for a fact that that was rhetorical, because the gentleman represents San Antonio and so much of south Texas doing everything he can to make a difference.

We can work together if we are allowed and if the rules don't continue to be abused the way they have been.

We do need good, trustworthy law enforcement. I think Bill Barr is doing everything he can, but we need a different FBI director. I don't think we are going to get much help there as long as Christopher Wray is there. He is too interested in trying to say the FBI is all well now, when it is not.

But nonetheless, I hope we can work together. The country is suffering because we are not allowed to participate.

Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 4(b) of House Resolution 967, the House stands adjourned until 9 a.m. tomorrow.

Thereupon, (at 9 o'clock and 55 minutes p.m.), under its previous order, the

House adjourned until tomorrow, Friday, June 26, 2020, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4569. A letter from the OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — TRICARE Coverage and Payment for Certain Services in Response to the COVID-19 Pandemic [Docket ID: DOD-2020-HA-0040] (RIN: 0720-AB81) received June 11, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

4570. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major interim final rule — Regulatory Capital Rule: Revised Transition of the Current Expected Credit Losses Methodology for Allowances [Docket ID: OCC-2020-0010] (RIN: 1557-AE82) received June 1, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4571. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's interim final rule — Real Estate Appraisals [Docket No.: OCC-2020-0014] (RIN: 1557-AE86) received June 1, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4572. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Regulatory Capital Rule: Transition for the Community Bank Leverage Ratio Framework [Docket ID: OCC-2020-0017] (RIN: 1557-AE89) received June 1, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4573. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's interim final rule — Regulatory Capital Rule: Temporary Changes to the Community Bank Leverage Ratio Framework [Docket ID: OCC-2020-0016] (RIN: 1557-AE88) received June 1, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4574. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major interim final rule — Liquidity Coverage Ratio Rule: Treatment of Certain Emergency Facilities [Docket No.: OCC-2020-0019] (RIN: 1557-AE92) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4575. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major interim final rule — Regulatory Capital Rule: Paycheck Protection Program Lending Facility and Paycheck Protection Program Loans [Docket No.: OCC-2020-0018] (RIN: 1557-AE90) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4576. A letter from the Program Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's Major interim final rule — Regulatory Capital Rule: Temporary Exclusion of U.S. Treasury Securities and Deposits at Federal Reserve Banks From the Supplementary Leverage Ratio for Depository Institutions [Docket No.: OCC-2020-0013] (RIN: 1557-AE85) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4577. A letter from the Compliance Specialist, Wage and Hour Division, Department of Labor, transmitting the Department's withdrawal of final rule — Partial Lists of Establishments that Lack or May Have a ''Retail Concept'' Under the Fair Labor Standards Act (RIN: 1235-AA32) received May 28, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and Labor.

4578. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Office for Civil Rights, Department of Health and Human Services, transmitting the Department's Major final rule — Nondiscrimination in Health Education Programs or Activities, Delegation of Authority (RIN: 0945-AA11) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4579. A letter from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communication's Commission, transmitting the Commission's final rule — Creation of Interstitial 12.5 Kilohertz Channels in the 800 MHz Band Between 809-817/854-862 MHz [WP Docket No.: 15-32] (RM-11572] received June 11, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4580. A letter from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Improving Public Safety Communications in the 800 MHz Band [WT Docket No.: 02-55] received June 11, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4581. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's Major final rule — Revision of Fee Schedules; Fee Recovery for Fiscal Year 2020 [NRC-2017-0228; Docket No.: PRM-171-1; NRC-2019-0084] (RIN: 3150-AK10) received June 24, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4582. A communication from the President of the United States, transmitting notification of the continuation of the national emergency with respect to the Western Balkans originally declared in Executive Order 13219 of June 26, 2001, is to continue in effect beyond June 26, 2020, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 116—135); to the Committee on Foreign Affairs and ordered to be printed.

4583. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule — Technical Updating Amendments to Executive Branch Financial Disclosure and Standards of Ethical Conduct Regulations (RIN: 3209-AA52) received June 11, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Reform.

4584. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule — Post-Employment Conflict of Interest Restrictions; Revision of Departmental Component Designations (RIN: 3209-AA44) received June 11, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

4585. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Contract Year 2021 Policy and Technical Changes to the Medicare Advantage Program, Medicare Prescription Drug Benefit Program, and Medicare Cost Plan Program [CMS-4190-F] (RIN: 0938-AT97) received June 16, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. HARTZLER (for herself, Mr. GALLAGHER, Mr. GAETZ, Mr. BURGESS, Mr. ROGERS of Alabama, Mr. POSEY, Mr. GOSAR, Mr. PERRY, Mr. MULLIN, Mr. SPANO, Mr. GIANFORTE, Mr. WRIGHT, and Mr. LAMALFA):

H.R. 7326. A bill to amend section 212 of the Immigration and Nationality Act to ensure that efforts to engage in espionage or technology transfer are considered in visa issuance, and for other purposes; to the Committee on the Judiciary.

By Mrs. LOWEY (for herself, Mr. NEAL, Ms. DELAURO, Ms. CLARK of Massachusetts, Mr. DANNY K. DAVIS of Illinois, and Ms. SÁNCHEZ):

H.R. 7327. A bill making additional supplemental appropriations for disaster relief requirements for the fiscal year ending September 30, 2020, and for other purposes; to the Committee on Appropriations, and in addition to the Committees on the Budget, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Mr. THOMPSON of Pennsylvania):

H.R. 7328. A bill to make temporary changes to grants made under the Community Services Block Grant Act to facilitate local coronavirus relief; to the Committee on Education and Labor.

By Mr. STEIL:

H.R. 7329. A bill to designate the facility of the United States Postal Service located at S74w16860 Janesville Road, in Muskego, Wisconsin, as the ''Colonel Hans Christian Heg Post Office''; to the Committee on Oversight and Reform.

By Mr. THOMPSON of California (for himself, Mr. NEAL, Mr. LEWIS, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. KIND, Mr. PASCRELL, Mr. DANNY K. DAVIS of Illinois, Ms. SÁNCHEZ, Mr. HIGGINS of New York, Ms. SEWELL of Alabama, Ms. DELBENE, Ms. JUDY CHU of California, Ms. MOORE, Mr. KILDEE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BEYER, Mr. EVANS, Mr. SCHNEIDER, Mr. SUOZZI, Mr. PANETTA, Mrs. MURPHY of Florida, Mr. GOMEZ, Mr. HORSFORD, Mr. LEVIN of California, Mr. LOWENTHAL, Mr. CRIST, Mr. TONKO, Mr. COHEN, Ms. KUSTER of New Hampshire, Mr. ROUDA, Ms.

BONAMICI, Ms. BROWNLEY of California, Ms. HAALAND, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. THOMPSON of Mississippi, Mr. CONNOLLY, Mr. HASTINGS, Mr. WELCH, Ms. ESHOO, Mr. NEGUSE, Mr. SERRANO, Mr. CARBAJAL, Ms. MATSUI, Mr. TAKANO, Mrs. HAYES, and Mr. SOTO):

H.R. 7330. A bill to amend the Internal Revenue Code of 1986 to provide incentives for renewable energy and energy efficiency, and for other purposes; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Mr. GALLAGHER, Mrs. CAROLYN B. MALONEY of New York, Mr. KATKO, Mr. RUPPERSBERGER, and Mr. HURD of Texas):

H.R. 7331. A bill to establish the Office of the National Cyber Director, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on Armed Services, Foreign Affairs, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX of North Carolina (for herself, Mr. CUELLAR, and Mr. PETERSON):

H.R. 7332. A bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on Rules, the Budget, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS:

H.R. 7333. A bill to provide that a request for the deployment or modification of a communications facility entirely within a floodplain is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana:

H.R. 7334. A bill to streamline the process for consideration of applications for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources.

By Mr. BUCSHON:

H.R. 7335. A bill to provide an enhanced general penalty for any person who willfully or maliciously destroys a communications facility; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 7336. A bill to amend the Communications Act of 1934 to prohibit franchising authorities from requiring approval for the sale of cable systems, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CARTER of Georgia:

H.R. 7337. A bill to provide that an eligible facilities request under section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CHENEY (for herself, Mr. SMITH of Missouri, Mr. GIANFORTE, and Mr. KUSTOFF of Tennessee):

H.R. 7338. A bill to amend title XVIII of the Social Security Act to permit the Secretary of Health and Human Services to waive requirements relating to the furnishing of telehealth services under the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 7339. A bill to direct the Director of the National Institute of Technologies to undertake certain activities with respect to the artificial intelligence workforce, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. CONNOLLY (for himself, Mrs. CAROLYN B. MALONEY of New York, Mr. SARBANES, Mrs. LAWRENCE, Mr. LYNCH, Ms. NORTON, Mr. RASKIN, and Ms. SPEIER):

H.R. 7340. A bill to ensure that personal protective equipment and other equipment and supplies needed to fight coronavirus are provided to employees required to return to Federal offices, and for other purposes; to the Committee on Oversight and Reform.

By Mr. CONNOLLY (for himself, Mrs. CAROLYN B. MALONEY of New York, Ms. NORTON, Mr. SARBANES, Mrs. LAWRENCE, Mr. LYNCH, Mr. RASKIN, Mr. GOMEZ, and Ms. SPEIER):

H.R. 7341. A bill to provide support and flexibility for the Federal workforce during the COVID–19 pandemic, and for other purposes; to the Committee on Oversight and Reform, and in addition to the Committees on House Administration, the Judiciary, Ways and Means, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CROW (for himself and Mr. BALDERSON):

H.R. 7342. A bill to require a report on accelerated payments to certain small business concerns, and for other purposes; to the Committee on Small Business.

By Mr. CROW (for himself, Ms. CHENEY, Mr. WALTZ, and Mrs. DAVIS of California):

H.R. 7343. A bill to limit the use of funds to reduce the number of Armed Forces deployed to Afghanistan, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURTIS:

H.R. 7344. A bill to require the Federal Communications Commission to provide broadband availability data to the Department of Interior; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEUTCH:

H.R. 7345. A bill to counter white identity terrorism globally, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DIAZ-BALART:

H.R. 7346. A bill to amend the Internal Revenue Code of 1986 to provide 2020 recovery rebates to certain individuals, and for other purposes; to the Committee on Ways and Means.

By Mrs. DINGELL:

H.R. 7347. A bill to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the ''Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center''; to the Committee on Veterans' Affairs.

By Mrs. FLETCHER (for herself, Ms. SLOTKIN, and Mr. POSEY):

H.R. 7348. A bill to provide for the National Academies to study and report on a Federal research agenda to advance the understanding of PFAS, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. FLORES:

H.R. 7349. A bill to require the Secretary of Interior and the Secretary of Agriculture to provide a plan to ensure adequate staffing throughout organizational units of the Department of Interior and Department of Agriculture to review communications use authorizations in a timely manner; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GIANFORTE:

H.R. 7350. A bill to streamline the process for consideration of applications for the placement of communications facilities on certain buildings and other property owned by the Federal Government, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOMEZ (for himself, Mr. PANETTA, Ms. SÁNCHEZ, Mr. THOMPSON of California, and Ms. JUDY CHU of California):

H.R. 7351. A bill to amend the Internal Revenue Code of 1986 to provide a credit for low-income housing supportive services; to the Committee on Ways and Means.

By Mr. GRIFFITH:

H.R. 7352. A bill to amend the Communications Act of 1934 to streamline siting processes for telecommunications service facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUTHRIE:

H.R. 7353. A bill to provide that a project eligible for reimbursement under the Secure and Trusted Communications Act of 2019 shall not constitute an undertaking under section 300320 of title 54, United States Code, or a major Federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act of 1969, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERRERA BEUTLER:

H.R. 7354. A bill to direct the Secretary of Agriculture to transfer certain National Forest System land in the State of Washington to Skamania County, Washington; to the Committee on Natural Resources.

By Mr. HUDSON:

H.R. 7355. A bill to require the Assistant Secretary of Commerce for Communications and Information to submit a plan to Congress to track requests for communications use authorization on Federal land; to the Committee on Energy and Commerce.

By Ms. JAYAPAL (for herself, Ms. PRESSLEY, Ms. TLAIB, and Ms. CLARKE of New York):

H.R. 7356. A bill to prohibit biometric surveillance by the Federal Government without explicit statutory authorization and to withhold certain Federal public safety grants from State and local governments that engage in biometric surveillance; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Ohio:

H.R. 7357. A bill to provide that a request for the collocation of a personal wireless service facility is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of South Dakota (for himself, Mrs. HARTZLER, Mr. FULCHER, Mr. CONAWAY, Mr. WALBERG, Mr. HAGEDORN, Mr. CHABOT, Mr. ROUZER, Mr. BERGMAN, Mr. KELLER, Mr. WILSON of South Carolina, Mr. CRENSHAW, Mr. SMUCKER, Mr. DAVIDSON of Ohio, Mr. JOHNSON of Louisiana, and Mr. MEUSER):

H.R. 7358. A bill to provide that no Federal funds shall be used to alter, change, destroy, or remove, in whole or in part, any name, face, or other feature on the Mount Rushmore National Memorial; to the Committee on Natural Resources.

By Mr. KELLY of Mississippi:

H.R. 7359. A bill to accelerate rural broadband deployment; to the Committee on Energy and Commerce.

By Mr. KINZINGER:

H.R. 7360. A bill to amend the Middle Class Tax Relief and Job Creation Act of 2012 to codify the 60-day time frame for certain eligible facilities requests; to the Committee on Energy and Commerce.

By Mr. KINZINGER (for himself, Mr. TURNER, Mr. GALLEGO, Ms. STEFANIK, Mr. HECK, Mr. WOMACK, Mr. PHILLIPS, Mr. BISHOP of Utah, and Ms. KAPTUR):

H.R. 7361. A bill to clarify and expand sanctions applicable with respect to the construction of the Nord Stream 2 or TurkStream pipeline projects; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA:

H.R. 7362. A bill to amend the Communications Act of 1934 to streamline siting processes for personal wireless service facilities, including small personal wireless service facilities, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LONG:

H.R. 7363. A bill to prohibit a State or political subdivision thereof from providing or offering for sale to the public retail or wholesale broadband internet access service, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LONG:

H.R. 7364. A bill to amend the Communications Act of 1934 to preserve cable franchising authority, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LYNCH:

H.R. 7365. A bill to amend title 49, United States Code, with respect to grants for buses and bus facilities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MASSIE (for himself, Mr. MCCLINTOCK, and Mr. GOSAR):

H.R. 7366. A bill to promote the leadership of the United States in global innovation by establishing a robust patent system that restores and protects the right of inventors to own and enforce private property rights in inventions and discoveries, and for other purposes; to the Committee on the Judiciary.

By Mr. MCKINLEY:

H.R. 7367. A bill to require the Assistant Secretary of Commerce for Communications and Information to report to Congress every 60 days on barriers to implementation by the Department of Interior and Department of Agriculture of an online portal to accept, process, and dispose of an application for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOULTON:

H.R. 7368. A bill to amend title 10, United States Code, to improve the process by which a member of the Armed Forces may be referred for a mental health evaluation; to the Committee on Armed Services.

By Mr. MULLIN:

H.R. 7369. A bill to amend the Communications Act of 1934 to amend provisions relating to franchise term and termination and provisions relating to the elimination or modification of requirements in franchises, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NADLER (for himself, Mr. NORCROSS, Mr. CICILLINE, Mrs. DEMINGS, Mr. JOHNSON of Georgia, Ms. JAYAPAL, Ms. SCANLON, Ms. DEAN, and Ms. GARCIA of Texas):

H.R. 7370. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. POCAN (for himself, Mr. CONNOLLY, Mr. COURTNEY, Mr. GARCÍA of Illinois, Ms. JAYAPAL, Mr. KHANNA, Mr. LEVIN of Michigan, Mr. LOWENTHAL, Mrs. NAPOLITANO, Ms. NORTON, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, and Ms. TLAIB):

H.R. 7371. A bill to amend the Relief for Workers Affected by Coronavirus Act to extend Federal Pandemic Unemployment Compensation and improve short-time compensation programs and agreements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RESCHENTHALER (for himself, Mr. TRONE, Mr. BROWN of Maryland, Mr. THOMPSON of Pennsylvania, and Mr. RYAN):

H.R. 7372. A bill to amend the Higher Education Act of 1965 to include all members of the Armed Forces in the definition of ''independent student'' for purposes of determining the eligibility of such members for Federal financial assistance, and for other purposes; to the Committee on Education and Labor.

By Mrs. RODGERS of Washington:

H.R. 7373. A bill to provide that construction, rebuilding, or hardening of communications facilities following a major emergency declared by a Governor relating to a wildfire is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCALISE:

H.R. 7374. A bill to provide that the deployment of a small personal wireless service facility shall not constitute an undertaking under section 300320 of title 54, United States Code, or a major Federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act of 1969, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself and Mr. STIVERS):

H.R. 7375. A bill to require the Securities and Exchange Commission to revise rules to exclude business development companies from certain ''Acquired Fund fees and expenses'' reporting, and for other purposes; to the Committee on Financial Services.

By Ms. SLOTKIN (for herself and Mr. GALLAGHER):

H.R. 7376. A bill to establish an advisory board on national security innovation activities and extend the pilot program on defense manufacturing, and for other purposes; to the Committee on Armed Services.

By Mr. UPTON:

H.R. 7377. A bill to require the Department of Interior and Department of Agriculture to establish an online portal to accept, process, and dispose of an application for the placement of communications facilities on certain Federal lands; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG:

H.R. 7378. A bill to provide that a request for the deployment or modification of a communications facility entirely within a brownfields site is categorically excluded from the requirement to prepare certain environmental or historical preservation reviews; to the Committee on Energy and Commerce, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself, Mr. SCHRADER, Ms. BONAMICI, Mr. DEFAZIO, and Mr. BLUMENAUER):

H.R. 7379. A bill to designate the clinic of the Department of Veterans Affairs in Bend, Oregon, as the ''Robert D. Maxwell Department of Veterans Affairs Clinic''; to the Committee on Veterans' Affairs.

By Mr. COOPER:

H.J. Res. 91. A joint resolution proposing an amendment to the Constitution of the

United States protecting the right of citizens to vote; to the Committee on the Judiciary.

By Mr. STEUBE:

H. Res. 1023. A resolution calling for justice for George Floyd and others, and condemning violence and rioting; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mr. GRIJALVA, Mr. MCGOVERN, Ms. BASS, Mr. COSTA, Mr. CASE, Mr. HASTINGS, Mr. RUSH, Mr. CARSON of Indiana, Mr. GARAMENDI, Ms. JOHNSON of Texas, Mr. CONNOLLY, Mr. COHEN, Ms. OCASIO-CORTEZ, Mr. DEFAZIO, Ms. WILD, Mr. TRONE, Ms. MENG, Ms. NORTON, Mrs. LEE of Nevada, Mr. RASKIN, and Mr. HUFFMAN):

H. Res. 1024. A resolution recognizing the 75th anniversary of the establishment of the United Nations; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mrs. HARTZLER:

H.R. 7326.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 4 and clause 18.

By Mrs. LOWEY:

H.R. 7327.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states:

''No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . . .''

In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides:

''The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . .''

Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. DESAULNIER:

H.R. 7328.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. STEIL:

H.R. 7329.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution: ''Congress shall have the power . . . to establish post offices and post roads.''

By Mr. THOMPSON of California:

H.R. 7330.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. LANGEVIN:

H.R. 7331.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the US Constitution

By Ms. FOXX of North Carolina:

H.R. 7332.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution, and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. BILIRAKIS:

H.R. 7333.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mrs. BROOKS of Indiana:

H.R. 7334.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BUCSHON:

H.R. 7335.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. BURGESS:

H.R. 7336.

Congress has the power to enact this legislation pursuant to the following:

The attached language falls within Congress' delegated authority to legislate interstate commerce, found in Article I, Section 8, clause 3 of the U.S. Constitution

By Mr. CARTER of Georgia:

H.R. 7337.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8 of the United States Constitution.

By Ms. CHENEY:

H.R. 7338.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1

By Mr. COHEN:

H.R. 7339.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8

By Mr. CONNOLLY:

H.R. 7340.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. CONNOLLY:

H.R. 7341.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. CROW:

H.R. 7342.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. CROW:

H.R. 7343.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer therof.

By Mr. CURTIS:

H.R. 7344.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. DEUTCH:

H.R. 7345.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the U.S. Constitution.

By Mr. DIAZ-BALART:

H.R. 7346.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. DINGELL:

H.R. 7347.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mrs. FLETCHER:

H.R. 7348.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof''.

By Mr. FLORES:

H.R. 7349.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GIANFORTE:

H.R. 7350.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mr. GOMEZ:

H.R. 7351.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GRIFFITH:

H.R. 7352.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. GUTHRIE:

H.R. 7353.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. HERRERA BEUTLER:

H.R. 7354.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2, which states: ''The Congress shall have the Power to dispose of and make all needful all Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. HUDSON:

H.R. 7355.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Ms. JAYAPAL:

H.R. 7356.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. JOHNSON of Ohio:

H.R. 7357.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the US Constitution

By Mr. JOHNSON of South Dakota:

H.R. 7358.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: ''The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.''

By Mr. KELLY of Mississippi:

H.R. 7359.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 Section 8 of Article 1 of the United States Constitution, which provides Congress with the ability to enact legislation necessary and proper to effectuate its purposes in taxing and spending.

By Mr. KINZINGER:

H.R. 7360.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 and 18

By Mr. KINZINGER:

H.R. 7361.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the US Constitution

By Mr. LATTA:

H.R. 7362.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the power . . . ''to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.''

By Mr. LONG:

H.R. 7363.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office therof.

By Mr. LONG:

H.R. 7364.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office therof.

By Mr. LYNCH:

H.R. 7365.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the U.S. Constitution

By Mr. MASSIE:

H.R. 7366.

Congress has the power to enact this legislation pursuant to the following:

By Mr. MCKINLEY:

H.R. 7367.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Section 8—Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MOULTON:

H.R. 7368.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. MULLIN:

H.R. 7369.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. NADLER:

H.R. 7370.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. POCAN:

H.R. 7371.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. RESCHENTHALER:

H.R. 7372.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mrs. RODGERS of Washington:

H.R. 7373.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I

By Mr. SCALISE:

H.R. 7374.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1, Section, Clause 3, the Congress has the power to regulate commerce with foreign nations, and among the several states, and with the Indian Tribes.

By Mr. SHERMAN:

H.R. 7375.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clauses 1 and 18 of the United States Constitution.

By Ms. SLOTKIN:

H.R. 7376.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Necessary and Proper Clause: ''To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.''

By Mr. UPTON:

H.R. 7377.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 ''to regulate commerce with foreign nations, and among the several states''

By Mr. WALBERG:

H.R. 7378.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from but not limited to, Clause 3 of Section 8 of Article I of the United States Consititution. ''To regulate Commerce with foreign Nations, and among the several States, and the Indian Tribes.''

By Mr. WALDEN:

H.R. 7379.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 17 of the United States Constitution (relating to the power of Congress To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings).

By Mr. COOPER:

H.J. Res. 91.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 40: Mr. KILMER.

H.R. 51: Ms. KENDRA S. HORN of Oklahoma.

H.R. 85: Mr. Tiffany.

H.R. 479: Mr. Tiffany.

H.R. 645: Mr. HUFFMAN and Ms. LEE of California.

H.R. 651: Ms. TITUS.

H.R. 733: Mr. COOK, Ms. DAVIDS of Kansas, and Ms. HAALAND.

H.R. 884: Ms. LEE of California.

H.R. 893: Ms. LEE of California.

H.R. 955: Mr. POCAN.

H.R. 1097: Mr. RUPPERSBERGER and Ms. SPANBERGER.

H.R. 1109: Ms. PORTER, Mr. VAN DREW, Ms. SHERRILL, Ms. SCHAKOWSKY, and Mrs. BEATTY.

H.R. 1118: Ms. CRAIG.

H.R. 1166: Mr. AGUILAR and Mrs. MURPHY of Florida.

H.R. 1383: Mr. MORELLE.

H.R. 1533: Mr. TONKO.

H.R. 1646: Ms. JOHNSON of Texas and Mr. COHEN.

H.R. 1776: Mr. BUCHANAN and Mr. NEGUSE.

H.R. 1787: Ms. SHALALA.

H.R. 1858: Mr. KEVIN HERN of Oklahoma.

H.R. 1878: Ms. DEGETTE.

H.R. 1903: Mrs. AXNE and Ms. KUSTER of New Hampshire.

H.R. 1981: Mr. THOMPSON of California.

H.R. 2041: Ms. BROWNLEY of California.

H.R. 2344: Mr. MEUSER.

H.R. 2442: Mr. CROW and Mr. CÁRDENAS.

H.R. 2698: Ms. CRAIG.

H.R. 2774: Ms. SPANBERGER.

H.R. 2796: Ms. DELBENE.

H.R. 2843: Ms. CRAIG.

H.R. 2850: Mr. BUCHANAN, Ms. BLUNT ROCHESTER, Ms. KAPTUR, Mr. BACON, and Mr. RESCHENTHALER.

H.R. 2863: Mrs. BEATTY.

H.R. 2874: Mr. SARBANES.

H.R. 2986: Mr. SOTO, Ms. JUDY CHU of California, Mr. CICILLINE, Miss RICE of New York, Mr. KHANNA, Mr. POCAN, Mr. CRIST, and Mr. JOYCE of Ohio.

H.R. 3138: Mr. COOPER.

H.R. 3244: Mr. ABRAHAM.

H.R. 3316: Mr. PASCRELL, Mr. STIVERS, and Mr. SMUCKER.

H.R. 3553: Mr. SWALWELL of California.

H.R. 3711: Mr. PAYNE and Mr. LAWSON of Florida.

H.R. 3751: Ms. JACKSON LEE and Mr. SAN NICOLAS.

H.R. 3772: Ms. KUSTER of New Hampshire.

H.R. 3835: Mr. LYNCH.

H.R. 3923: Mr. RUSH.

H.R. 3930: Mr. MURPHY of North Carolina.

H.R. 3971: Mr. MOOLENAAR.

H.R. 4100: Mr. TONKO.

H.R. 4179: Ms. WILSON of Florida, Ms. BROWNLEY of California, Mr. LEVIN of Michigan, Mr. VARGAS, Ms. CLARK of Massachusetts, Mr. PALLONE, Mr. ROSE of New York, Mr. CONNOLLY, Mr. PAPPAS, Ms. JOHNSON of Texas, Mr. HASTINGS, Mr. KILMER, and Ms. ROYBAL-ALLARD.

H.R. 4399: Mr. COOK.

H.R. 4527: Ms. WASSERMAN SCHULTZ.

H.R. 4543: Mr. TED LIEU of California.

H.R. 4549: Mr. ROUDA, Mr. BUCK, Mr. FITZPATRICK, and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 4574: Mr. TED LIEU of California, Mr. KIND, Ms. BLUNT ROCHESTER, Mr. YOUNG, Mr. SARBANES, and Ms. TITUS.

H.R. 4679: Ms. MUCARSEL-POWELL, Mr. AGUILAR, and Mr. HASTINGS.

H.R. 4681: Mrs. HAYES.

H.R. 4821: Ms. DELBENE.

H.R. 4930: Mr. BANKS.

H.R. 5028: Ms. TITUS.

H.R. 5185: Mr. CICILLINE.

H.R. 5191: Ms. LOFGREN, Ms. SCANLON, and Ms. HAALAND.

H.R. 5269: Ms. JOHNSON of Texas.

H.R. 5294: Mr. PALLONE.
H.R. 5297: Mr. CASE.
H.R. 5306: Mr. STEUBE.
H.R. 5543: Mr. SHERMAN.
H.R. 5598: Mr. SUOZZI and Ms. LEE of California.
H.R. 5599: Mr. KILMER.
H.R. 5605: Ms. FRANKEL.
H.R. 5645: Mr. STANTON, Ms. NORTON, and Ms. SCHAKOWSKY.
H.R. 5851: Mr. BUCHANAN, Ms. SÁNCHEZ, and Mrs. WALORSKI.
H.R. 5861: Mr. TED LIEU of California and Mr. SEAN PATRICK MALONEY of New York.
H.R. 5868: Mr. BACON.
H.R. 5889: Ms. CRAIG and Mr. COX of California.
H.R. 5919: Ms. MCCOLLUM.
H.R. 6045: Mr. GRIFFITH and Mr. COOPER.
H.R. 6142: Mr. COURTNEY.
H.R. 6197: Mr. PALLONE and Mrs. DINGELL.
H.R. 6241: Mr. MOONEY of West Virginia.
H.R. 6308: Mrs. HAYES and Mr. MCGOVERN.
H.R. 6314: Ms. JAYAPAL.
H.R. 6317: Mr. COOPER.
H.R. 6364: Mr. BANKS, Mr. WITTMAN, and Mr. THOMPSON of Pennsylvania.
H.R. 6422: Mr. RUSH.
H.R. 6425: Mr. CASE.
H.R. 6495: Mr. GALLEGO.
H.R. 6516: Mr. MCKINLEY, Mr. HUDSON, and Mr. KILMER.
H.R. 6517: Mr. MCKINLEY, Mr. HUDSON, and Mr. KILMER.
H.R. 6532: Mr. COOPER.
H.R. 6561: Mr. KENNEDY.
H.R. 6576: Ms. SCANLON, Ms. VELÁZQUEZ, Mr. LEVIN of California, and Mr. RUSH.
H.R. 6612: Mr. SOTO, Mr. STEUBE, Mr. SUOZZI, Mr. MCKINLEY, Ms. CRAIG, and Mr. MARSHALL.
H.R. 6626: Mr. KHANNA and Mr. BALDERSON.
H.R. 6635: Mr. MASSIE.
H.R. 6720: Mr. VAN DREW, Ms. JUDY CHU of California, Ms. ESHOO, Ms. SEWELL of Alabama, Mr. WELCH, Mr. POCAN, and Ms. LEE of California.
H.R. 6723: Mrs. BUSTOS.
H.R. 6724: Mr. GONZALEZ of Texas, Mr. LYNCH, Mr. MCGOVERN, Mr. POCAN, Mrs. BUSTOS, and Mr. BERA.
H.R. 6729: Mr. COHEN and Mr. MCGOVERN.
H.R. 6802: Mr. TIPTON, Mr. EMMER, and Mr. HUDSON.
H.R. 6820: Ms. SÁNCHEZ, Mrs. TORRES of California, Ms. HOULAHAN, Mr. MOULTON, Ms. CASTOR of Florida, Mr. SEAN PATRICK MALONEY of New York, Ms. KUSTER of New Hampshire, Mr. GALLEGO, and Mr. VELA.
H.R. 6829: Mr. QUIGLEY, Mr. MOOLENAAR, and Mr. SCHNEIDER.
H.R. 6837: Ms. TORRES SMALL of New Mexico.
H.R. 6861: Mr. LEVIN of California and Mr. CISNEROS.
H.R. 6866: Mr. MCNERNEY, Mr. TED LIEU of California, Ms. MENG, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 6871: Mr. GRIJALVA.
H.R. 6874: Ms. SCANLON, Ms. SCHRIER, Mrs. TRAHAN, Ms. MUCARSEL-POWELL, Mr. LEVIN of California, Mr. LEVIN of Michigan, Mr. CISNEROS, Ms. CRAIG, and Mr. KHANNA.
H.R. 6882: Mr. JOYCE of Pennsylvania.
H.R. 6897: Mr. GARAMENDI.
H.R. 6909: Mr. KHANNA and Ms. KAPTUR.
H.R. 6921: Mrs. HARTZLER, Mr. FLEISCHMANN, Mr. GIBBS, and Mr. RIGGLEMAN.
H.R. 6934: Mr. GONZALEZ of Texas, Mr. DAVID SCOTT of Georgia, and Ms. SEWELL of Alabama.
H.R. 6958: Mr. TRONE.
H.R. 6966: Mr. CARSON of Indiana.
H.R. 6968: Mr. KIND.
H.R. 7025: Mr. MCNERNEY and Mrs. BROOKS of Indiana.
H.R. 7027: Mr. VISCLOSKY, Ms. KAPTUR, Ms. PRESSLEY, and Ms. MCCOLLUM.
H.R. 7039: Mr. YOHO.
H.R. 7040: Mr. YOHO.
H.R. 7071: Mr. COOK, Mr. COLE, and Mr. BROOKS of Alabama.
H.R. 7085: Ms. WILSON of Florida.
H.R. 7092: Mrs. MCBATH, Mr. CÁRDENAS, Mr. HIMES, Ms. SCHRIER, Mr. FLEISCHMANN, Mrs. HAYES, Ms. DEAN, Mr. HECK, Mr. BERA, Mrs. NAPOLITANO, Mr. LARSEN of Washington, Mrs. LURIA, Mr. CLAY, Ms. MCCOLLUM, Ms. JUDY CHU of California, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 7094: Mr. BALDERSON.
H.R. 7140: Mr. POCAN, Mr. GRIJALVA, and Mr. MCADAMS.
H.R. 7154: Ms. SEWELL of Alabama, Mr. HARDER of California, and Mrs. NAPOLITANO.
H.R. 7155: Mrs. LURIA.
H.R. 7170: Mr. FULCHER.
H.R. 7173: Ms. KENDRA S. HORN of Oklahoma, Ms. JAYAPAL, and Mr. KILDEE.
H.R. 7178: Mr. KHANNA and Mr. BAIRD.
H.R. 7190: Mr. MOOLENAAR, Ms. SEWELL of Alabama, Mr. COLE, and Mr. SOTO.
H.R. 7196: Ms. BONAMICI.
H.R. 7197: Mr. RUPPERSBERGER.
H.R. 7199: Mr. STEUBE.
H.R. 7208: Mr. COLE.
H.R. 7211: Mr. AUSTIN SCOTT of Georgia.
H.R. 7212: Mr. COLE.
H.R. 7222: Mr. KELLY of Pennsylvania, Ms. SEWELL of Alabama, Ms. SÁNCHEZ, and Mr. FITZPATRICK.
H.R. 7232: Mrs. LAWRENCE, Ms. SHALALA, Mr. WALKER, Ms. DEGETTE, Ms. CLARK of Massachusetts, Mr. KRISHNAMOORTHI, Ms. WILSON of Florida, Mrs. DINGELL, Mr. AGUILAR, Mr. CLAY, Mr. SCHNEIDER, Mr. POCAN, Ms. WASSERMAN SCHULTZ, Mr. BROWN of Maryland, Ms. FRANKEL, Mr. HASTINGS, Mr. RICHMOND, Ms. MCCOLLUM, Mr. HIGGINS of New York, Ms. KUSTER of New Hampshire, Mr. SOTO, Ms. MUCARSEL-POWELL, Ms. HAALAND, Mr. RUSH, Mr. MEEKS, Mr. BEYER, Ms. BONAMICI, Mr. KILDEE, Mr. MCADAMS, Mr. DANNY K. DAVIS of Illinois, Mr. ROUDA, and Mr. LARSEN of Washington.
H.R. 7241: Mr. PHILLIPS.
H.R. 7246: Mr. MALINOWSKI, Mr. TRONE, Mr. SHERMAN, and Mr. PANETTA.
H.R. 7270: Mr. GALLAGHER.
H.R. 7278: Mr. POSEY, Mr. STEIL, Mr. LAMBORN, Mr. LAMALFA, and Mr. YOUNG.
H.R. 7288: Mr. RASKIN, Mr. NADLER, Mr. COHEN, Ms. PORTER, Ms. KAPTUR, and Mr. WELCH.
H.R. 7292: Mr. BERGMAN and Mr. ESPAILLAT.
H.R. 7293: Ms. WILD, Mr. KATKO, and Mr. SOTO.
H.R. 7299: Mr. CASE and Mr. TRONE.
H.R. 7312: Mr. KILDEE.
H.R. 7325: Mr. RASKIN.
H. Con. Res. 20: Mr. TIFFANY.
H. Con. Res. 100: Mr. VISCLOSKY.
H. Res. 114: Mr. TIMMONS, Mr. DANNY K. DAVIS of Illinois, and Mrs. DAVIS of California.
H. Res. 374: Mrs. MURPHY of Florida.
H. Res. 379: Mr. CASE.
H. Res. 734: Mr. MULLIN.
H. Res. 797: Mr. DESAULNIER.
H. Res. 823: Ms. PORTER, Mr. MOONEY of West Virginia, Ms. NORTON, and Mr. COHEN.
H. Res. 861: Mrs. BEATTY and Mr. AGUILAR.
H. Res. 975: Mrs. LURIA.
H. Res. 997: Mr. CONAWAY, Mr. WALBERG, Mr. HAGEDORN, Mr. ROUZER, Mr. BERGMAN, Mr. KELLER, Mr. WILSON of South Carolina, Mr. CRENSHAW, Mr. SMUCKER, Mr. JOHNSON of Louisiana, and Mr. MEUSER.
H. Res. 1001: Mrs. LAWRENCE, Ms. SPANBERGER, and Mr. LAMB.
H. Res. 1002: Mr. STEUBE.
H. Res. 1003: Mr. RUSH.
H. Res. 1012: Mr. FITZPATRICK, Mr. CONNOLLY, Mr. PASCRELL, Mr. GARAMENDI, Ms. SCHAKOWSKY, Ms. MENG, Mr. CISNEROS, and Mr. COHEN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MRS. LOWEY

H.R. 7327, making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes, does not contain any congressional earmark, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 1154: Mr. GALLEGO.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, SECOND SESSION

Vol. 166 WASHINGTON, THURSDAY, JUNE 25, 2020 *No. 117*

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

Our Father in Heaven, we sing of Your steadfast love and proclaim Your faithfulness to all generations. Lord, make us one Nation, truly wise with righteousness, exalting us in due season.

Today, inspire our lawmakers to walk in the light of Your countenance. Abide with them so that Your wisdom will influence each decision they make. Lord, keep them from evil so that they will not be brought to grief, enabling them to avoid the pitfalls that lead to ruin. Empower them to glorify You in all they think, say, and do.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE SMITH). Under the previous order, the leadership time is reserved.

The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask unanimous consent to speak for 1 minute in morning business.

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

THE JUSTICE ACT

Mr. GRASSLEY. Madam President, it was a sad day yesterday when we didn't get enough votes because the Democratic leader didn't want Democrats to vote. We did get four of those votes from that side of the aisle, but the police reform bill didn't come out.

Senate Republicans are taking a step in advancing real change on this issue in our country. We have heard calls for police reform and are responding—not only because of George Floyd's murder in Minneapolis a few weeks ago but also because of peaceful demonstrations around the country on this issue calling for police reform.

Senator SCOTT is the leader of the JUSTICE Act. I am a cosponsor. It encourages States to stand as partners in addressing police reform. If State and local police departments don't comply with the provisions of the JUSTICE Act, such as training officers on deescalation and use-of-force and ensuring consistent use of body-worn cameras, they will not receive Federal funding for police action.

Iowa has made significant changes already, and a number of other States have followed Iowa's example. The Iowa Legislature unanimously passed police reform issues very much like what is in the Scott bill, and, working with leaders of color in Iowa to accomplish this goal, it went very smoothly through the Iowa Legislature. I got a firsthand report from my grandson, who is speaker of the Iowa House. The Iowa House is divided 53 to 47, but both houses of the Iowa Legislature passed these reforms unanimously.

Why can't Senate Democrats let us go forward with the Scott bill? All we need are four more Democratic votes. If it can happen in the Iowa Legislature, it ought to be able to happen here.

We have a role to play in the Senate, but let's not forget that, while we are doing that, we are also encouraging our State partners to also lead the charge in effecting real change. In fact, 50 State legislatures—every municipality—ought to be moving forward on police reforms of not only our type but whatever they may think is best for their States or municipalities.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

THE JUSTICE ACT

Mr. MCCONNELL. Madam President, the American people have been asked to swallow a number of contradictions over the past few weeks. I have already discussed some of them here on the floor.

Many citizens were told by their mayors that small religious services were just too dangerous. At the same time, massive political protests were not just allowed but encouraged.

Americans have been told they should very carefully distinguish good people from bad apples if they are talking about protests and riots, but they must not make the same distinction if they are talking about the police.

Recently, the country was informed by hysterical journalists that a rational policy essay from our colleague Senator COTTON was just too inflammatory to publish, but the Speaker of the House can say Senator TIM SCOTT and his 48 cosponsors are ''trying to get away with . . . the murder of George Floyd,'' and Democrats just cheer her on—cheer her on.

Americans have been ordered to rethink and relearn our Nation's history by a movement that is itself so historically illiterate that they mistake George Washington, Ulysses S. Grant, and a 19th-century abolitionist for enemies of justice and destroy their monuments.

One common thread seems to connect all this: The far left wants you to play by one set of rules if you think like they do and a completely different set of rules if you dare to think anything else.

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

Well, yesterday here in the Senate, the latest absurdity was added to the list. Our Democratic colleagues tried to say with straight faces that they want the Senate to discuss police reform while they blocked the Senate from discussing police reform. They declared that Senator SCOTT's bill, which contains many bipartisan components, which literally contains entire bills written by Democrats, was beyond the pale. Senator SCOTT offered a wide-open, bipartisan amendment process, and they walked away.

Over in the House, when Democrats shoot down every Republican amendment in committee and allow zero amendments on the floor, you can bet it will be anointed a big, big success.

Now, as an aside, I could not help but notice that in the Democratic leader's lengthy remarks yesterday morning, he did not once address or acknowledge the junior Senator from South Carolina as the author of the JUSTICE Act—not one time. Not one time did the Democratic leader address Senator TIM SCOTT as the author of the legislation he was trashing.

I cannot see why the Democratic leader talks right past Senator SCOTT as if he were not leading this discussion, as if he were barely here. All I can say is that it was jarring to witness, especially in a national moment like this. Senator SCOTT was the leader of the working group. He wrote the bill. He has been studying and working on and living these issues since long, long before the Democratic leader came rushing to the microphones on this subject a few weeks ago.

I can certainly take all the angry comments my colleague from New York wants to throw my way. I don't mind. But if he would like to learn something about the substance of this issue, he might want to stop acting like Senator SCOTT hardly exists and learn from the expert who wrote the bill.

The American people know you do not really want progress on an issue if you block the Senate from taking it up. They know that most police officers are brave and honorable and that most protesters are peaceful. They know our country needs both. We need both. The American people know they don't need history lessons from common criminals who are dragging George Washington through the dirt. They know prayer is no less essential than protest. They know that a politician who compares a policy disagreement to a brutal murder has just permanently forfeited the moral high ground to the grownups who want solutions.

Some forces are desperate to divide our country any way they possibly can, but if people of good will and common sense stick together, the radical nonsense will not stand a chance.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Madam President, on a completely different matter, the Senate does not have the luxury of letting these disagreements prevent needed bipartisan progress on other fronts.

While the House has been missing in action on the longest spring break in human history, the Senate has been conducting the people's business alone. We have confirmed nominees. We have conducted critical oversight. We passed historic legislation for our national parks and public lands. We have kept a close watch on the bad actors abroad who would love nothing more than to take advantage of a distracted and divided United States.

Today, months of focused work from our colleagues on the Armed Services Committee will let the Senate start to move toward this year's National Defense Authorization Act. Thanks to Chairman INHOFE and the committee, for a 60th straight year, the Senate has an opportunity to lay out our priorities for the U.S. military with a united voice. Chairman INHOFE and Ranking Member REED guided a collaborative, bipartisan process.

The committee considered 391 amendments and reported out their final bill on a nearly unanimous basis. The result is legislation that honors the unique sacrifices of our men and women in uniform, from authorizing a pay raise for Active-Duty personnel to ensuring high-quality housing, health, and childcare services for families stationed at home and abroad.

Their product will help ensure our military continues to attract the next generation of warfighters and leaders and that those men and women will have cutting-edge equipment and tools to face off with competitors and defend our security and our interests around the world.

In just the last several weeks, China has grown even bolder in its supposed ''enforcement'' of disputed waters and picked deadly fights with the world's largest democracy in the Himalayas. Russia has deployed aircraft to within eyesight of U.S. airspace and has kept testing the free world's tolerance for cyber attacks. North Korea has threatened a new round of the Korean war. Iran continues to flout international agreements and fuel instability throughout its region. Terrorists prey on the instability to advance their own extreme violence.

Clearly, those who mean us harm will not wait for America's domestic challenges to fade away, and they certainly will not wait for the United States to quit bickering. So, notwithstanding all our other differences, I hope and expect this body will be able to put partisanship aside and honor the bipartisan tradition that has defined this crucial bill for decades.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

LEGISLATIVE SESSION

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—Motion to Proceed—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 4049, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to S. 4049, a bill to authorize appropriations for fiscal year 2021 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.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

JUSTICE IN POLICING ACT

Mr. SCHUMER. Madam President, the House of Representatives will pass the Justice in Policing Act today—a comprehensive, strong bill to bring lasting change to police departments across America and tackle the extremely large and difficult problem of police bias, police violence, racial bias, and the lack of transparency and accountability in law enforcement.

Unlike the Republican policing bill, the Justice in Policing Act will fully ban choke holds. The Justice in Policing Act will ban no-knock warrants in Federal cases, not just study them like in the Republicans' bill. Unlike the Republicans' bill, the Justice in Policing Act will also bring sorely needed accountability to police officers who are guilty of misconduct, including qualified immunity reform, use-of-force standards, and policies to end racial profiling.

My Republican colleagues should look to the House today if they want to see what a serious attempt at policing reform looks like and if they want to understand why their bill failed to earn enough votes to proceed yesterday.

The Republicans' policing reform bill failed because it was not a serious enough effort at reform. The legislation itself was so threadbare, so weak, and so narrow, it could hardly be considered a constructive starting point. That is why more than 138 civil rights organizations, which want nothing

more than to see progress on these issues, strongly urged Senators to oppose the Republicans' bill. That is why the Leadership Conference on Civil Rights called the bill ''deeply problematic'' and a ''menial, incremental approach.'' That is why the lawyer representing the families of George Floyd and Breonna Taylor said he was shocked that the Republicans' bill could even be ''thought of as legislation.''

As I said the other day, I know my friend from South Carolina is trying to do the right thing, but the problem we have and the problem so many civil rights groups have is with the substance of the bill and with the way the Republican leader—Leader MCCONNELL, who controls the floor—set up the process. The Republican majority drafted a bill on its own, and instead of putting it through committee, where members of both parties could analyze and amend it, he dropped it on the floor and dared the Democrats to block it.

Let me be very clear: The debate on policing reform is only over for those who want it to be over and for, maybe, those who never truly wanted this debate in the first place, because the truth is, by the end of the day today, the House will have passed the most serious policing reform bill in decades. Here in the Senate, the Senate Democrats have been clear that we want to sit down with our colleagues and try to negotiate a bipartisan product that can go through committee and come to the floor.

As I said a week ago, I know my friend from South Carolina is trying to do the right thing, but Leader MCCONNELL decided to go about this the wrong way—the partisan way. Let's start over the right way—the bipartisan way. I have no doubt we can arrive at legislation that, unlike the bill that failed yesterday, would bring comprehensive and lasting change that protesters, civil rights organizations, and the families of George Floyd, Breonna Taylor, and Ahmaud Arbery demand.

CORONAVIRUS

Madam President, the COVID–19 pandemic continues to spread and swell across the United States. Yesterday afternoon, the New York Times reported that new cases of COVID–19 are now at the highest levels in the United States since the month of April, as 35,000 new cases were identified on Tuesday alone—the third worst single day of the entire pandemic. Hospitalization rates in Arizona and Texas have hit daily records, and Florida is not far behind.

The rise in cases, scientists warn, is not explained by the current rate of testing in this country. One of the main reasons our Nation has struggled so to contain the coronavirus is President Trump's complete mismanagement of the government's response. In the early days of the virus, the President's lack of attention led to a shortage of PPE, ventilators, and a painfully, damagingly slow ramp-up of testing.

Here again, 4 months into the virus, as the case numbers continue to grow in so many places, the President's lack of attention is causing a national failure to overcome the COVID–19 pandemic. The President is gallivanting from State to State and holding political rallies in two of the most affected areas.

The President joked—or perhaps didn't joke—about instructing his administration to ''slow down the testing, please,'' because the number of coronavirus cases might make him look bad. Can you believe that? Again, the President urged the administration to ''slow down the testing, please,'' because the number of cases might make him look bad. Whether it was a joke or not, it is not a joking matter; it is serious stuff.

Throughout this struggle with the coronavirus, the administration, at best, has been late to the debate or asleep at the switch or, at worst, has been doing things that actually harm rather than help.

There were reports yesterday that the administration will, in fact, halt Federal funding for a number of community-based COVID testing sites, many of which are in Texas—a State that is getting hit hard. The administration is actually preparing to slow down the testing, amazingly enough. A lesson from so many countries is that good, strong testing and contact tracing is the key, but this President seems to be blithely dancing along, going to his little events, and not paying attention to the crisis and doing what is necessary to get a real handle on it. We are witnessing the highest number of new cases since April, and the Trump administration is cutting funding for testing in some of the worst hotspots—a terrible decision at a terrible moment but, unfortunately, not atypical of this administration's total ineptitude.

To cap it all off, today the Trump administration is filing briefs in the Supreme Court in an attempt to invalidate the Nation's health law at a time when roughly 27 million Americans have lost job-based health coverage, and their only backstops are the exchanges in the healthcare law, but the administration is proposing to get rid of it. It is sort of similar to yesterday, with the nomination on the floor of somebody so anti-voting rights to go to the Fifth Circuit. A total contradiction of what they say is what they do.

From the beginning, the President has downplayed the severity of the disease. He has spread misinformation about how to stay safe and put his political interests—his desire for credit and avoidance of blame—above the medical needs and safety of the American people. As a result, President Trump has helped put America first in the number of COVID–19 cases in the world, and unfortunately the situation is not much better in the Senate.

It has been 2 months since the passage of the last COVID relief legislation. The Democrats had hoped to continue the bipartisan work—work that produced the CARES Act—in April, May, and now June but to no avail. The House passed the HEROES Act over a month ago, which includes hazard pay, housing assistance, extended unemployment insurance, and aid to State and local governments. Yet, as the pandemic continued to spread and unemployment skyrocketed, the Senate Republicans said they felt no urgency to act immediately. There have been more than 40 million unemployment claims—another 1.5 million this week alone—and still Leader MCCONNELL and the Republican Senate don't feel an urgency to act.

Leader MCCONNELL originally said that another emergency relief bill was likely during June. Now he is saying late July. A few days ago, the Republican leader said:

> If there is something that's going to happen, it will emerge in the Senate; it will be written beginning in my office.

Once again, Leader MCCONNELL seems to prefer partisan pronouncements to bipartisan legislating.

This is the same failed approach that delayed the CARES Act 2 months ago and that failed yesterday on policing reform. It will only delay another emergency relief bill, and such delays will be measured in hospital beds, deserted storefronts, and pink slips.

There is one other point—the lack of oversight. This morning, the GAO announced that $1.4 billion in relief checks were sent to people who were dead. Where is the oversight? This is a $3 trillion package, and every small bit of oversight that the Republicans have done has had to be pushed by the Democrats. We should be having far more robust oversight over what has happened as well as moving forward on a new bill.

The Democrats are not going to wait until July to bring some attention to COVID-related issues. Next week, on the floor, we will ask our colleagues to take up some important legislation on housing and rental assistance, hazard pay for essential workers, small business relief, funding to help schools open safely, and aid to State and local and Tribal governments. With cases rising in more than 20 States and with emergency unemployment insurance for American families set to expire, we cannot wait another month to act.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. INHOFE. Madam President, I ask unanimous consent to be recognized for such time as I may consume.

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

S. 4049

Mr. INHOFE. Madam President, for the next week, the Senate is going to be debating what I consider to be and what I think most people consider to be the most important bill of the year—the National Defense Authorization Act. It is an act that we passed and have passed every year for 60 years.

In just a few days, American families across the country will celebrate the Fourth of July, Independence Day—the day that honors our blessings of life, liberty, and the pursuit of happiness. Not all countries share these values; in fact, they reject them. China and Russia would rather have an authoritarian world, one where democracy doesn't exist, where the rest of the world yields to them.

The national defense strategy is a document that I refer to all the time. It was put together a few years ago when actually 12 really expert Democrats and 12 expert Republicans came to an agreement as to what our defense should look like in the future. According to this book, China and Russia are our greatest threats right now. They are building up their militaries and expanding their influence around the world.

The fiscal year 2021 National Defense Authorization Act is about sending a message to China and Russia that there is no way you can defeat us, so don't try. That is a pretty blunt message. We couldn't have sent that message 2 years ago. We have been building up, but we are still not where we should be.

We know the way we preserve peace is by demonstrating our strength. We have the best military in the world, and our enemies need to know that. We can't rest on our laurels. We have to implement the national defense strategy because our comparative military advantage is at risk right now. China and Russia are actually catching up and have surpassed us in some areas. Here is one big reason: China and Russia have invested in their military.

This is a shocker when you talk to people because they don't expect it. I learned many years ago—or at least I believed—that we had the best of everything ever since World War II, and it was true for a long period of time. Yet, during the period of time between 2009 and 2018, China increased its military spending by 83 percent. That is just remarkable. Russia has grown its budget by 35 percent. During that same period of time, from 2010 to 2015, for that 5-year period during the Obama administration, we reduced our military by 25 percent. Think about that. China increased theirs by 83 percent, and we reduced ours by 25 percent during that same time period.

Don't forget that these countries willfully mislead on many things, including on the actual sizes of their defense budgets. Russia's is almost three times larger than most people think it is. They look at it and think, well, ours is larger than theirs. It is just that we don't get accurate information, and we know the threats that are out there.

Because of these investments, China and Russia have grown not just the sizes of their militaries but their capabilities as well. Last October, China paraded a hypersonic weapon. I remember that so well because it was live on TV. I saw it on television. This was state-of-the-art for both offense and defense, and China had it. Some people said China was maybe faking it, but I believe it had it. It was in a parade, and China showed us that it had something we don't even have. We don't have it yet.

Their investments aren't restricted by their borders, and I have seen their buildup, actually, across the world. One prime example is that China recently built its first overseas military base. It was in Djibouti. Now, prior to this time in Djibouti and throughout Africa, there was nothing. There was a lot of Chinese presence but not a military operation. In fact, historically, military operations from China have always started in and were evident within its own city limits. I mean, this is where China worked—not in Djibouti, not in northern Africa. In fact, I actually flew over the area. It was supposed to be a restricted area.

So there is China over there in Africa, where they have never been before, and in Djibouti, and not just in Djibouti but all the way into southern Tanzania.

And so that is what is going on right now. It wasn't going on before. Now we see China and Russia grow more and more aggressive and antagonistic.

China, in particular, has used the pandemic to lash out in every direction. They have antagonized and harassed the Taiwanese, the Vietnamese, the Indonesian vessels in the South China Sea, and they have used every tool that they could to harass them.

Do you know what they are doing in the South China Sea? And I did witness this. They did something that most people don't know is going on. China has actually built seven islands, and when you see what they have on these islands—they don't hide it—it is as if they are preparing for World War III.

Now, we saw 20 Indian soldiers dead, killed by what are essentially baseball bats with spikes when the Chinese conducted a military incursion in territory claimed by China. That just happened.

I called and talked to their Ambassador and gave them our condolences, but that is what China is capable of doing.

Meanwhile, Russia continues to prop up the murderous Assad regime. Putin has sent mercenaries to Libya and throughout Africa.

Both countries have been supporting the corrupt Maduro regime in Venezuela.

We have seen warning signs of this for at least a decade. Meanwhile, the previous administration let our military advantage erode. For 8 years, we had a President for whom the military was not a top priority. I respected him because he had other areas that he thought were more significant. Of course, he was President of the United States, and he did it.

But I have to remind you of what I just said a minute ago. We went down by 25 percent between the 5-year period of 2010 and 2015. At the same time, Russia was increasing by 35 percent. We were reducing 25 percent, and they were increasing. China was increasing by 83 percent. Defending America wasn't his top priority, but he was honest about it, and we learned that there were areas where we were falling behind.

Now we have started turning around. Now we have a President whose priority is keeping American families secure, and over the past few years, we began rebuilding our military. Thanks to President Trump—the guy that everyone criticizes—we are restoring our military might with new planes, new ships, and new weapons.

Take what we are doing at Fort Sill, as an example. Fort Sill is in my State of Oklahoma. Right now, we are outranged and outgunned by Russia and China. Fort Sill is leading the Army's modernization efforts on the long-range precision fire to restore our combat advantage. That is what is happening all over the country too. So we are pulling out of this thing.

Restoring our might is important, but it is not the only thing that matters. We have to make sure that the planes, the ships, and the weapons are in the right places at the right time, and that is what the NDAA does. That is what we are talking about right now.

The NDAA, as I stated before, I think is the most significant bill that we have all year round, and this will be the 60th year that we have passed it. It makes sure that we have a credible military deterrent that signals to any potential adversaries that they don't stand a chance against us. That is what we are in the process of doing. That is what this bill is all about.

We introduced it and started talking about it yesterday. We probably should have this finished prior to the 4th of July recess. We should have it passed, although that may be a little bit ambitious.

So we are implementing the National Defense Strategy. That is this book that we are all so proud of. It is bipartisan. It is saying what we need to do to defend America, and this document is one that we are following to the letter right now. It is our roadmap.

The bill establishes the Pacific Deterrence Initiative. That is kind of patterned after the European Deterrence Initiative. It focuses resources on the Indo-Pacific, addressing key military capabilities and gaps. That is the area that we are concentrating on right now, and that is what our document says we should be doing. That is what we are doing with the Defense authorization bill.

The bill ensures that we have a combat-credible forward posture, and it helps us develop and field the joint capabilities needed to take on the conflicts envisioned by this NDS report.

We push back on China's and Russia's attempts to expand their influence by building new alliances and partnerships and strengthening existing ones. They are busy. They are out there.

We protect against intrusion from China and Russia in space and beyond. That is what we have in the bill. That is what we are envisioning we will be able to do.

We safeguard proprietary technology and intellectual property from being infiltrated by the Government of China.

We also reduce our reliance on foreign countries like China as a source for a variety of materials and technologies, including some of the microelectronics and rare earth minerals, but also medical devices.

Last but not least, we accelerate investment in research and development into technology that would help us catch up with China and Russia—hypersonic weapons, artificial intelligence, quantum computing, and more.

We are not leading in all areas, as most people in America think we are, but we are making such great progress. Our Defense authorization bill last year put us way ahead of where we were before, and this bill does the same thing. So the bill sends a message—a strong message—to China and Russia and anyone else who would try it: We know what you are up to. We know how to stop you. You simply can't win against us.

So I encourage my colleagues, first of all, to get all of their amendments in. We are trying to get our amendments in by Friday. If we can do that, we will probably get this thing done possibly even by a week from today.

So we have been working on it all year long, and this is one of the bills that we work on all year long, and we have a whole team working, including Liz King and John Bonsell. John Bonsell is the Republican staff director, and Liz is with the Democratic staff group, working with my partner in this. They have worked very well together, and we should have this bill done and ready to take out.

Of course, let's keep in mind what we want to accomplish. We want to put our country ahead of China and Russia and get us out of this problem area that we have—an area where our allies believe they are preparing for World War III. So that is what the bill is all about. Hopefully, we will get this thing done and have the necessary ingredients in there. This should be the year that we actually go ahead of China and Russia. We want to make it happen, and this is the only way to do it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

COMMISSION ON THE SOCIAL STATUS OF BLACK MEN AND BOYS ACT

Mr. HAWLEY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2163 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2163) to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. HAWLEY. Mr. President, I ask unanimous consent that the Lankford amendment at the desk be agreed to and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1809) was agreed to as follows:

(Purpose: To require an equal number of Republicans and Democrats to serve on the Commission on the Social Status of Black Men and Boys)

At the end of section 2, add the following:

(c) MEMBERSHIP BY POLITICAL PARTY.—If after the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. HAWLEY. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. If there is no further debate, the question is, Shall the bill pass?

The bill (S. 2163), as amended, was passed, as follows:

S. 2163

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 ''Commission on the Social Status of Black Men and Boys Act''.

SEC. 2. COMMISSION ESTABLISHMENT AND MEMBERSHIP.

(a) ESTABLISHMENT.—The Commission on the Social Status of Black Men and Boys (hereinafter in this Act referred to as ''the Commission'') is established within the United States Commission on Civil Rights Office of the Staff Director.

(b) MEMBERSHIP.—The Commission shall consist of 19 members appointed as follows:

(1) The Senate majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(2) The Senate minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(3) The House of Representatives majority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(4) The House of Representatives minority leader shall appoint one member who is not employed by the Federal Government and is an expert on issues affecting Black men and boys in America.

(5) The Chair of the Congressional Black Caucus shall be a member of the Commission, as well as 5 additional Members of the Congressional Black Caucus who shall be individuals that either sit on the following committees of relevant jurisdiction or are experts on issues affecting Black men and boys in the United States, including—

(A) education;

(B) justice and Civil Rights;

(C) healthcare;

(D) labor and employment; and

(E) housing.

(6) The Staff Director of the United States Commission on Civil Rights shall appoint one member from within the staff of the United States Commission on Civil Rights who is an expert in issues relating to Black men and boys.

(7) The Chair of the United States Equal Employment Opportunity Commission shall appoint one member from within the staff of the United States Equal Employment Opportunity Commission who is an expert in equal employment issues impacting Black men.

(8) The Secretary of Education shall appoint one member from within the Department of Education who is an expert in urban education.

(9) The Attorney General shall appoint one member from within the Department of Justice who is an expert in racial disparities within the criminal justice system.

(10) The Secretary of Health and Human Services shall appoint one member from within the Department of Health and Human Services who is an expert in health issues facing Black men.

(11) The Secretary of Housing and Urban Development shall appoint one member from within the Department of Housing and Urban Development who is an expert in housing and development in urban communities.

(12) The Secretary of Labor shall appoint one member from within the Department of Labor who is an expert in labor issues impacting Black men.

(13) The President of the United States shall appoint 2 members who are not employed by the Federal Government and are experts on issues affecting Black men and boys in America.

(c) MEMBERSHIP BY POLITICAL PARTY.—If after the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

SEC. 3. OTHER MATTERS RELATING TO APPOINTMENT; REMOVAL.

(a) TIMING OF INITIAL APPOINTMENTS.—Each initial appointment to the Commission shall be made no later than 90 days after the Commission is established. If any appointing authorities fail to appoint a member to the Commission, their appointment shall be

made by the Staff Director of the Commission on Civil Rights.

(b) TERMS.—Except as otherwise provided in this section, the term of a member of the Commission shall be 4 years. For the purpose of providing staggered terms, the first term of those members initially appointed under paragraphs (1) through (5) of section 2 shall be appointed to 2-year terms with all other terms lasting 4 years. Members are eligible for consecutive reappointment.

(c) REMOVAL.—A member of the Commission may be removed from the Commission at any time by the appointing authority should the member fail to meet Commission responsibilities. Once the seat becomes vacant, the appointing authority is responsible for filling the vacancy in the Commission before the next meeting.

(d) VACANCIES.—The appointing authority of a member of the Commission shall either reappoint that member at the end of that member's term or appoint another person meeting the qualifications for that appointment. In the event of a vacancy arising during a term, the appointing authority shall, before the next meeting of the Commission, appoint a replacement to finish that term.

SEC. 4. LEADERSHIP ELECTION.

At the first meeting of the Commission each year, the members shall elect a Chair and a Secretary. A vacancy in the Chair or Secretary shall be filled by vote of the remaining members. The Chair and Secretary are eligible for consecutive reappointment.

SEC. 5. COMMISSION DUTIES AND POWERS.

(a) STUDY.—

(1) IN GENERAL.—The Commission shall conduct a systematic study of the conditions affecting Black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels including postsecondary education and college, and health issues.

(2) TRENDS.—The Commission shall document trends regarding the topics described in paragraph (1) and report on the community impacts of relevant government programs within the scope of such topics.

(b) PROPOSAL OF MEASURES.—The Commission shall propose measures to alleviate and remedy the underlying causes of the conditions described in subsection (a), which may include recommendations of changes to the law, recommendations for how to implement related policies, and recommendations for how to create, develop, or improve upon government programs.

(c) SUGGESTIONS AND COMMENTS.—The Commission shall accept suggestions or comments pertinent to the applicable issues from members of Congress, governmental agencies, public and private organizations, and private citizens.

(d) STAFF AND ADMINISTRATIVE SUPPORT.—The Office of the Staff Director of the United States Commission on Civil Rights shall provide staff and administrative support to the Commission. All entities of the United States Government shall provide information that is otherwise a public record at the request of the Commission.

SEC. 6. COMMISSION MEETING REQUIREMENTS.

(a) FIRST MEETING.—The first meeting of the Commission shall take place no later than 30 days after the initial members are all appointed. Meetings shall be focused on significant issues impacting Black men and boys, for the purpose of initiating research ideas and delegating research tasks to Commission members to initiate the first annual report described in section 7.

(b) QUARTERLY MEETINGS.—The Commission shall meet quarterly. In addition to all quarterly meetings, the Commission shall meet at other times at the call of the Chair or as determined by a majority of Commission members.

(c) QUORUM; RULE FOR VOTING ON FINAL ACTIONS.—A majority of the members of the Commission constitute a quorum, and an affirmative vote of a majority of the members present is required for final action.

(d) EXPECTATIONS FOR ATTENDANCE BY MEMBERS.—Members are expected to attend all Commission meetings. In the case of an absence, members are expected to report to the Chair prior to the meeting and allowance may be made for an absent member to participate remotely. Members will still be responsible for fulfilling prior commitments, regardless of attendance status. If a member is absent twice in a given year, he or she will be reviewed by the Chair and appointing authority and further action will be considered, including removal and replacement on the Commission.

(e) MINUTES.—Minutes shall be taken at each meeting by the Secretary, or in that individual's absence, the Chair shall select another Commission member to take minutes during that absence. The Commission shall make its minutes publicly available and accessible not later than one week after each meeting.

SEC. 7. ANNUAL REPORT GUIDELINES.

The Commission shall make an annual report, beginning the year of the first Commission meeting. The report shall address the current conditions affecting Black men and boys and make recommendations to address these issues. The report shall be submitted to the President, the Congress, members of the President's Cabinet, and the chairs of the appropriate committees of jurisdiction. The Commission shall make the report publicly available online on a centralized Federal website.

SEC. 8. COMMISSION COMPENSATION.

Members of the Commission shall serve on the Commission without compensation.

Mr. HAWLEY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

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

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

ENCOURAGING THE INTERNATIONAL COMMUNITY TO REMAIN COMMITTED TO COLLABORATION AND COORDINATION TO MITIGATE AND PREVENT THE FURTHER SPREAD OF COVID–19

Mr. TOOMEY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 579.

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

The legislative clerk read as follows:

A resolution (S. Res. 579) encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in any global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. TOOMEY. Mr. President, I ask unanimous consent that Lee-Durbin substitute amendment to the resolution be considered and agreed to; that the resolution, as amended, be agreed to; that the Lee-Durbin amendment to the preamble be considered and agreed to; that the preamble, as amended, be agreed to; that the Lee-Durbin amendment to the title be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 1810), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: ''That the Senate—

(1) recognizes the historic leadership role of the United States in stemming global health crises in the past;

(2) commends the historic achievements of the international community to address global public health threats, such as the eradication of smallpox and dramatic progress in reducing cases of polio;

(3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19;

(4) commends the promising research and development underway to develop COVID–19 diagnostics, therapies, and vaccines within the United States and with support from the Federal government, public-private partnerships, and commercial partners;

(5) acknowledges the vast international research enterprise and collaboration underway to study an expansive range of drug and vaccine candidates;

(6) urges renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further American deaths; and

(7) calls on the United States Government to strengthen collaboration with key partners at the forefront of responding to COVID–19.

The resolution (S. Res. 579), as amended, was agreed to.

The amendment (No. 1811) was agreed to as follows:

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas there is a rich history of coordinated global health collaboration and coordination, dating back to 1851, to strategically and effectively combat deadly diseases of the time, such as the spread of plague;

Whereas the United States has long been an active and critical leader in such global public health efforts, providing financial and technical support to multilateral institutions, foreign governments, and nongovernmental organizations;

Whereas international collaboration has led to a number of historic global health achievements, including the eradication of

smallpox, the reduction of polio cases by 99 percent, the elimination of river blindness, the decline in maternal and child mortality, the recognition of tobacco use as a health hazard, and countless others;

Whereas there has been bipartisan support in the United States to lead efforts to address global health needs, as evidenced by initiatives such as the President's Emergency Plan for AIDS Relief (PEPFAR) and the President's Malaria Initiative;

Whereas the United States led the global effort to end the Ebola outbreak in West Africa between 2014 and 2016;

Whereas these bipartisan investments in global health have helped not only save countless lives around the world, but also at home in the United States;

Whereas an outbreak of coronavirus disease 2019 (COVID–19) in Wuhan, China was first reported in December 2019, with a global pandemic declaration by the World Health Organization on March 11, 2020;

Whereas, according to the Centers for Disease Control and Protection, more than 116,000 individuals in the United States are known to have died due to COVID–19 as of June 17, 2020, and a long-term, sustainable solution will require international access to a vaccine;

Whereas the COVID–19 outbreak continues to place extreme pressure on health care systems and supply chains worldwide, impacting international travel, trade, and all other aspects of international exchanges, and requires a coordinated global effort to respond;

Whereas the interconnectivity of our globalized world means an infectious disease can travel around the world in as little as 36 hours;

Whereas United States Federal departments and agencies have engaged in and supported certain research and clinical trial efforts into coronaviruses, which may yield potential discoveries related to vaccine candidates;

Whereas domestic and domestically supported vaccine candidates for COVID–19 comprise approximately 40 percent of the current potential COVID–19 vaccine candidates worldwide;

Whereas international collaboration and coordination can help ensure equitable access to safe, effective, and affordable therapeutics and vaccines, thereby saving the lives of Americans and others around the world;

Whereas the Coalition for Epidemic Preparedness Innovations is working to accelerate the development of vaccines against emerging infectious diseases, including COVID–19, and to enable equitable access to these vaccines for people during outbreaks;

Whereas, on May 4, 2020, the President of the European Commission led a virtual summit where nations around the world pledged more than $8,000,000,000 to quickly develop vaccines and treatment to fight COVID–19;

Whereas Gavi, the Vaccine Alliance, is working to maintain ongoing immunization programs in partner countries while helping to identify and rapidly accelerate the development, production, and equitable delivery of COVID–19 vaccines; and

Whereas, on June 4, 2020, the United Kingdom hosted a pledging conference for Gavi, the Vaccine Alliance, for which the United States made an historic $1,160,000,000 multi-year commitment: Now, therefore, be it

The preamble, as amended, was agreed to.

The amendment (No. 1812) was agreed to as follows:

(Purpose: To amend the title)

Amend the title so as to read: ''A resolution encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes.''.

S. RES. 579

Whereas there is a rich history of coordinated global health collaboration and coordination, dating back to 1851, to strategically and effectively combat deadly diseases of the time, such as the spread of plague;

Whereas the United States has long been an active and critical leader in such global public health efforts, providing financial and technical support to multilateral institutions, foreign governments, and nongovernmental organizations;

Whereas international collaboration has led to a number of historic global health achievements, including the eradication of smallpox, the reduction of polio cases by 99 percent, the elimination of river blindness, the decline in maternal and child mortality, the recognition of tobacco use as a health hazard, and countless others;

Whereas there has been bipartisan support in the United States to lead efforts to address global health needs, as evidenced by initiatives such as the President's Emergency Plan for AIDS Relief (PEPFAR) and the President's Malaria Initiative;

Whereas the United States led the global effort to end the Ebola outbreak in West Africa between 2014 and 2016;

Whereas these bipartisan investments in global health have helped not only save countless lives around the world, but also at home in the United States;

Whereas an outbreak of coronavirus disease 2019 (COVID–19) in Wuhan, China was first reported in December 2019, with a global pandemic declaration by the World Health Organization on March 11, 2020;

Whereas, according to the Centers for Disease Control and Protection, more than 116,000 individuals in the United States are known to have died due to COVID–19 as of June 17, 2020, and a long-term, sustainable solution will require international access to a vaccine;

Whereas the COVID–19 outbreak continues to place extreme pressure on health care systems and supply chains worldwide, impacting international travel, trade, and all other aspects of international exchanges, and requires a coordinated global effort to respond;

Whereas the interconnectivity of our globalized world means an infectious disease can travel around the world in as little as 36 hours;

Whereas United States Federal departments and agencies have engaged in and supported certain research and clinical trial efforts into coronaviruses, which may yield potential discoveries related to vaccine candidates;

Whereas domestic and domestically supported vaccine candidates for COVID–19 comprise approximately 40 percent of the current potential COVID–19 vaccine candidates worldwide;

Whereas international collaboration and coordination can help ensure equitable access to safe, effective, and affordable therapeutics and vaccines, thereby saving the lives of Americans and others around the world;

Whereas the Coalition for Epidemic Preparedness Innovations is working to accelerate the development of vaccines against emerging infectious diseases, including COVID–19, and to enable equitable access to these vaccines for people during outbreaks;

Whereas, on May 4, 2020, the President of the European Commission led a virtual summit where nations around the world pledged more than $8,000,000,000 to quickly develop vaccines and treatment to fight COVID–19;

Whereas Gavi, the Vaccine Alliance, is working to maintain ongoing immunization programs in partner countries while helping to identify and rapidly accelerate the development, production, and equitable delivery of COVID–19 vaccines; and

Whereas, on June 4, 2020, the United Kingdom hosted a pledging conference for Gavi, the Vaccine Alliance, for which the United States made an historic $1,160,000,000 multi-year commitment: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic leadership role of the United States in stemming global health crises in the past;

(2) commends the historic achievements of the international community to address global public health threats, such as the eradication of smallpox and dramatic progress in reducing cases of polio;

(3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19;

(4) commends the promising research and development underway to develop COVID–19 diagnostics, therapies, and vaccines within the United States and with support from the Federal government, public-private partnerships, and commercial partners;

(5) acknowledges the vast international research enterprise and collaboration underway to study an expansive range of drug and vaccine candidates;

(6) urges renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further American deaths; and

(7) calls on the United States Government to strengthen collaboration with key partners at the forefront of responding to COVID–19.

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

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

EXPRESSING THE SENSE OF THE SENATE THAT THE HONG KONG NATIONAL SECURITY LAW PROPOSED BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA WOULD VIOLATE THE OBLIGATIONS OF THAT GOVERNMENT UNDER THE 1984 SINO-BRITISH JOINT DECLARATION AND THE HONG KONG BASIC LAW AND CALLING UPON ALL FREE NATIONS OF THE WORLD TO STAND WITH THE PEOPLE OF HONG KONG

HONG KONG AUTONOMY ACT

Mr. HAWLEY. Mr. President, a week ago, I stood in this Chamber and spoke about the death of democracy. I spoke about how free people are slowly losing their basic liberties right in front of our eyes. I spoke about how deeply oppressive regimes are defiling laws and

tearing up treaties that offer protections and peace. I spoke about how the bright light of a great city is descending into darkness and chaos. I spoke about the plight of the people of Hong Kong.

I take this opportunity to remind everyone, both at home and those listening abroad, about the urgent and existential crisis that plagues this outpost of liberty in the Indo-Pacific. On May 28, the Chinese Communist Party in Beijing adopted a resolution and began drafting a new national security law in Hong Kong. That is what they call it, anyway. But the more we learn about this impending legislation, the more concerned we should be. That is because we know that this is no legitimate law.

I will tell you what this is. It is a dictate from a dictatorship, and its passage will deal a mortal blow to the freedoms and liberties that Hongkongers have enjoyed for decades now. It is a permanent break from the one country-two systems principle that has governed that city since 1997, the principle to which Beijing committed in the 1984 Sino-British Treaty, when they also committed to upholding the basic rights and liberties of the people of Hong Kong.

Beijing wants to violate all of that now. They want to sweep it aside, and they want to do it through so-called legislation adopted through their fake legislature that would roll back the commitments they have made, roll back the protections and rights of the people of Hong Kong, and snuff out this light in the Indo-Pacific.

Imagine this great city with new restrictions on speech, assembly, and religion, because that is what the Chinese Communist Party wants. They call it a national security law. It doesn't have anything to do with national security. It has everything to do with ending liberty. It has to do with banning the freedom of assembly. It has to do with squelching the freedom of speech. It has to do with denying the freedom of religion. That is the agenda. That is the substance. That is what Beijing wants, and it is what they are going to do unless the free world, beginning with the Members of this body, stand up and say no.

This body must take action today to support the people of Hong Kong. It must speak with one voice. It must tell the world that this is not acceptable and that it must not stand, and free peoples the world over must not silently acquiesce.

Now, a week ago, I tried to do just that. I asked this body for consent, unanimously, to pass a resolution that would condemn this new dictate from Beijing and emphasize its clear violation of both Hong Kong basic law and the Sino-British joint declaration. This resolution that I am here again today to offer, sponsored and supported by Senators of both parties, would make it clear to everyone that the United States stands with the people of Hong Kong in this their hour of need. It would encourage the administration to take all necessary diplomatic action to stop this new law, to stop this advance against freedom, and it would rally the free nations of the world to support a free city.

That resolution was blocked last week. You know, here in this body, we often have the luxury of time. It seems like that is all we have sometimes. We debate and we wait, and we debate and discuss, but the fact is, the people of Hong Kong do not have time, not anymore, and that means the U.S. Senate does not have time. We must act, and we must act today.

This new so-called law that Beijing is intent on forcing through is set to pass now on June 30. That is just 5 days from today. The Senate needs to act now to send a clear signal now that we will stand up to this aggression, to rally free peoples now in defense of the rights and liberties of Hong Kong, and to stand up now to protect our own interests and to protect our own needs in the Indo-Pacific, because there is nothing more dangerous to the people of the United States abroad than an imperialist China intent on imposing its will and imposing its way on the entire globe, beginning in the Asia-Pacific and beginning with the free people of Hong Kong.

A chorus of voices from Hong Kong and around the world are calling for the passage of this resolution. They are calling for it because they know it will inspire hope in Hong Kong. They are calling for it because they know it will give pause to the tyrants in Beijing.

Our friends in Hong Kong know that Beijing is watching closely. Beijing is finalizing its national security law even as we speak, and Hongkongers know, as we must, that this could be our last opportunity to stay Beijing's hand before it destroys what is left of freedom in this city. Beijing must know that its actions have consequences. This resolution today makes clear that that will be the case, and that is why so many in Hong Kong are so eager to see it pass and why Beijing is so hopeful that it will fail.

As I said a week ago, the struggle of the free people of Hong Kong is the struggle of all free people everywhere. It is a struggle to stay free from domination. It is a struggle to ensure that Beijing does not extend its imperial power around the globe and its influence to free countries and societies across the globe. Hong Kong is the vanguard, and it is vital that we stand up for it now.

I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration and the Senate now proceed to S. Res. 596.

The PRESIDING OFFICER. Is there objection?

Mr. VAN HOLLEN. Mr. President.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Reserving the right to object, I believe that we may have this worked out so there may not be an objection, but I just want to say a few words before I proceed with this unanimous consent request.

As the gentleman from Missouri said, he was on the floor of the Senate last week proposing a Senate resolution condemning the actions of China with respect to Hong Kong. I said then and I say again now, I fully agree with his assessment.

What the Government of China is doing in Hong Kong is unacceptable. They are taking away the rights of the people in Hong Kong. They are snuffing out the freedoms that exist there right now. Since we were on the floor last week, the Standing Committee of the National People's Congress reportedly reviewed an initial draft of the national security law, which has not been released. So even in this last week, they are moving forward in their process to take away the liberties of the people of Hong Kong.

Time is of the essence. What I said on the floor last week and what I will say again today is that passage of a Senate resolution is not going to deter the actions of the Government of China. It is a statement. It is an important statement by the Senate. But to believe that the Government of China will be deterred one wit in moving forward on the path that it is on to take away the freedoms of the people of Hong Kong is to not be even paying attention to what is happening in Beijing.

I heard the Senator from Missouri say: ''Actions have consequences.'' I agree they should. From the perspective of the Government of China passing a Senate resolution as a consequence to their action is hardly going to be taken seriously in Beijing. That is why it is important to actually do something that shows that the Government of China will pay a price if it continues down this path to extinguish those freedoms of the people of Hong Kong.

That is exactly why, right after the Government of China headed down this path, Senator TOOMEY, who is here with us on the floor, and I introduced a piece of legislation that would have consequences, that would actually punish the government of China if it continues down this path. It establishes a set of mandatory sanctions. It requires the administration to identify all those individuals who are culpable and complicit in taking away the rights of the people in Hong Kong. And more than that, it would sanction those banks that allow those individuals to do business.

That is an action that does have consequences. That is an action where at least there is a chance that the Government of China will listen because they understand it is not just a statement by the U.S. Senate. They understand that it is a statement with penalties.

Now, let me make clear that in order for this legislation to be effective, eventually, the administration is going

to have to follow the law, and it is going to have to impose the sanctions on those individuals who are responsible.

I would be remiss or negligent if I didn't point out that the administration currently has authority to impose sanctions against China for its actions in Hong Kong based on legislation that this body passed last year to uphold the rights—the human rights and the democratic rights—of the people of Hong Kong.

So, despite some statements from the Secretary of State, this administration has still taken no action.

Now, this legislation that Senator TOOMEY and I have proposed—and I really want to thank the Senator and salute him for his leadership on this. We have worked together in the past on sanctions that have been adopted into law with respect to North Korea, and I think it is important that we work on a bipartisan basis to take action that is meaningful here in the Senate.

The administration should act now on their existing authority. The Senate and the House should pass this legislation, the Hong Kong Autonomy Act, as amended, here today and send it to the White House. The President, we hope, would sign it, and then we hope the President would impose the expanded sanctions that are provided for in the Hong Kong Autonomy Act. That is doing something that demonstrates to the Government of China that consequences have action, and that is why it was discouraging last week when we proposed this and we had a Senator come to the floor and block it.

I agree with the Senator from Missouri—it would have been great to pass this last week—but a Senator came to the floor to block it even though that Senator was a cosponsor of this legislation. When asked why he did it, he said he blocked it at the behest of the White House. That is what he said. I am hoping that is not the case today. I am hoping that today we don't, at the last minute, have a Senator, at the behest of the White House, coming forward.

Before I make my unanimous consent request, I would like to yield the floor briefly to the Senator from Pennsylvania, who has been a partner in this effort.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, I am going to just take a quick moment here to thank both my colleague from Missouri and my colleague from Maryland for their leadership on this extremely important issue.

In the interest of time, I will not reiterate the many very, very compelling reasons that we are here on the floor right now. The Senator from Missouri has done an outstanding job eloquently and passionately explaining why it is our responsibility to stand up for the freedom of a freedom-loving people whose freedom is seriously eroded, systematically being damaged, and that is, of course, the people of Hong Kong.

I had the great experience of living in Hong Kong for a year, learning so much about that society, that culture. The vibrancy of Hong Kong is just absolutely stunning. And it is all possible—let's be clear—because freedom has prevailed in Hong Kong—or at least it used to—freedom of speech, freedom of assembly, freedom to practice their faith as they see fit, an independent judiciary, and the rule of law. All of that is very, very seriously threatened right now by the Chinese Communist Party because their greatest fear is that the people on the mainland will observe the freedoms in Hong Kong and decide maybe they would like some of those freedoms too. That is the risk that the Chinese Communist leadership cannot tolerate.

I want to commend my colleague from Missouri for putting a spotlight on this, bringing our action, and calling on the Senate to defend the people who seek only their freedom.

I really want to thank very much my colleague from Maryland. As he pointed out, we have been partners on legislation in the past. Nobody works harder to get their objective accomplished than my colleague from Maryland.

Our legislation, which I think is about to pass jointly with the resolution—I think we are going to have a unanimous consent agreement whereby both measures pass simultaneously. I think that is the optimal outcome here.

I want to thank the folks at the Department of the Treasury, with whom we worked extensively to get to the point where they are in agreement with this legislation.

I certainly hope that, after this big step of passage here on the Senate floor today, this legislation—both pieces: the resolution and the sanctions legislation—will soon be on its way to the President's desk for his signature.

With that, I yield back to the gentleman from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, in continuing to reserve the right to object, would the Senator from Missouri modify his request to also discharge S. 3798 and consider S. Res. 596 and S. 3798 en bloc; and the substitute to the bill at the desk be agreed to; and the bill, as amended, be read the third time; and that if the resolution is agreed to and if the bill, as amended, is passed by the Senate, that the preamble then be agreed to and all motions to reconsider be considered made and laid upon the table?

The PRESIDING OFFICER. Does the Senator from Missouri so modify his request?

Mr. HAWLEY. I will.

The PRESIDING OFFICER. Is there an objection to the request as modified?

Without objection, it is so ordered.

There being no objection, the Committee on Banking, Housing, and Urban Affairs was discharged, and the Senate proceeded to consider the resolution (S. Res. 596) and the bill (S. 3798) en bloc.

The amendment (No. 1821) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Hong Kong Autonomy Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms ''alien'', ''national'', and ''national of the United States'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate; and

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives.

(3) BASIC LAW.—The term ''Basic Law'' means the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

(4) CHINA.—The term ''China'' means the People's Republic of China.

(5) ENTITY.—The term ''entity'' means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any other form of business collaboration.

(6) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in section 5312(a)(2) of title 31, United States Code.

(7) HONG KONG.—The term ''Hong Kong'' means the Hong Kong Special Administrative Region of the People's Republic of China.

(8) JOINT DECLARATION.—The term ''Joint Declaration'' means the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing on December 19, 1984.

(9) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the conduct, the circumstance, or the result.

(10) PERSON.—The term ''person'' means an individual or entity.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) The Joint Declaration and the Basic Law clarify certain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were codified in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originate from the Joint Declaration, were passed into the domestic law of China by the National People's Congress, and are widely considered by citizens of Hong Kong as part of the de facto legal constitution of Hong Kong.

(4) Foremost among the obligations of the Government of China to Hong Kong is the promise that, pursuant to Paragraph 3b of the Joint Declaration, ''the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government''.

(5) The obligation specified in Paragraph 3b of the Joint Declaration is referenced, reinforced, and extrapolated on in several portions of the Basic Law, including Articles 2, 12, 13, 14, and 22.

(6) Article 22 of the Basic Law establishes that ''No department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law.''.

(7) The Joint Declaration and the Basic Law make clear that additional obligations shall be undertaken by China to ensure the ''high degree of autonomy'' of Hong Kong.

(8) Paragraph 3c of the Joint Declaration states, as reinforced by Articles 2, 16, 17, 18, 19, and 22 of the Basic Law, that Hong Kong ''will be vested with executive, legislative and independent judicial power, including that of final adjudication''.

(9) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People's Congress overruled a decision by the Hong Kong Court of Final Appeal on the right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, is suspected to have not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite restrictions on interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law—

(i) openly expressed support for candidates in Hong Kong for Chief Executive and Legislative Council;

(ii) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong; and

(iii) on April 17, 2020, asserted that both the Liaison Office of China in Hong Kong and the Hong Kong and Macau Affairs Office of the State Council ''have the right to exercise supervision . . . on affairs regarding Hong Kong and the mainland, in order to ensure correct implementation of the Basic Law''.

(D) The National People's Congress has passed laws requiring Hong Kong to pass laws banning disrespectful treatment of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 10, 2014, that stressed the ''comprehensive jurisdiction'' of the Government of China over Hong Kong and indicated that Hong Kong must be governed by ''patriots''.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnapping of, residents of Hong Kong, including businessman Xiao Jianhua and bookseller Gui Minhai.

(G) The Government of Hong Kong, acting with the support of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests for any individual present in Hong Kong, regardless of the legality of the request or the degree to which it compromised the judicial independence of Hong Kong.

(H) The spokesman for the Standing Committee of the National People's Congress said, ''Whether Hong Kong's laws are consistent with the Basic Law can only be judged and decided by the National People's Congress Standing Committee. No other authority has the right to make judgments and decisions.''.

(10) Paragraph 3e of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the ''current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.''.

(11) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (10) of this section, including the following:

(A) In 2002, the Government of China pressured the Government of Hong Kong to introduce ''patriotic'' curriculum in primary and secondary schools.

(B) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which infringes on freedom of speech.

(C) The Government of Hong Kong mandated that Mandarin, and not the native language of Cantonese, be the language of instruction in Hong Kong schools.

(D) The governments of China and Hong Kong agreed to a daily quota of mainland immigrants to Hong Kong, which is widely believed by citizens of Hong Kong to be part of an effort to ''mainlandize'' Hong Kong.

(12) Paragraph 3e of the Joint Declaration states, as reinforced by Articles 4, 26, 27, 28, 29, 30, 31, 32 33, 34, and 39 of the Basic Law, that the ''rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law'' in Hong Kong.

(13) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (12) of this section, including the following:

(A) On February 26, 2003, the Government of Hong Kong introduced a national security bill that would have placed restrictions on freedom of speech and other protected rights.

(B) The Liaison Office of China in Hong Kong has pressured businesses in Hong Kong not to advertise in newspapers and magazines critical of the governments of China and Hong Kong.

(C) The Hong Kong Police Force selectively blocked demonstrations and protests expressing opposition to the governments of China and Hong Kong or the policies of those governments.

(D) The Government of Hong Kong refused to renew work visa for a foreign journalist, allegedly for hosting a speaker from the banned Hong Kong National Party.

(E) The Justice Department of Hong Kong selectively prosecuted cases against leaders of the Umbrella Movement, while failing to prosecute police officers accused of using excessive force during the protests in 2014.

(F) On April 18, 2020, the Hong Kong Police Force arrested 14 high-profile democracy activists and campaigners for their role in organizing a protest march that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(14) Articles 45 and 68 of the Basic Law assert that the selection of Chief Executive and all members of the Legislative Council of Hong Kong should be by ''universal suffrage.''.

(15) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (14) of this section, including the following:

(A) In 2004, the National People's Congress created new, antidemocratic procedures restricting the adoption of universal suffrage for the election of the Chief Executive of Hong Kong.

(B) The decision by the National People's Congress on December 29, 2007, which ruled out universal suffrage in 2012 elections and set restrictions on when and if universal suffrage will be implemented.

(C) The decision by the National People's Congress on August 31, 2014, which placed limits on the nomination process for the Chief Executive of Hong Kong as a condition for adoption of universal suffrage.

(D) On November 7, 2016, the National People's Congress interpreted Article 104 of the Basic Law in such a way to disqualify 6 elected members of the Legislative Council.

(E) In 2018, the Government of Hong Kong banned the Hong Kong National Party and blocked the candidacy of pro-democracy candidates.

(16) The ways in which the Government of China, at times with the support of a subservient Government of Hong Kong, has acted in contravention of its obligations under the Joint Declaration and the Basic Law, as set forth in this section, are deeply concerning to the people of Hong Kong, the United States, and members of the international community who support the autonomy of Hong Kong.

SEC. 4. SENSE OF CONGRESS REGARDING HONG KONG.

It is the sense of Congress that—

(1) the United States continues to uphold the principles and policy established in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116–76; 22 U.S.C. 5701 note), which remain consistent with China's obligations under the Joint Declaration and certain promulgated objectives under the Basic Law, including that—

(A) as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5711(1)), ''The United States should play an active role, before, on, and after July 1, 1997, in maintaining Hong Kong's confidence and prosperity, Hong Kong's role as an international financial center, and the mutually beneficial ties between the people of the United States and the people of Hong Kong.''; and

(B) as set forth in section 2(5) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), ''Support for democratization is a fundamental principle of United States foreign policy. As such, it naturally applies to United States policy toward Hong Kong. This will remain equally true after June 30, 1997.'';

(2) although the United States recognizes that, under the Joint Declaration, the Government of China ''resumed the exercise of sovereignty over Hong Kong with effect on 1 July 1997'', the United States supports the autonomy of Hong Kong in furtherance of the United States-Hong Kong Policy Act of 1992 and the Hong Kong Human Rights and Democracy Act of 2019 and advances the desire of the people of Hong Kong to continue the ''one country, two systems'' regime, in addition to other obligations promulgated by China under the Joint Declaration and the Basic Law;

(3) in order to support the benefits and protections that Hong Kong has been afforded by the Government of China under the Joint Declaration and the Basic Law, the United States should establish a clear and unambiguous set of penalties with respect to foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, to be involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law and the financial institutions transacting with those foreign persons;

(4) the Secretary of State should provide an unclassified assessment of the reason for imposition of certain economic penalties on entities, so as to permit a clear path for the removal of economic penalties if the sanctioned behavior is reversed and verified by the Secretary of State;

(5) relevant Federal agencies should establish a multilateral sanctions regime with respect to foreign persons involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law; and

(6) in addition to the penalties on foreign persons, and financial institutions transacting with those foreign persons, for the contravention of the obligations of China under the Joint Declaration and the Basic Law, the United States should take steps, in a time of crisis, to assist permanent residents of Hong Kong who are persecuted or fear persecution as a result of the contravention by China of its obligations under the Joint Declaration and the Basic Law to become eligible to obtain lawful entry into the United States.

SEC. 5. IDENTIFICATION OF FOREIGN PERSONS INVOLVED IN THE EROSION OF THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW AND FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH THOSE PERSONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that a foreign person is materially contributing to, has materially contributed to, or attempts to materially contribute to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law, the Secretary of State shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an identification of the foreign person; and

(2) a clear explanation for why the foreign person was identified and a description of the activity that resulted in the identification.

(b) IDENTIFYING FOREIGN FINANCIAL INSTITUTIONS.—Not earlier than 30 days and not later than 60 days after the Secretary of State submits to the appropriate congressional committees and leadership the report under subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the appropriate congressional committees and leadership a report that identifies any foreign financial institution that knowingly conducts a significant transaction with a foreign person identified in the report under subsection (a).

(c) EXCLUSION OF CERTAIN INFORMATION.—

(1) INTELLIGENCE.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Director of National Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the head of any other appropriate Federal law enforcement agency, and the Secretary of the Treasury, determines that such disclosure could reasonably be expected—

(A) to compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) to endanger the life or physical safety of any person; or

(D) to cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(d) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—

(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (e), or remove a foreign person from the report or update prior to the imposition of sanctions under section 6(a) if the material contribution (as described in subsection (g)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 7(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.

(3) NOTIFICATION REQUIRED.—If the President makes a determination under paragraph (1) or (2) to exclude or remove a foreign person or foreign financial institution from a report under subsection (a) or (b), as the case may be, the President shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(e) UPDATE OF REPORTS.—

(1) IN GENERAL.—Each report submitted under subsections (a) and (b) shall be updated in an ongoing manner and, to the extent practicable, updated reports shall be resubmitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) upon the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(f) FORM OF REPORTS.—

(1) IN GENERAL.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted in unclassified form and made available to the public.

(2) CLASSIFIED ANNEX.—The explanations and descriptions included in the report under subsection (a)(2) (including updates under subsection (e)) may be expanded on in a classified annex.

(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGATIONS OF CHINA DESCRIBED.—For purposes of this section, a foreign person materially contributes to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law if the person—

(1) took action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or independent rule of law; or

(B) to participate in democratic outcomes; or

(2) otherwise took action that reduces the high degree of autonomy of Hong Kong.

SEC. 6. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date on which a foreign person is included in the report under section 5(a) or an update to that

report under section 5(e), the President may impose sanctions described in subsection (b) with respect to that foreign person.

(2) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 5(a) or an update to that report under section 5(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person are the following:

(1) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 7. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) INITIAL SANCTIONS.—Not later than one year after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose not fewer than 5 of the sanctions described in subsection (b) with respect to that foreign financial institution.

(2) EXPANDED SANCTIONS.—Not later than two years after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose each of the sanctions described in subsection (b).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign financial institution are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making loans or providing credits to the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the foreign financial institution as a primary dealer in United States Government debt instruments.

(3) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The foreign financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(6) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign financial institution has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSFERS.—The President, in consultation with the Secretary of Commerce, may restrict or prohibit exports, reexports, and transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(8) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(9) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Homeland Security, to exclude from the United States any alien that is determined to be a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign financial institution, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign financial institution, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (1) through (8) that are applicable.

(c) TIMING OF SANCTIONS.—The President may impose sanctions required under subsection (a) with respect to a financial institution included in the report under section 5(b) or an update to that report under section 5(e) beginning on the day on which the financial institution is included in that report or update.

SEC. 8. WAIVER, TERMINATION, EXCEPTIONS, AND CONGRESSIONAL REVIEW PROCESS.

(a) NATIONAL SECURITY WAIVER.—Unless a disapproval resolution is enacted under subsection (e), the President may waive the application of sanctions under section 6 or 7 with respect to a foreign person or foreign financial institution if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees and leadership a report on the determination and the reasons for the determination.

(b) TERMINATION OF SANCTIONS AND REMOVAL FROM REPORT.—Unless a disapproval resolution is enacted under subsection (e), the President may terminate the application of sanctions under section 6 or 7 with respect to a foreign person or foreign financial institution and remove the foreign person from the report required under section 5(a) or the foreign financial institution from the report required under section 5(b), as the case may be, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that the actions taken by the foreign person or foreign financial institution that led to the imposition of sanctions—

(1) do not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(2) are not likely to be repeated in the future; and

(3) have been reversed or otherwise mitigated through positive countermeasures taken by that foreign person or foreign financial institution.

(c) TERMINATION OF ACT.—

(1) REPORT.—

(A) IN GENERAL.—Not later than July 1, 2046, the President, in consultation with the Secretary of State, the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall submit to Congress a report evaluating the implementation of this Act and sanctions imposed pursuant to this Act.

(B) ELEMENTS.—The President shall include in the report submitted under subparagraph (A) an assessment of whether this Act and the sanctions imposed pursuant to this Act should be terminated.

(2) TERMINATION.—This Act and the sanctions imposed pursuant to this Act shall remain in effect unless a termination resolution is enacted under subsection (e) after July 1, 2047.

(d) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions under sections 6 and 7 shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(e) CONGRESSIONAL REVIEW.—

(1) RESOLUTIONS.—

(A) DISAPPROVAL RESOLUTION.—In this section, the term ''disapproval resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution disapproving the waiver or termination of sanctions with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person.''; and

(ii) the sole matter after the resolving clause of which is the following: ''Congress disapproves of the action under section 8 of the Hong Kong Autonomy Act relating to the application of sanctions imposed with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong, or a foreign financial institution

that conducts a significant transaction with that person, on _____ relating to _____.'', with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) TERMINATION RESOLUTION.—In this section, the term ''termination resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution terminating sanctions with respect to foreign persons that contravene the obligations of China with respect to Hong Kong and foreign financial institutions that conduct significant transactions with those persons.''; and

(ii) the sole matter after the resolving clause of which is the following: ''The Hong Kong Autonomy Act and any sanctions imposed pursuant to that Act shall terminate on _____.'', with the blank space being filled with the termination date.

(C) COVERED RESOLUTION.—In this subsection, the term ''covered resolution'' means a disapproval resolution or a termination resolution.

(2) INTRODUCTION.—A covered resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a covered resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—

(i) DISAPPROVAL RESOLUTION.—A disapproval resolution introduced in the Senate shall be—

(I) referred to the Committee on Banking, Housing, and Urban Affairs if the resolution relates to an action that is not intended to significantly alter United States foreign policy with regard to China; and

(II) referred to the Committee on Foreign Relations if the resolution relates to an action that is intended to significantly alter United States foreign policy with regard to China.

(ii) TERMINATION RESOLUTION.—A termination resolution introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If a committee to which a covered resolution was referred has not reported the resolution within 10 calendar days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a covered resolution to the Senate or has been discharged from consideration of such a resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a covered resolution shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a covered resolution, including all debatable motions and appeals in connection with the resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House has already passed a resolution relating to the same proposed action):

(i) The resolution shall be referred to the appropriate committees.

(ii) If a committee to which a resolution has been referred has not reported the resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) Beginning on the third legislative day after each committee to which a resolution has been referred reports the resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The resolution shall be considered as read. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the resolution shall not be in order.

(B) TREATMENT OF HOUSE RESOLUTION IN SENATE.—

(i) RECEIVED BEFORE PASSAGE OF SENATE RESOLUTION.—If, before the passage by the Senate of a covered resolution, the Senate receives an identical resolution from the House of Representatives, the following procedures shall apply:

(I) That resolution shall not be referred to a committee.

(II) With respect to that resolution—

(aa) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the resolution from the House of Representatives.

(ii) RECEIVED AFTER PASSAGE OF SENATE RESOLUTION.—If, following passage of a covered resolution in the Senate, the Senate receives an identical resolution from the House of Representatives, that resolution shall be placed on the appropriate Senate calendar.

(iii) NO SENATE COMPANION.—If a covered resolution is received from the House of Representatives, and no companion resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the resolution from the House of Representatives.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) 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.

SEC. 9. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this Act.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 6 or 7 or any regulation, license, or order issued to carry out that section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 10. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as an authorization of military force against China.

The bill was ordered to be engrossed for a third reading and was read the third time.

The question is on adoption of the resolution and passage of the bill, as amended, en bloc.

The bill (S. 3798), as amended, was passed.

The resolution (S. Res. 596), as amended, was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of May 21, 2020, under ''Submitted Resolutions.'')

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Madam President, this is a good moment for the Senate. I think this is a moment when we have been able to come together to speak with one voice and to send a clear message to Beijing that its attempts to steamroll and destroy the liberties of the people of Hong Kong will not go unnoticed and will not go unaddressed.

I thank the Senator from Maryland and the Senator from Pennsylvania for their work with their bill, which will give the administration important new tools to address and to counter the actions of Beijing.

I just want to say to the people of Hong Kong, whom I have had the privilege to meet and to be with on the streets as they protest, as they stand up to this violent and authoritarian regime, I hope that today's actions will give you an added measure of hope that

the free people of this Nation and the free people of the world are with you and that we will not sit idly by; that we will stand up; that we will take action; and that your cause for your basic rights, your cause for your basic liberties, is our cause as well.

It is a privilege to stand with you as an American and as a Missourian, and it is a privilege to see this work accomplished today on the floor of the Senate.

I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Madam President, I want to thank the Senator from Missouri for bringing us to the floor last week, for bringing us to the floor this week, and for working with us to make sure that we could make important changes to an important resolution that he brought before us today.

I agree it is a good day for the Senate. Again, I thank the Senator from Pennsylvania, Mr. TOOMEY, for his bipartisan work on this. Hopefully we get it to the President's desk as soon as possible and send a strong message to the Government of China and send a message to the people of Hong Kong that we stand with them.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—Continued

The PRESIDING OFFICER. The Senator from Virginia.

UNANIMOUS CONSENT REQUEST

Mr. KAINE. Madam President, before I get to the motion I am going to make, I am going to take just a few minutes to discuss the importance of why the Senate must pass the Coronavirus Relief Flexibility for Students and Institutions Act, which is S. 3947.

This has to do with an action that we took as bipartisan colleagues—a most important action—in March, passing the CARES Act. The CARES Act included $13.9 billion for higher education emergency relief for institutions to directly support students facing urgent needs related to this pandemic and also to support the institutions as they cope with the effects of COVID–19.

From this amount, about $12.5 billion was provided to all institutions of higher ed, and they had to use half their dollars to award emergency aid to students and half the funds to cover the institutional expenses and needs.

Congress was very careful in crafting this bipartisan provision to provide flexibility so that the institutions could make their own decisions about how to use and reward those funds—both for students and how to use them for institutions. Unfortunately, the Department of Education is not following congressional intent and is including additional restrictions and conditions that Congress did not include that are making these funds more difficult to access by students and by the institutions.

On the institution side, colleges had to quickly transition their programs online, many doing so on a widespread scale for the first time, without the technology capacity and staff training to conduct those classes.

Colleges have also had to quickly send students living on campus home, bring students home who were studying abroad, clean and sanitize their facilities, and provide refunds to students for room and board charges. They have had to meet greater financial needs and basic need challenges from their students, including housing, food, and childcare costs.

This has resulted in higher costs for colleges at the same time as COVID–19 has led to a sharp reduction in normal revenue streams: fundraising, housing, dining, event space, athletic, bookstore, conferences, and much more—including State funding that has been hurt. These revenue losses are likely to continue as students drop out and tuition revenue decreases in the fall.

This would come as schools implement costly safety measures for reopening, like testing and PPE distribution. Many institutions have already cut pay and benefits, laid off full-time staff and student employees, and slashed to reorganize academic and athletic programs. This is all in addition to the potential cuts colleges will likely see from State budgets.

I got a letter from the president of one of my community colleges, Dr. John Downey, president of Blue Ridge Community College in Weyers Cave. Here is what he said: ''We anticipate devastating lost revenue and state budget reductions, and we have no way, with the possible exception of the CARES Act institutional funds, to offset those losses. The current CARES Act restrictions mean that community college will likely only be able to offset $100,000–$300,000 of [additional PPE expenses while we] open up. . . . Without the ability to offset revenue losses looming for FY21, we are concerned that we will be forced to close vital programs and layoff hard-working personnel.''

Moody's Investors Service has changed their outlook for higher ed to negative, indicating that 5 to 10 percent of institutions—particularly regional public schools and small private colleges—could face significantly intensified financial challenges.

In Virginia, one such institution, Sweet Briar College, a small, rural, private college, says the impact is likely to be $10 million. VCU, a large, public university, said it is likely to be $50 million in the next fiscal year.

This is why we acted together as Congress to provide CARES Act funding that could be used for revenue losses experienced by colleges. We didn't specifically exclude using these dollars for revenue losses, as we did in the State and local government aid; we allowed such a use, as we did with the PPP program and the aid to hospitals. But the Department of Education is using a very narrow interpretation of the law and refusing to allow colleges to use money for revenue losses.

On to the student side of the equation, 50 percent of the money was to be used for student aid. This is even more concerning. The unauthorized guidance that the DOE has issued outlines that the financial aid for students can only be provided to students who qualify for aid under title IV of the Higher Education Act, which would exclude any student who hadn't filled out a FAFSA, who has a minor drug conviction, or who is not meeting academic progress requirements. Again, these were not conditions that Congress put on the aid to students. Nowhere in the CARES Act are these restrictions mentioned.

The financial aid director at the University of Virginia wrote my office as follows:

When the CARES Act was signed into law, we, along with many others in the financial aid community, believed that the funding source would be available to provide assistance to our students using school discretion. Schools have long operated in this manner. Because of COVID–19, the parents of many students who suddenly lost their jobs or have reduced employment realized that their income had changed dramatically and wished to appeal.

In other words, students who never had to fill out a FAFSA or who never did one because their parents were employed are now facing parents who are not employed.

It is not right for the DOE to put new requirements on the students and bar them from receiving aid.

Some students have written. Here is a third-year undergraduate student from Fairfax: I was studying abroad this past semester but had to return home in March. My study-abroad program is unsure whether they are going to be able to refund any of the semester's worth that I paid for fees, including housing, meals, tuition. Due to the travel ban, I had to book a ticket home on 1-day's notice, initially costing me $1,800, but I was able to receive a partial refund of $900. My father has been the primary source of income for my family, but he loses his job this month. Since we don't know when he will be reemployed, this has resulted in significant financial challenge to my family.

There are similar stories from other students—graduate students in engineering in Henrico, undergraduates from Halifax.

Again, Congress intended these dollars to be used flexibly. The DOE is getting in our way.

What the act would do that I am about to call up—it would ensure that the Secretary in the Department of Education just follow congressional intent by providing institutions of higher ed and students with the increased flexibility they need during this time. The bill would allow colleges to use their revenue from the CARES Act for lost revenue—the higher ed funds for lost revenue. The bill would ensure that emergency financial aid to students is made available to all students

in need, letting the institutions decide how to make that determination. Finally, it would better target funds designated for colleges hardest hit by COVID–19.

Colleges and universities are major economic drivers. Placing arbitrary restrictions on them is a challenge at any time—especially now. We should be working together to ensure that the institutions and our students get the help that Congress wanted them to get.

Again, the bill I have before you doesn't create a new program, and it doesn't cost a penny. All it does is ask the Secretary of Education to simply follow what Congress intended.

Madam President, with that, I would ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of S. 3947, a bill to amend the provisions relating to the higher education emergency relief fund to clarify the flexibility provided to institutions and for students under the fund, and that the Senate proceed to its immediate consideration.

I further ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Florida.

Mr. SCOTT of Florida. Madam President, reserving the right to object, I appreciate my colleague's focus on higher education. We both had the same opportunity as Governors to do what we could to drive the cost of tuition down and help make sure all of our students had the opportunity to get jobs.

My goal as Governor of Florida and now as a U.S. Senator is to keep education affordable and obtainable and make sure students are able to get a job when they graduate.

I know we all are focused on giving our students every opportunity to succeed. My colleague has not shown how giving a blank-check bailout to higher education institutions helps our students—students who are burdened with mountains of debt from these same 4-year colleges and universities.

The solution is not to give more money to support the bloated bureaucracies of our public and private colleges and universities. And these very institutions continue to raise tuition year after year on our students and their families. That is why I am instead offering my STEM Act, which is a real solution to make higher education more affordable and ensure schools are preparing students for jobs. We made similar reforms in Florida, and our students are getting a world-class education at a price they and their families can afford. My goal is to bring this success to our Nation.

The STEM Act does three things:

One, it eliminates all Federal funding for institutions that raise tuition. There is no reason universities should be raising costs on students even one bit. Businesses have to get more productive every year; so should our colleges and our universities.

Second, my STEM Act holds colleges and universities accountable for a portion of student loans.

By forcing universities to take more responsibility, they will have more of an incentive to actually prepare students for careers, instead of encouraging mountains of debt and degrees that don't lead to jobs after graduation.

Third, the STEM Act creates a metric system for accountability to make sure all higher education institutions are doing their most important job—preparing our students for the opportunity to get a great job, build a career, and become more self-sufficient.

Our higher education system doesn't serve the student, and we need to change that. Our students deserve more than just throwing money at our institutions with no checks and balances.

It is time we get something done to fix the problems in our higher education system and realign incentives. I look forward to working with my colleagues to do this.

Madam President, I ask unanimous consent that Senator KAINE modify his request and, instead, the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2559, the Student Training and Education Metrics Act, and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Does the Senator from Virginia so modify his request?

Mr. KAINE. Madam President, I appreciate my Senate colleague's desire to increase accountability and transparency of student outcomes. As Governor, I was doing the same thing with Virginia institutions. I view his request as a little bit of a non sequitur. It is not really connected to mine.

He mentioned that we shouldn't be throwing more money at colleges. Let me make plain again that my request does not cost a penny. It is not about an additional penny for colleges. It is about implementing the CARES Act, which was passed on an overwhelmingly bipartisan vote by this body on March 26.

Senator SCOTT's bill does not deal with something we have already done. It does not deal with the COVID emergency. It does deal very directly with something that we are in the process of doing. The HELP Committee right now is considering the reauthorization of the Higher Education Act. Senator SCOTT's proposal, dealing with transparency and accountability, fits squarely within the discussion that the HELP Committee is currently having about reauthorization of HEA, and it is an appropriate and important topic for the committee to grapple with as we work on the HEA reauthorization. But in that sense, I am a little puzzled because there is a venue for his proposal right now in the HEA reauthorization discussion as we go forward and look at what more accountability we would ask of our colleges.

I don't think we should jump Senator SCOTT's bill ahead of that reauthorization and impose new restrictions on universities in the middle of this pandemic, as we are trying to help them get through COVID. For that and other reasons, while I would certainly pledge to work with the Senator on this matter in the committee on which we both sit, during HEA reauthorization, I do not agree to modify the request that I made regarding S. 3947.

The PRESIDING OFFICER. Is there objection to the original request?

The Senator from Florida.

Mr. SCOTT of Florida. Reserving the right to object, I look forward to working with my colleague from Virginia to do what we both tried to do as Governors and we were both focused on. It is hard to keep tuition down and to make sure kids get jobs at the end. It is a very difficult job.

I don't think what we are doing today with Senator KAINE's proposal is going to help our students get the jobs they need and help keep our tuition down. I don't think we ought to be giving a blank check to our institutions that raise tuition on our students. We all know the mountains of debt—over $1.7 trillion—which is ridiculous. I think my STEM Act is a solution to help make our higher education system affordable and ensure kids have a future. But, unfortunately, we are not able to do that today. I respectfully object. I look forward to working with Senator KAINE to try to do everything we can to get this tuition down and help our kids get jobs.

The PRESIDING OFFICER. The objection is heard.

The PRESIDING OFFICER. The Senator from Ohio.

UNANIMOUS CONSENT REQUEST

Mr. BROWN. Madam President, for a bit of good news, last year we finally provided certainty to American exporters and their workers by enacting a 7-year reauthorization of the Export-Import Bank's charter. This is a big victory after years of obstruction by a handful of our Republican colleagues.

We know what happened here in this Congress. In 2015, during the last debate on reauthorizing the Bank, a small group of opponents, supported by far-right special interests, tried to kill the Bank altogether. When that didn't work, they decided to block all nominees to Ex-Im's Board, denying it the quorum needed to approve transactions greater than $10 million. Their obstruction cost us more than 130,000 jobs a year by 2018.

Unfortunately, a few Republicans continue to undermine American manufacturers and our workers by preventing Ex-Im from having a full Board

of Directors. It is time for the Senate to consider the long delayed nominations of Republican Paul Shmotolokha and Democrat Claudia Slacik.

Today's economic damage from COVID builds, and Senator MCCONNELL, the leader of this body, refuses to let us do our jobs and pass additional help for families and communities of small businesses. Ex-Im will be called on—it is more important than ever—to help ensure the survival of our manufacturing base and thousands of small businesses and their workers.

Ex-Im, during the last crisis, added 515 new small business clients in 2009 alone. The stakes are even higher today. There are more than 100 export credit agencies. I believe President Reed, head of the Ex-Im Bank, who is doing a very good job, said 118 in committee this week. There are more than 100 export credit agencies and credit programs around the world that support foreign manufacturers. But our greatest challenge is China. China's export finance activity is larger than all of the export credit provided by the G–7 countries combined, and we can expect China to continue using export credit as a weapon to end manufacturing business in critical sectors. I asked President Reed about that in committee, and she is certain that China's threat will continue and perhaps grow.

The President and many of my Republican colleagues want to blame China for darn near everything, including the virus that has taken the lives of 120,000 of our brothers and sisters and parents and sons and daughters. That is 30 percent of the world's deaths. We are 5 percent of the world's population, and we are 30 percent of the world's deaths. That is not because we don't have good doctors and medical workers and all of that. It is because of Presidential leadership.

China has not been a model of responsibility, but President Trump needs to stop blaming China for his own failures to do more at home to prevent the spread of the coronavirus.

For my Republican colleagues who profess concern about China, I wish they had shown the same concern with standing up to China during our 4-year fight to support American manufacturers. If you say you are concerned about China, then, you should support filling Ex-Im's Board so our manufacturers can better compete with China.

A core role of Ex-Im Board members is educating the business community about how to use the Bank's export financing to expand sales abroad and create more jobs in the United States. Many small businesses are just trying to survive right now. Some of them don't know that Ex-Im is a tool that can help. We need a full Board that can be proactive about offering support.

Mr. Shmotolokha—as I said, a Republican nominee—has been nominated as the First Vice President and was reported out of the Banking Committee more than a year ago, and Ms. Slacik was first nominated almost 4 years ago. Neither is controversial. Mr. Shmotolokha has decades of experience in the telecom industry. He deeply understands how China competes. Ms. Slacik previously served at Ex-Im and has more than 30 years of commercial banking experience.

Ex-Im has an effective management team under President and Chair Kimberly Reed, but the Bank needs to operate at full capacity during this unprecedented crisis, not missing two of its five members with critical expertise.

Don't just take it from me. This shouldn't be partisan. It is not an ideological question. The Banking Committee chair—my counterpart, the chair of the committee—MIKE CRAPO, supports filling the Ex-Im Board. The U.S. Chamber supports it. The National Association of Manufacturers supports confirming these two particular nominees.

On Tuesday, Ex-Im's President and Chair, Kimberly Reed, nominated by President Trump, testified to the Banking Committee that she wants a full Board because Ex-Im is working to make small business transactions 30 percent of its portfolio, as Congress directed. She said: ''That takes a lot of boots on the ground and a lot of work.''

I agree with Ex-Im President Reed completely and Senator CRAPO completely. We need a full Board. We need boots on the ground to help small businesses at Ex-Im. We also have a qualified inspector general nominee, Peter Coniglio, who is waiting for confirmation. These nominations are long overdue. I will ask the Senate to consider them immediately. If we want Ex-Im to support more small businesses and help America manufacturers compete against China, there is no excuse for more obstruction.

Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar No. 128, No. 336, and No. 557; that the nominations be confirmed, en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order on the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Madam President, reserving the right to object, I think it is worth reminding my colleagues exactly what the Ex-Im Bank is all about. What this is, then, is a Bank by which taxpayers are required to subsidize big corporations. That is what Ex-Im Bank is.

The precise way that it works, though, is to provide the subsidy directly to foreign entities—often state-owned entities, often Chinese state-owned entities—when they buy an American product, when they buy an American export. The Ex-Im Bank is in the business of forcing taxpayers to subsidize foreign, often state-owned, entities buying American products. I object to that activity and so do many of my Republican colleagues.

This is a controversial entity. It is a controversial idea that we would expand the population on the Board because doing so diminishes the likelihood that they might be at a point, at some point in the future, where they would not have a quorum.

My own view is that what we ought to be doing is having a mutual negotiation with our trading partners to phase out all of these export subsidy banks all around the world. And, unfortunately, neither this administration nor the previous administration has had any interest in pursuing that.

In the meantime, I have asked for improvements in the operations of the Export-Import Bank—operations such as transparency and controlling taxpayer risk and the extent to which it crowds out private financing and other areas. I will say that I appreciate Ex-Im Bank President Reed's efforts in these areas, but there is a long way to go. It doesn't solve the fundamental problem, which is the mission of the Bank.

The defenders of Ex-Im will sometimes argue that Ex-Im Bank—the subsidy that taxpayers are required to provide to foreign purchasers—is essential for our exports, that we need it and jobs depend on it. It is interesting because we have a controlled experiment that addresses that question directly. From 2015 through the early part of 2019, the Ex-Im Bank didn't have a quorum, so it could not legally engage in large-scale transactions. It couldn't do anything, and they didn't.

You have a period of about 4 years, and during that time, the volume of financing—the volume of transactions that Ex-Im Bank was doing—dropped by about 80 percent. That is huge. The Ex-Im Bank for several years was a shadow of its former self.

What happened to American exports during the time when the Ex-Im Bank was basically out of business? I will tell you what happened. American exports grew and hit an all-time record high in 2018. That is what happened. The fact is, Americans make great products, and we can sell them overseas without having to subsidize the buyer. Buyers and sellers arranged private financing. There are lots of banks and institutions that are in the business of providing this financing. Taxpayers shouldn't have to subsidize it. The proof is in the pudding. When Ex-Im Bank was effectively closed, American exports grew and hit an alltime record high.

It is also a fact that when the Ex-Im Bank gets into the business of subsidizing some, it inevitably does damage to others. There was a case wherein the Ex-Im subsidies created a competitive advantage for Air India that cost

jobs at Delta Air Lines because the two competed directly on routes. The Air India route was subsidized by virtue of the Ex-Im subsidy, of its acquisition of planes, and Delta didn't get that subsidy. According to the CEO, who testified before the House, just that one deal cost 1,000 jobs at Delta.

I have a substantive objection here. I have an objection to this institution's mission, and growing its Board is part of advancing that mission. I have to say that this is in contrast to the obstruction that we are seeing from our Democratic colleagues with respect to nominees about whom they often have no objection at all.

The fact is, there has been a mission on the part of many of my Democratic colleagues to just block President Trump's nominees just because they are President Trump's. In fact, President Trump's nominees have had to undergo the delaying tactic of the cloture vote—a procedural vote that is designed to just chew up time and prevent us from functioning.

In the first year of his Presidency, there were over 300. That is more than the cumulative number of these delaying tactics for the first terms of his four predecessors, and it continues. In fact, earlier this year alone, we had our Democratic colleagues force this delaying tactic—this cloture vote—on judges, and then they voted for them, some of whom were confirmed unanimously. District Judge Silvia Carreno-Coll was forced to go through the delaying tactic and was then confirmed 96 to 0. There was a cloture vote—a delaying vote—on Robert Anthony Molloy to be a U.S. district judge, who was then confirmed 97 to 0.

There were still 68 reported nominees on the Executive Calendar as of yesterday. There are 13 of these nominations that are over 12 months old, and many of them are nominees about whom there is no objection.

With this case, there is an objection. It is a substantive objection to providing a cushion to a quorum of a bank with whose mission I disagree. If people want to go through the process of bringing this to the floor and filing cloture, it can be processed, but this isn't the way to do it.

So I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. BROWN. Madam President, I am disappointed but not surprised that we are not able to confirm the Ex-Im nominees today. There is great bipartisan support for this agency. We did a long reauthorization that was close to unanimous in its support. It is a place in which we have worked together to create American jobs.

I understand Senator TOOMEY's discussion about corporate interests. I am a bit surprised by that when this body passes trade agreement after trade agreement that supports corporate interests and that costs workers their jobs and when this body passed a huge tax cut for the rich 3 years ago that reduced the corporate tax rate and reduced it even further for companies that shut down production in Shelby or Lima or Akron, OH, and companies moved overseas to get their tax breaks and access to low-wage workers. I am just disappointed that we couldn't actually move forward.

It is the law of the land to have an Ex-Im Bank. There are two out of five slots that are empty. The President and Chairman of the Ex-Im Bank, Kimberly Reed, a Trump appointee, said very strongly that she needs more help, more boots on the ground, because she could create more jobs that way.

Lastly, I was a bit surprised to hear complaints about the Democrats' slow-walking of nominees. I mean, instead of actually doing the people's business here—getting help for unemployed workers and helping people stay in their homes as courts open up and more evictions are on the horizon and as layoffs in local governments and State governments around the country loom—this Senate spends most of its time on confirming judges.

My wife and I watched almost the entire rally in Tulsa. It was the first big Trump campaign rally—not that big—or the first purportedly big Trump campaign rally. We watched numbers of my colleagues with no masks in an arena in which public health officials said: Please, don't do that.

I heard the President brag about all of the judges he has gotten confirmed. So when I hear any of my colleagues complain that the Democrats have been obstructionists—have tried to stop Trump nominees—just remember what Senator MCCONNELL did with a legitimately chosen Supreme Court nominee and, equally as important, what this body has done in confirming judge after judge, many of them young and many of them far right and out of the political mainstream. The Republicans dutifully vote for them because Senator MCCONNELL tells them to. We know how that works around here. We have so much more work to do than that, but this Senate doesn't seem to be interested.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

COMMUNICATIONS DECENCY ACT

Mrs. BLACKBURN. Madam President, in the early days of the internet, when we were all just beginning to get online and experience what it was like to have at our fingertips an entree to the entire world—all of the information you could want—everything at that point really felt like a novelty. It had a newness about it. Technology was new, and consumers were able to take their time carving out a comfort zone for what they wanted to do online. They were signing up for Facebook, and they were trying to figure out which of their retail merchants they wanted to visit online, how they wanted to shop online, what transactions they wanted to begin to put into that search engine, and then conduct those transactions online. At the same time, technology firms were carving out their place in the market.

I don't have to tell you that this dynamic has really changed from those early days and those first experiences with the virtual space. We walk around with computers in our pockets. That level of convenience and connectivity is great, but it has thrown off the balance of power between what is now called Big Tech and consumers. Over the past few years, these companies have treated the American people to a series of scandals that have opened the floodgates to mainstream concerns over issues like data privacy, child exploitation, a national security risk, and blatant, anti-competitive business practices.

Just this week, I sent a letter to the Attorney General about Google's latest attacks on conservative media outlets. As a reminder to everyone, Google threatened to remove the Federalist and ZeroHedge from the Google Ads platform after determining that these outlets' comments sections—did you get that? It was their comments sections, which are the areas you go to participate in public debate—contained content that violated company policy. Well, how about that?

A representative from Google ran to the press and insisted that both outlets had published dangerous, hateful content. It really makes you wonder: What was their real reason for this threat? What was the real reason for the Google representative's breathless accusations to the press?

In my letter, I encouraged Attorney General Barr to meet with representatives from both the Federalist and ZeroHedge so that they could explain firsthand what a permanent ban from the Google Ads platform could lead to in terms of loss of traffic and revenue. Of course, the answer to that inquiry is that a ban would be catastrophic for any outlet, and here is the reason: Guess who dominates online advertising. Google. It is called a monopoly. It is called ''they control those ad platforms.''

This Friday, State attorneys general are meeting with Justice Department officials to discuss this, and if I were Google, I would be a little bit nervous about that. I think it is fair to say that many of these attorneys general have just about had it with some of these online practices.

This particular scandal is interesting because it implicates both antitrust concerns and the section 230 protections that are laid out in the Communications Decency Act. Lately, we have heard quite a bit about section 230, and we have already discussed at length whether it should be left alone, reformed, or scrapped entirely.

When section 230 was implemented in the early days of the internet, the vision was that it would shield emerging and new technology firms from lawsuits. It would give them the ability to

kind of stand up, if you will. It would, in good faith, allow platforms to remove content that they would find to be obscene, violent, harassing, or otherwise objectionable even if the material would be otherwise constitutionally protected speech. At the time, when all of these businesses were in their infancies, when they were new starts, this worked pretty well. Startups were allowed to innovate without having to worry about lawsuits sending their companies into bankruptcy or threatening their ability to raise venture capital, but, as I said earlier, times have changed.

Now, as is the case with most policies involving Big Tech, heavy-handed government intervention will not fix this problem. Still, many of my colleagues here in the Senate believe that using strict legislation and policing speech is the only path to reform. I will tell you, as someone who has been censored by a social media platform, I fully appreciate and understand their points of view. Not only is it frustrating to become a victim of that bias, but it is also so disheartening to watch our country devolve into a place where people would rather be shielded from debate than learn from the people with whom they disagree.

You know, there used to be a time when you would engage your friends who had different opinions than you. You would engage them and participate in some point and counterpoint and have a friendly discussion about your take on the issues. Yet, when it comes to reining in Big Tech, the innovators have to be allowed to innovate. They need some guardrails, but they do not need straightjackets.

This is the same approach I took when drafting the BROWSER Act, which was the data privacy legislation I introduced in the Senate last year but had worked on this since I had been in the House, and it is the approach that we are taking with the bipartisan Tech Task Force. Policies like these take a lot more time and a lot more one-on-one communication to draft and to work through to a resolution, but they are much better for the industry and innovation than something that is purely punitive.

I am working closely with the White House and the Justice Department on a series of changes to section 230 that will allow us to fix the rules we have without having to start from scratch.

First, we can incentivize online platforms to address truly illicit content by implementing three carve-outs that exempt specific categories of speech from immunity. First, facilitating or soliciting third-party activity that violates Federal criminal law—we call this one the ''bad Samaritan carveout''; second, content involving child exploitation and abuse, terrorism, and cyber stalking; and third and last, we will revoke that immunity if a platform is caught failing to act when it has actual knowledge of or was provided with a court judgment regarding unlawful content.

We also need to clarify once and for all that section 230 immunity does not apply to actions brought by the Federal Government. But what about those startups, those up-and-coming tech companies that are looking for the next great idea? How will reform treat them differently from the Facebooks and the Googles of the world?

What we can do is limit liability based on minimum platform user thresholds. We would limit those section 230 protections to platforms with fewer than 50 million American users. Just for reference, Google has 259 million American users, Facebook has 221 million, and Twitter has 64 million American users. Under this standard, a user alleging harm would be able to move forward with a lawsuit against a platform only if that platform's user threshold were above 50 million U.S. users and a court has reasonable grounds to believe that the platform contributed to the offending post or refused to act on it once notified.

These are all simple changes that will rebalance the relationship between online platforms and their customers, and we shouldn't delay in our implementing them because the internet is more than just a place where we post our status updates or photos of what we had for dinner; the digital revolution fundamentally changed the way we live our lives, consume the news, and interact with corporations, media outlets, and our local governments.

We can't afford to let these platforms leverage their own biases to arbitrarily decide who is allowed to speak or what information we are allowed to consume, but we also can't afford to implement heavy-handed policies that will inevitably collapse the entire industry.

I look forward to the Senate's continuing its work on this on both the Commerce and Judiciary Committees.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. HYDE-SMITH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

THE JUSTICE ACT

Mrs. HYDE-SMITH. Madam President, it is a shame the Senate has been prevented the opportunity to discuss meaningful legislation to strengthen and improve our law enforcement system.

The Senate had an opportunity to implement public safety measures the American people believe are needed and the American people want. Most importantly, the Senate was blocked from working toward helping bind the Nation together.

Sadly, this was due to partisan politics by our Democratic colleagues. It is disappointing that, when given the chance to back up a lot of big talk about reform and change, our colleagues on the other side of the aisle simply walked away. I was under the impression we were all in agreement that the matters addressed in this legislation were, at the very least, worth debating. By refusing to even consider a debate, Senate Democrats leave the American people with irresponsible demands to defund the police and destruction of public property.

My friend and colleague, the junior Senator from South Carolina, worked tirelessly to produce very good legislation. He and the leadership offered to work with our Democratic colleagues and assure them there would be an open amendment process.

Had we had a chance to proceed, I was prepared to file an amendment that would have gotten the top Federal and State law enforcement officials together from rural and urban areas and developed a best practices curriculum for training incoming law enforcement officers. The amendment would have provided the resources to train the trainers.

This simply illustrated that Members on both sides of the aisle wanted an opportunity to offer meaningful changes to the bill, but only one side of the aisle thought that opportunity was worthwhile. I am ready to debate on that and any other amendment should we do the right thing and have an open, purposeful conversation on a very critical issue.

The tragic death of George Floyd in Minneapolis last month exposed an erosion of public confidence in the rule of law and law enforcement practices. There is no doubt in my mind that the vast majority of law enforcement officers, who are very good friends of mine—many of them across the country—do their jobs fairly and justly. However, the bad actions of a few are enough to cause us as elected leaders to consider responsible changes to improve police practices and rebuild public confidence in those we trust with ensuring our public safety.

I encourage my colleagues to reconsider and engage in this debate. It would be a real tragedy not to use this national moment in our history to improve law enforcement through more accountability, transparency, and better training.

Let's stop looking for ways to divide the American public. Let's bring people together and work together toward meaningful reform that improves law enforcement, public safety, and the confidence Americans deserve in the rule of law.

I yield the floor.

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

70TH ANNIVERSARY OF THE KOREAN WAR

Mr. GARDNER. Mr. President, I rise today to speak about the Republic of Korea on this June 25, the 70th anniversary of the start of the Korean war.

The Republic of Korea is a longtime ally and partner that resides in one of the most prosperous and one of the

most dangerous parts of the world. When most of us hear about Korea, we instinctively focus on the threat emanating from the bizarre failed state in the north, and we often forget about the incredible successes and stories of success in the south that was made possible largely by the United States-South Korea Alliance.

When I visited the Korean War Memorial in Seoul in July of 2017, I read the names of Americans and Coloradans that died answering the call to defend a country they never knew and a people they never met. I think that, today, we owe it to our fallen soldiers to recognize what the world has gained from their sacrifice.

On June 25, 1950, Kim Il-sung's army crossed the 38th parallel to invade South Korea. In response, the United States mobilized the international community under the U.N. flag and sent hundreds of thousands of U.S. troops to defend Korea. To this day, thousands of U.S. soldiers remain unaccounted for. Over 1 million Korean civilians perished. Most survivors have never seen or spoken with their families across the border.

The U.S. decision to intervene in that war transformed the future of Asia. South Korea has blossomed from a war-torn state to an economic powerhouse, a thriving democracy, and, in recent months, a global leader in response to a public health crisis.

South Korea boasts the 12th largest economy in the world and has become a leader in critical future technologies such as telecommunications, electronics, and semiconductors. They managed to do this despite having a population of only 50 million people, few natural resources, and effectively operating as an island restricted to maritime trade.

South Korea's hard-fought transition from authoritarian governments to vibrant democracy took time, it took perseverance, and it took grit, but they did it. It is now a democracy with a highly educated and active civil society that embraces the rule of law and human rights and stands in stark contrast to its authoritarian neighbors in North Korea and China.

As our South Korean ally has grown more prosperous and more capable, it has also taken on an outsized global responsibility. Since the Korean war, South Korea has fought alongside the United States in all four of our major conflicts.

Once a recipient of foreign aid, Seoul is now a worldwide donor of aid. It has become a critical pillar in upholding the postwar order, playing a valuable role in the global nonproliferation regime, global emissions reduction, peacekeeping, cybersecurity, counterterrorism, and postconflict stabilization.

South Korea has also become a key stakeholder in various international organizations, including the United Nations, World Trade Organization, G–20, the Organization for Economic Cooperation and Development, and the Asia-Pacific Economic Cooperative forum, just to name a few.

The alliance has proven to not only be crucial for U.S. economic and national security interests but for our health as well. This was most evident as South Korea led a pivotal response to the COVID–19 pandemic. I worked closely with our South Korean allies and the Colorado Governor Jared Polis to obtain hundreds of thousands of COVID–19 testing kits for Colorado, which will continue to be vital as we get through this ongoing pandemic.

Weeks ago, President Trump invited President Moon of South Korea to the upcoming G7 meeting. I fully endorse this decision, and at the current juncture, I believe it is time to explore new avenues to broaden cooperation with South Korea on the global stage, including in global health, the environment, energy security, and emerging technologies.

South Korea is situated in one of most precarious neighborhoods in the world. Koreans have historically explained their geography of being a ''shrimp among whales.'' Indeed, northeast Asia holds a number of nuclear-capable states, economic mammoths, and the largest standing armies in the world.

In our alliance, we vow to defend one another from attack, but it often goes unstated that South Korea bears the frontline burden of this defense. While North Korea has only recently tested an ICBM capable of reaching the continental United States, Seoul has been under the threat of artillery, short-range missiles, an armed invasion for decades. In the shadow of this threat, South Korea has invested considerably in defense, over 2.5 percent of its GDP. It also funded over 90 percent of the costs of Camp Humphreys, what is now the largest overseas U.S. military base in the world. These are just a few of the ways in which South Korea remains a model alliance partner.

Against the backdrop of rising tensions in recent weeks, we should swiftly conclude negotiations on the Special Measures burden-sharing agreement, which would provide strategic stability on the Korean Peninsula and strengthen the U.S.-South Korea alliance.

The United States and South Korea maintain a tightly-integrated combined forces command that is unique to the world. This demonstrates the immense trust and combined capability between our two militaries. This unique structure makes credible our ability and commitment to meet those threats at a moment's notice. It also allows us to stand shoulder to shoulder as allies and say ''kachi kapshida'' or ''we go together.''

But the alliance faces greater threats today than at any time in the past. Chinese coercion in the Yellow Sea and the East China Sea, as well as militarization of the South China Sea, have all increased in recent years. As China has grown, it has also become more aggressive. We must come together with regional partners to resist this coercive behavior.

Only with a concerted voice can we preserve global norms and international law, and South Korea plays a growing role in upholding this regional order. Our North Korea policy has for decades failed to achieve denuclearization of the Korean Peninsula. However, the U.S.-South Korea alliance has succeeded in deterring Pyongyang, retaining regional stability, and maintaining conditions for the growth and prosperity of every country in the region, except for Pyongyang.

We stand ready to welcome the people of North Korea into the international community, but this requires Pyongyang to commit to economic reform, to treat its people with dignity, and to refrain from menacing others with weapons of mass destruction.

I believe U.S. policy toward North Korea should be straightforward. Until we achieve the denuclearization of North Korea, the United States will deploy every economic, diplomatic, and, if necessary, military tool at our disposal to deter Pyongyang and to protect our allies.

Pyongyang recently exploded the inter-Korean liaison office in Kaesong and began rolling back its commitments under the April 2018 Panmunjom Declaration. Since February 2019, since that summit in Hanoi, Pyongyang has rebuffed working-level negotiations with the U.S.

In March of this year, Kim launched a record number of missiles in a single month and continues to unveil new missile systems that impose novel threats to our allies South Korea and Japan.

Kim Jong Un is showing that he simply doesn't want diplomatic and economic engagement on the terms offered by the United States and the international community but wants only to deepen his country's self-isolation and build his weapons programs.

The United States must respond with our allies. We must consider restoring military exercises with our partners in Seoul and Tokyo, enhance missile defense, and remain in close consultation to reassure our allies of our commitment to defend them from any aggression or coercion. Kim Jong Un must not underestimate the resolve of the United States to defend our allies.

The peaceful resolution of the North Korean problem also requires the international community to finally join together in fully implementing United Nations sanctions. In this effort, we require greater cooperation from Beijing. China accounts for 90 percent of North Korea's trade, including virtually all of North Korea's exports. The most recent U.N. Panel of Experts report to the North Korean Sanctions Committee provided clear evidence of illicit ship-to-ship transfers between North Korean and Chinese ships just off the Chinese coast. These blatant violations of sanctions must end now.

In 2016, I led the North Korean Sanctions and Policy Enhancement Act, which passed the Senate by a vote of 96 to 0. The Trump administration has the opportunity to use these authorities to build maximum leverage not only with Pyongyang but also with Beijing. If China will not act to ensure its entities comply with international law, then perhaps pressure from the U.S. Treasury and the Department of Justice will make it a priority for Beijing.

I was initially encouraged by the administration's decision in June of 2017 to sanction the Chinese Bank of Dandong. This conveyed an unprecedented statement that we were serious about the maximum pressure campaign, and it got results. However, even as we saw Chinese sanctions enforcement wane after summits in 2018, the pace of designations and indictments has slowed tremendously.

The administration, with congressional support, should now make clear to any entity doing business with North Korea that they will not be able to do business with the United States or have access to the U.S. financial system.

Last month, the U.S. Department of Justice charged 28 North Koreans and 5 Chinese citizens with using a web of more than 250 shell companies to launder over $2.5 billion in assets through the international banking system. This is a good sign, but individual indictments have not effectively deterred further sanctions violations. We need to pressure Chinese banks that serve as the illicit conduit between North Korea and the outside world.

As for any prospect of engagement, we must continue to make it clear to Beijing and Pyongyang that the United States will not negotiate with Pyongyang at the expense of the security of our allies. Maintaining robust U.S. alliances in the Asia-Pacific, in fact, should be our No. 1 priority. That is why last Congress I authored and passed the Asia Reassurance Initiative Act. ARIA outlines a long-term strategic framework to double down on engagement in the Indo-Pacific, to protect U.S. interests, and to uphold the post-war order that has benefited the United States, its allies, and much of the world over the past 70 years.

Maintaining peace and prosperity on the Korean Peninsula and throughout the Indo-Pacific is an effort that can no longer be and never could be accomplished without our allies, without our friends. That is what makes America so strong.

Today I hope my colleagues in the Chamber will aid me in passing this resolution commemorating those Koreans and Americans who fell in defense of freedom on the Korean Peninsula 70 years ago. There is no greater way to honor their sacrifice than to look back on all that our two peoples have accomplished over the past 70 years and to continue to nurture the steadfast alliance between the United States and South Korea. I urge my colleagues to support the resolution.

I yield the floor.

Mr. GARDNER. Mr. President, I ask unanimous consent that the vote scheduled for 1:30 p.m. begin now.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill 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. 483, S. 4049, a bill to authorize appropriations for fiscal year 2021 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.

Mitch McConnell, Marsha Blackburn, Joni Ernst, John Boozman, Steve Daines, Cory Gardner, Pat Roberts, Mike Rounds, Mike Crapo, Roger F. Wicker, Cindy Hyde-Smith, Lamar Alexander, Shelley Moore Capito, Rob Portman, Roy Blunt, John Barrasso, John Thune.

The PRESIDING OFFICER. 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 S. 4049, a bill to authorize appropriations for fiscal year 2021 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Wyoming (Mr. ENZI), and the Senator from Kansas (Mr. MORAN).

Further, if present and voting, the Senator from Kansas (Mr. MORAN) would have voted ''yea.''

The yeas and nays resulted—yeas 90, nays 7, as follows:

[Rollcall Vote No. 127 Leg.]

YEAS—90

Alexander	Cassidy	Gillibrand
Baldwin	Collins	Graham
Barrasso	Coons	Grassley
Bennet	Cornyn	Hassan
Blackburn	Cortez Masto	Hawley
Blumenthal	Cotton	Heinrich
Blunt	Cramer	Hirono
Booker	Crapo	Hoeven
Boozman	Cruz	Hyde-Smith
Braun	Daines	Inhofe
Brown	Duckworth	Johnson
Cantwell	Durbin	Jones
Capito	Ernst	Kaine
Cardin	Feinstein	Kennedy
Carper	Fischer	King
Casey	Gardner	Klobuchar
Lankford	Reed	Sinema
Leahy	Risch	Smith
Lee	Roberts	Stabenow
Loeffler	Romney	Sullivan
Manchin	Rosen	Tester
McConnell	Rounds	Thune
McSally	Rubio	Tillis
Menendez	Sasse	Toomey
Murkowski	Schatz	Udall
Murray	Schumer	Van Hollen
Paul	Scott (FL)	Warner
Perdue	Scott (SC)	Whitehouse
Peters	Shaheen	Wicker
Portman	Shelby	Young

NAYS—7

Harris	Murphy	Wyden
Markey	Sanders	
Merkley	Warren	

NOT VOTING—3

Burr	Enzi	Moran

The PRESIDING OFFICER. On this vote, the yeas are 90, the nays are 7.

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

The PRESIDING OFFICER. The Senator from Arkansas.

WASHINGTON DC ADMISSION ACT

Mr. COTTON. Mr. President, our country faces real challenges today. For example, anti-American mobs are roaming the streets in many cities, tearing down statues of our greatest statesmen, men like Abraham Lincoln, U.S. Grant, and George Washington, after whom this Capital City is named.

But the Democrats aren't doing anything about that problem. Oh, no, on the contrary, the mob is, in many ways, the youth movement of the Democratic Party. So they are perfectly content to look the other way—or even cheer it on. I mean, have you heard Joe Biden, CHUCK SCHUMER, or NANCY PELOSI denounce the mob violence we see on our streets? Me neither.

Instead, the Democrats have found another pressing issue. The House is voting tomorrow on a bill to make Washington, DC, a State. If that sounds insane, you are not alone. More than two-thirds of the American people oppose DC statehood, according to a Gallup poll last summer.

By some estimates, DC statehood is less popular even than defunding the police. So why are the Democrats pushing for it? The answer is simple—power. The Democrats want to make Washington a State because they want two new Democratic Senators in perpetuity.

The Democrats are angry at the American people for refusing to give them total control of the government, for going on a decade now. So they want to give the swamp as many Senators as your State has. They want to make Washington a State to rig the rules of our democracy and try to give the Democratic Party permanent power.

In doing so, the Democrats are committing an act of historical vandalism as grotesque as those committed by Jacobin mobs roaming our streets. In their rush to make Washington a State, they disregard the clear warnings of our Founding Fathers.

If the Democrats succeed in forcing through DC statehood, they will do so only as a narrow faction that scorns the history of our country and seizes power against the will of the people who want Washington to remain what it has been for more than 200 years—a Federal city, our Nation's Capital.

The District of Columbia is unusual, though not unique, among capitals of the world, in that it didn't grow naturally over the centuries but was purpose-built as the Capital of our Nation. The Founders created Washington as a Federal city so that the operations of government would be safe and free from domination by the States around it.

James Madison wrote in Federalist 43 that ''the indispensable necessity of complete authority at the seat of government, carries its own evidence with it.''

It is so obvious as to be self-evident. Without complete control over its territory, Madison wrote, the government ''might be insulted and its proceedings interrupted with impunity.''

Hostile magistrates or an angry mob might interfere with the people's elected representatives or even usurp the government.

Now, this was no abstract concern for the Founders. Just 5 years before Madison wrote those words, several hundred mutinous soldiers assailed the Congress in Philadelphia, where it met at the time. They issued demands to Congress for money and wantonly pointed their muskets at Independence Hall.

Pennsylvania's Governor rejected Congress's pleas for help, saying he would wait until the mob committed some actual outrages on persons or property before sending in the State militia. Congress ultimately had to adjourn and flee to New Jersey while Washington sent in troops to put down the mutiny.

This mutiny was an insult, an interruption of the sort Madison refers to in Federalist 43. The Founders made Washington, DC, independent so that the Federal Government would never again be at the mercy of a mob or a hostile State.

The wisdom of this decision was on display just days ago when violent riots erupted near the White House, setting fire to a historic church and committing other acts of vandalism and destruction across the city. Those riots were contained thanks to an impressive show of force by Federal law enforcement officers under Federal control.

One can only imagine how much worse the destruction would have been if those Federal officers hadn't been there, if most of Washington were under the control not of the Federal Government but of a leftwing politician like Muriel Bowser, who frequently takes the side of rioters against law enforcement.

Would you trust Mayor Bowser to keep Washington safe if she were given the powers of a Governor? Would you trust Marion Berry? More importantly, should we risk the safety of our Capital on such a gamble?

Now, of course, the Democrats will argue that the statehood bill doesn't entirely eliminate Federal control of Washington because it preserves a small Federal district that encompasses the White House, the Capitol, the Supreme Court, the Library of Congress, the National Mall, and a few other government buildings. What a humbling demotion from the grand Federal city that President Washington and Pierre L'Enfant envisioned more than 200 years ago, which they hoped would rival Paris in size and ambition.

By contrast, look at this ridiculous map. Look at it. The Democrats propose to turn Washington into little more than a gerrymandered government theme park, surrounded on all sides by a new State controlled, of course, by the Democrats.

The Federal Government's safety and independence cannot be assured by such a laughable district. Again, look at it. It has 90 sides. A mere city block, less than 200 yards, separates the White House from the proposed boundaries of a new State, governed at present by a politician who hates the President. The Supreme Court and several congressional office buildings are right at the edge of the map, separated from the new Democratic State by the width of a single city street. In the event of emergency, like the Philadelphia mutiny of 1783, those narrow boundaries could jeopardize the operations of the Federal Government.

Consider also what is not included in this ridiculous new map of a new Washington, DC. The headquarters of the Department of Homeland Security would be outside the Federal Government's control, as would be the headquarters of the FBI and the FCC, which governs all communications in the country.

The seat of government would be separated for the first time from its military bases—Fort McNair in Southwest Washington, the marine barracks in Southeast Washington, and Bolling Air Force Base, across the river.

Washington's roughly 200 foreign embassies would no longer be in the Federal district but in the Democrats' new State, giving it unusual prominence in foreign affairs—precisely the kind of treatment the Founders hoped to avoid by creating a Federal city.

While the proposed Federal District would have access to a single powerplant, undoubtedly it would rely on the Democrats' new State for many basic utilities—not just power but water, sewage, and telecommunications. It would also rely on the new State, as well as Virginia, for access by land.

The civil servants and officers of the Federal Government would have no choice but to reside in a different State on which they would wholly depend for access to the Federal zone.

These may seem like minor or obscure problems, and, at peaceful times, maybe they are. But recognize the truth: The government of the most powerful Nation in the world wouldn't have control of critical infrastructure necessary for its own safety, functioning, and independence in a crisis. Maybe that seems like a remote danger, although one should think better after the riots earlier this month, to say nothing of the Civil War itself, when our seat of government faced imminent danger in encirclement by hostile forces. In fact, the danger was so severe that President Lincoln wanted Washington to be enlarged, not diminished, and to include the area south of the Potomac that was retroceded to Virginia in 1846. He said:

> The present insurrection shows, I think, that the extension of this District across the Potomac at the time of establishing the capital here was eminently wise, and consequently that the relinquishment of that portion of it which lies within the state of Virginia was unwise and dangerous.

How much more unwise and dangerous would it be to shrink the Federal District even further to just a few buildings in a 90-sided map? But that is exactly what the Democrats propose to do.

Those are just the practical and prudential problems. DC statehood also presents a grave constitutional conundrum. Attorneys General as diverse as Bobby Kennedy and Ed Meese understood that the 23rd amendment to our Constitution forecloses the Democrats' statehood proposals. The 23rd amendment, ratified in 1961, gave Washington residents a meaningful vote in Presidential elections. The amendment grants three electoral votes to, in its own words, ''the district constituting the seat of government of the United States.''

But of course, the Democrats' new State would also be entitled to its own three electoral votes. Yet, if the 23rd amendment isn't repealed, the rump Federal district will retain its three electoral votes. The practical effect, of course, would be to increase the swamp's electoral power in Presidential elections.

Even the radical Democrats can't ignore this thorny problem. Their bill calls for the swift repeal of the 23rd amendment, but they would allow Washington to become a State before the amendment is repealed. But there is no assurance that the amendment would actually be repealed. The Constitution has only been amended on 18 occasions in our Nation's history. It is not a walk in the park in the best of times. Yet the Democrats want you to think they can pull off an amendment to alter the electoral college in the midst of a Presidential election.

In the meantime, DC statehood, along with the 23rd amendment, will lead to absurd consequences. This small Federal district, with three electoral votes, would have virtually no residents. In fact, as far as I can tell, the only residents in the district are right here, in the White House.

If the House passes this bill tomorrow and the Senate were to approve it for the President's signature, then Donald and Melania Trump need only change their voter registration from Florida to Washington to get their own—their very own—three electoral votes. I can't help but think this isn't what NANCY PELOSI had in mind.

Even putting aside these practical and constitutional problems with DC statehood, though, we return to a basic truth: Washington is a city with all the characteristics of a city, not a State. Washington doesn't have the size or diversity of interest of even the smallest of the 50 States.

Consider Washington's size. At just shy of 70 square miles, DC is 18 times smaller than the smallest State in the union—Rhode Island. But, of course, the Democrats say size doesn't matter. What matters is population. Washington has just over 700,000 residents—more than Wyoming and Vermont and about as many as Alaska. Doesn't this qualify Washington as a State? If it did, we would need a lot more States because Washington is just the 20th largest city in the country. If Washington deserves to be a State at 700,000 residents, how much more does New York City deserve to be its own State at 8 million residents? Perhaps Bill de Blasio should trade out his title of mayor for Governor, all the better to battle his nemesis Andrew Cuomo on equal terms. But let's not give the Democrats any bright ideas.

What about Jacksonville, FL, at more than 900,000 residents, shouldn't we have a State of Jackson to accompany the new State of Washington? We all know that will not do. Jacksonville is governed by a Republican, and the Democrats have canceled Andrew Jackson.

Washington also doesn't have the diversity of interest and financial independence that Madison explained were necessary for a well-functioning State. Yes, Wyoming is smaller than Washington by population, but it has 3 times as many workers in mining, logging, and construction, and 10 times as many workers in manufacturing. In other words, Wyoming is a well-rounded, working-class State. A new State of Washington would not be.

What about Alaska? It provides more than 60 percent the Nation's seafood, and its vital geography protects the entire Nation with missile defense systems and enables us to check Russian and Chinese ambitions in the Arctic.

But what vital industries would the new State of Washington represent—lobbying, bureaucracy? Give me a break. By far, the largest group of workers in the city are bureaucrats and other white collar professionals. This State would be nothing more than an appendage of the Federal Government, not separate from the government, as the State ought to be.

Faced with these insuperable facts, the Democrats will retreat to the claim that it is not fair for Washington to pay taxes but not be represented in Congress. Washington residents, they say, get a raw deal. ''No taxation without representation,'' as their license plates proclaim.

But, of course, this is backward. As our Nation's Capital, the District of Columbia is represented by the very fact of its privileged position, and it reaps the benefits of that privilege. For every $1 that District residents pay in taxes, they get $4 back in Federal spending. That is more than any of the 50 States.

Nor is Washington unique in its relationship to Congress. Just like other Territories—Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands—Washington has a nonvoting member of Congress who is empowered to introduce legislation, advocate for it on the House floor, and sit on committees. In fact, Washington's Delegate introduced the very bill that Democrats plan to vote on tomorrow to create this ridiculous Federal district.

If it is a special indignity for Washington residents not to have a voting Member of Congress, is it also an indignity for the 55,000 American Samoans? Should they get two Senators as well? Once again, though, let's not give the Democrats any bright ideas. They already want to make Puerto Rico a State.

But all of my observations about the practical effects and constitutional obstacles in the end give too much credit to what the Democrats are really up to—a naked power grab. Democrats in Congress are advocating DC statehood against the will of the American people—including the will of democratic voters, a majority of whom oppose DC statehood. Democratic politicians are pushing for this radically unpopular idea not because it is a sound idea but because they are angry that they don't win every election under the current rules, and so they want to change the rules.

If you doubt this whole endeavor is about power, consider that the Democrats could just as easily call for retroceding the District of Columbia to Maryland. This would give Washington residents the voting power in Congress that is supposedly at the heart of this matter—a voting Member in the House, probably of its own, and representation in the Senate. There is even historical precedent for retrocession, unlike turning the Federal District into a State. But retrocession wouldn't give the Democrats their real aim—two Democratic Senators in perpetuity to rubberstamp the swamp's agenda. So you will not hear them talk about that.

Also consider the Democrats' other big idea as of late. You will see that startling them. Earlier this week, the junior Senator from Delaware expressed his openness to ending the legislative filibuster in the Senate, even though he wrote the letter demanding that we preserve the filibuster. Having two more Democratic Senators would be awfully handy to that goal. The Democrats also have a scheme to abolish the electoral college so that a handful of massive, liberal cities can pick the President. They want to pack the Supreme Court so liberal activists never lose again at the highest Court in our land.

These proposals have practical and constitutional problems as glaring as DC statehood, but the Democratic Party pushes forward nevertheless because their goal is to accumulate as much power as possible and never relinquish it.

This week, the mob comes for Washington—his statue, his history, and now his city. We must oppose this destructive campaign in the Senate, just as it is opposed by the majority of American people across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

REMEMBERING THE CAPITAL GAZETTE JOURNALISTS

Mr. CARDIN. Mr. President, this Sunday, we will mark a grim anniversary. On June 28, 2018, a 38-year-old man who held a longtime grudge against the Capital Gazette newspaper in Annapolis, MD, for reporting about him, made good on his sworn threats. He entered the newspaper's office, headed to the newsroom, and deliberately shot and killed five employees of this community newspaper.

The Capital Gazette is the local paper of record in Annapolis. It is one of the oldest continuously published newspapers in the United States. It traces its roots back to the Maryland Gazette, which began publishing in 1727, and the Capital, which was founded in 1884.

Two years later, the senseless loss of life remains so personal to so many people in Annapolis and around the State. You need to understand that the Capital Gazette is as much a part of the fabric of Annapolis as the State government that it covers better than anyone in the business. Today, it still carries out that mission better than anyone else, with an added priority of covering the gun violence that continues to plague this country and efforts to reduce gun violence and increase public safety.

As I did 2 years ago, I want to take a moment to mourn those we lost and to thank the first responders who appeared on the scene literally 60 seconds after the 9–1–1 call. On this day 2 years ago, Anne Arundel County police officers happened to be down the street from the offices when the shooting started. Their location and fast response most definitely saved lives.

According to Anne Arundel Police Chief Timothy Altomare, within 2 minutes, the Anne Arundel County Police Department, the Annapolis Police Department, and the Anne Arundel Sheriff's Office rushed into the offices and into the newsroom and apprehended the gunman.

State and Federal law enforcement personnel from the Federal Bureau of Investigation and the Bureau of Alcohol, Tobacco Firearms, and Explosives and many other agencies quickly arrived to support local officials in their efforts to clear the building and meticulously investigate the scene.

I want to thank, again, Chief Altomare and every one of those law enforcement officers who did their job and contributed to the emergency response. I want to acknowledge, again, the victims.

Gerald Fischman, 61, was an editor with more than 25 years of service with the Capital Gazette, well known at the newspaper and throughout the community for his brilliant mind and writing. Most often, it was his voice and his insightfulness that came through on the editorial pages of the Capital Gazette.

Rick Hutzell, the Capital Gazette's editor, described Fischman as ''someone whose life was committed to protecting our community by telling hard truths.''

Rob Hiaasen, 59, was a columnist, editor, teacher, and storyteller who brought compassion and humor to his community-focused reporting. Rob was a coach and a mentor to many. According to the former Baltimore Sun columnist Susan Reimer, he was ''so happy working with young journalists. . . . He wanted to create a newsroom where everyone was growing.''

John McNamara, age 56, was a skilled writer and avid sports fan. He combined these passions in his 24-year career as a sports reporter at the Capital Gazette. Former Capital Gazette sports editor Gerry Jackson, when remembering ''Mac,'' said:

He could write. He could edit. He could design pages. He was just a jack of all trades and a fantastic person.

Rebecca Smith, age 34, was a newly hired sales assistant known for her kindness, compassion, and love for her family. A friend of her fiance described ''Becca'' as ''the absolute most beautiful person'' with the ''biggest heart'' and called her death ''a great loss to this world.''

Wendi Winters, age 65, was a talented writer, who built her career as a public relations professional and journalist, well known for her profound reporting on the lives and achievements of people within the community. She was a ''proud Navy Mom'' and Navy daughter. Wendi saved lives during the attack. She confronted and distracted the gunman, throwing whatever she could find around her at him.

As the newspaper noted:

Wendi died protecting her friends, but also in defense of her newsroom from a murderous assault. Wendi died protecting freedom of the press.

My heartfelt condolences and prayers go out to the families of these five wonderful people.

The surviving staff members also deserve our continued prayers and praise for their resilience and dedication to their mission as journalists. During and after the attack, staff continued to report by tweet, sharing information to those outside, taking photos and documenting information as they would any other crime scene. Despite their grief, shock, anger, and mourning, the surviving staff—with the help of their sister publication the Baltimore Sun, Capital Gazette alum, and other reporters who wanted to lend a hand to fellow journalists—put out a paper the next morning, as they have done every day since.

The staff fittingly left the editorial page blank the day after the shooting, but for these few words:

Today, we are speechless. This page is intentionally left blank to commemorate the victims of Thursday's shootings at our office.

The staff promised that on Saturday, the page would ''return to its steady purpose of offering our readers informed opinion about the world around them, that they may be better citizens.'' And they carried that out.

Our Constitution, which establishes the rule of law in this country, grants us certain rights and responsibilities. Freedom of the press, central to the very First Amendment of the Constitution, has often been under attack, figuratively speaking, since our Nation's founding. Today, those attacks have become more frequent, and they are not just figurative anymore. They are physical. These attacks are spurred on by dangerous rhetoric that has created an open season on the media for doing its job—asking questions that need to be asked, investigating stories that need to be investigated, and bringing needy transparency to the halls of power, whether they are in Annapolis, Washington, DC, or anywhere in this country.

In 2018, after the shooting at the Capital Gazette, the United States was, for the first time, added to the list of ''the most deadly countries for journalists'' in an annual report by the group Reporters Without Borders.

President Trump's rhetoric—calling the media ''a stain on America'' and the ''enemy of the American people''—certainly has been harmful. I have said this before and I will keep saying it: The President's language is dangerous. It has gone beyond the pale, and he needs to stop it.

As Jason Rezaian wrote in the Washington Post after the Capital Gazette shooting, Donald Trump ''didn't create the problem of hostility to journalists, but he exploits and exacerbates it.''

He went on to say:

That's true, too, of the leaders in other countries who routinely call reporters enemies of the state, terrorists and national security threats. And we must be vigilant to standing up to these empty accusations.

In the United States, physical attacks on media have grown so troublesome that the Committee to Protect Journalists, an independent nonprofit that promotes freedoms globally, actually started a U.S. freedom tracker to show the scope of the problem. So far, in 2020, there have been 107 journalists attacked and 36 arrested in the United States.

Instead of attacking the free press, we need to be honoring it. Toward that end, I have introduced a bill, S. 1969, to establish the fallen journalists memorial here in Washington, DC. I am pleased that the Natural Resources Committee ordered the bill to be reported favorably by voice vote. The changes the committee made reflected input from stakeholders, including the National Park Service, which supports the bill.

The legislation is bipartisan, noncontroversial, and does not impose any additional costs on taxpayers. The memorial will serve as a fitting tribute to the Capital Gazette staff and to all journalists who have died in the line of duty and to our Nation's commitment to the free press.

My hope is that we will all agree that building a new memorial to honor the fallen victims is appropriate and should be done and should be passed.

As Walter Cronkite remarked, ''Freedom of the press is not just important to democracy, it is democracy.''

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

THE JUSTICE ACT

Mr. CORNYN. Mr. President, the Senate was prepared yesterday to answer the call of millions of Americans to take action on police reform. The senseless and tragic death of Houston native George Floyd galvanized people of all races and ethnicities to speak out against the injustices that persist in our criminal justice system and to demand action. We tried to take that responsibility seriously.

Senator TIM SCOTT, our colleague from South Carolina, led the effort to draft a bill that would improve policing practices around the country. That bill, the JUSTICE Act, addressed choke holds and no-knock warrants—two practices which have, for good reason, been brought into question by recent events. This legislation would have ensured that the best trained officers on our police forces would be using body cameras—reporting critical data—and being held accountable for crossing redlines.

We thought our colleagues across the aisle would have taken this matter seriously as well. They drafted their own version of a reform bill. While there were differences between the two proposals, there was a lot of overlap. In fact, there was more these two bills had in common than was different. Both bills, for example, focused on training, transparency, and accountability.

I had hoped that would have meant that we would have been in a good place when it came to trying to reconcile the remaining differences. After all, the Democratic leader had been urging the majority leader to put a police reform bill on the floor by July 4, and that is exactly what we did. Leader MCCONNELL made clear that this would be an open debate and that there would be amendments and an opportunity for our Democratic colleagues to work with us in order to make the bill better. Ultimately, if they had decided to get on the bill, as the Presiding Officer knows, there would have been 60-vote thresholds on the back end that would have given them leverage to have made sure that the debate would have been fulsome and fair. But that simply wasn't enough for our friends across the aisle.

When it came time to take a purely procedural vote to begin debate, they blocked it. They refused to engage in any meaningful or productive way.

So after promising the American people that they were going to act to reform America's police departments, they were given the opportunity, but they broke their promise.

As Senator SCOTT said yesterday, it wasn't what was being offered but who offered it. Our colleagues on the other side of the aisle find themselves too politically conflicted to work on a bipartisan basis to enact meaningful reforms, so they have chosen to take the low road of obstruction. They have shown they can't be bothered to pass a bill that would help families like the Floyds who have lost their loved ones in a senseless and completely preventable way. They proved yesterday that this was a purely political calculation—very sad.

Both Democrats and Republicans have said repeatedly over the last few weeks that the status quo was not sustainable and that it is time to change. As I said, both parties drafted bills, but it is pretty clear there was only one party interested in making a law.

Unless you can get enough votes to pass a Republican-led Senate, a Democratic-led House, and get the signature of a President, those reforms won't change the behavior of a single officer. If those solutions only live on the page of a bill or within the borders of a press release, they are not going to accomplish anything.

So I understand that our Democratic colleagues weren't happy starting with the JUSTICE Act, but the temper tantrum we witnessed yesterday isn't moving us one step closer to achieving the results they claim they want, which is change.

The majority leader has indicated that this body will have another opportunity to vote on whether to begin debating this legislation. Again, this wasn't about the final bill; this was about beginning the process of determining what that bill would look like. So I hope our colleagues across the aisle will reconsider. I hope they will listen to the millions of Americans who want to see us working together. They want to see action, not cynical political gestures.

S. 4049

Mr. President, turning to another matter, I am glad the Senate has now moved to consider another critical piece of legislation—the National Defense Authorization Act.

The NDAA, as it is called, represents one of the most basic duties of the Federal Government, and that is to provide for the common defense. The National Defense Authorization Act is how we ensure that critical Department of Defense programs are continued, that American servicemembers are paid, and that our national defense is modernized to keep pace with the rapidly evolving threat landscape.

All of us have understood the importance of passing the NDAA each year, which is why, for the last 59 years, we have done it without delay.

I hope Members of this body are committed to continuing that tradition because as our Nation battles on so many different fronts, we cannot afford to let military readiness lapse.

One of my top priorities is to make sure our men and women in uniform have the support they need and the training they need on and off the battlefield.

The defense authorization bill builds on the progress we have made to implement the national defense strategy and ensure that our military is prepared to counter the threats we face today and those that will inevitably come tomorrow. It goes a long way to maintain our technological advantage, to modernize our weapons, to build resilience, and to strengthen our alliances.

America's 2.1 million servicemembers have made a commitment that few are willing to make and joined the ranks of America's heroes who have defended our country throughout our history. Roughly 225,000 of them call Texas home, in places like Fort Hood, Fort Bliss, Lackland Air Force Base, Naval Air Station Corpus Christi, and Ellington Field, just to name a few. Those Texans—those Americans—carry out missions that are crucial to our national security, protecting us from increasingly complex threats.

We have a responsibility to provide our troops with the training, equipment, and resources they need so they can complete their critical missions and hopefully return home safely. After all, these men and women are much more than dedicated and talented servicemembers; they are our sons and daughters, our parents, our spouses, and our family members.

While we are providing them the resources they need to succeed, we need to support those military families. This legislation includes a 3-percent pay raise for our troops, additional support for the family members, such as military spouse employment opportunities, and childcare.

Earlier this month, the Senate Armed Services Committee completed its markup and voted overwhelmingly to send this bill to the Senate floor.

As we begin consideration of the defense authorization bill, I want to thank all of the men and women who serve in our U.S. military and ensure them that we will do everything we can to support them and ensure they are empowered and mission-ready.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, if there was ever a moment in American history to fundamentally alter our national priorities, now is the time.

Whether it is fighting against systemic racism and police brutality, transforming our energy system away from fossil fuel, ending a cruel and dysfunctional healthcare system, or addressing the grotesque levels of income and wealth inequality in our country, now is the time for change—real change.

When we talk about real change, it is incredible to me the degree to which Congress continues to ignore our bloated $740 billion defense budget, which has gone up by over $100 billion since Trump has been in office.

Year after year, Democrats and Republicans—who disagree on almost everything—come together with minimal debate to support an exploding Pentagon budget, which is now higher than the next 11 countries combined—now higher than the next 11 countries combined—and which represents more than half of our discretionary spending.

Incredibly, after adjusting for inflation, we are now spending more on the military than we did during the height of the Cold War, when we faced a major adversary in the Soviet Union, or during the wars in Vietnam and Korea.

This extraordinary level of military spending comes at a time when the Department of Defense is the only agency of our Federal Government that has not been able to pass an independent audit, when defense contractors are making enormous profits, while paying their CEOs exorbitant compensation packages, and when the so-called War on Terror will end up costing us some $6 trillion.

I believe this is a moment in history where it would be a very good idea for all of my colleagues and the American people to remember what former Republican President Dwight D. Eisenhower said in 1953. As we all recall, Eisenhower was a four-star general who led the Allied Forces to victory in Europe during World War II. He knew something about war and defense spending. Eisenhower said, and I quote—and this is a profound statement we should never forget—Eisenhower said:

> Every gun that is made, every warship launched, every rocket signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed.
>
> This world in arms is not spending money alone, it is spending the sweat of its laborers, the genius of its scientists, the hopes of its children.

Dwight D. Eisenhower.

What Eisenhower said was profoundly true 67 years ago, and it is profoundly true today.

If the horrific pandemic we are now experiencing has taught us anything, it is that national security is not just building bombs, missiles, jet fighters, tanks, submarines, nuclear warheads, and other weapons of mass destruction; national security also means doing everything we can to improve the lives of our people, many of whom have been abandoned by our government decade after decade.

In order to begin the process of transforming our national priorities, I have filed an amendment to the National Defense Authorization Act with Senator MARKEY of Massachusetts to reduce the military budget by 10 percent and to use the $74 billion in savings to invest in distressed communities all across our country—communities that have been ravaged by extreme poverty, mass incarceration, deindustrialization, and decades of neglect.

At a time when more Americans have died from the coronavirus than were killed fighting in World War I; when over 30 million Americans have lost their jobs in recent months—30 million; when tens of millions of Americans are in danger of being evicted from their apartments or their homes because they no longer have adequate income; when education in America—from childcare to graduate school—is in desperate need of reform; when half a million Americans are homeless tonight; and when close to 100 million of our people are either uninsured or underinsured, now is the time to invest in our people—in jobs, education, housing, healthcare here at home—not more military spending for an already bloated military budget. Now is the time to get our priorities right.

Under this amendment, distressed communities in every State in our country would be able to use this $74 billion in funding to create jobs by building affordable housing desperately needed in our country, by investing in schools when school budgets all over America are in desperate shape, investing in childcare facilities, community health centers, public hospitals, libraries, sustainable energy projects, and clean drinking water facilities.

These communities will also receive Federal funding to hire more public school teachers, provide nutritious meals to our children, and offer free tuition at public colleges, universities, or trade schools.

Mr. President, at this pivotal moment in American history, we have to rethink our Nation's priorities, and we have to make a fundamental decision about who we are as a people.

Do we really want to spend billions more on endless wars in the Middle East, or do we want to provide good-paying jobs to millions of unemployed Americans at home as we rebuild our communities? Do we want to spend more money on nuclear weapons, or do we want to invest in childcare and healthcare for the American people who need it the most?

When we take a close look at the Defense Department budget—I am sorry to say that I don't think we are doing that here in the Senate—it is interesting to note that Congress has appropriated so much money for the Defense Department that the Pentagon literally does not know what to do with it. Children go hungry in America, people sleep out on the streets, young people can't afford to go to college, but the Defense Department literally does not know what to do with all of the money Congress throws at it.

According to the Government Accountability Office—the GAO—between 2013 and 2018, the Pentagon returned more than $80 billion in funding back to the Treasury. They couldn't spend the money that they had.

In my view, the time is long overdue for us to take a hard look not only at the size of the Pentagon budget but at the enormous amount of waste, cost overruns, fraud, and at the financial mismanagement that has plagued the Department of Defense for decades.

Let's be clear. About half of the Pentagon's budget goes directly into the hands of private contractors, not our troops. And I think I share the view with every Member of the Senate that we must protect our troops. I don't want troops and their families on food stamps. I don't want to see our military living in inadequate housing or lacking childcare for their kids. We must make sure that our men and women in the Armed Forces have as good a quality of life as we can provide. But let's again not forget that about half of the Pentagon's budget goes directly into the hands of private contractors, not the troops.

Over the past two decades, virtually every major defense contractor in the United States has paid millions of dollars in fines and settlements for misconduct and fraud, all while making huge profits on those government contracts.

Since 1995, Boeing, Lockheed Martin, and United Technology—some of the major defense contractors in America—have paid over $3 billion in fines or related settlements for fraud or misconduct—over $3 billion in fines or related settlements for fraud or misconduct. Yet those three companies received around $1 trillion in defense contracts over the past two decades alone.

I find it interesting that the very same defense contractors that have been found guilty or reached settlements for fraud are also paying their CEOs excessive compensation packages. Last year, the CEOs of Lockheed Martin and Northrop Grumman both made over $20 million in total compensation, while 90 percent of the company's revenue came from defense contracts. In other words, these companies—and it is important to note, and we don't talk about this often—for all intents and purposes, these companies are governmental agencies. They are receiving over 90 percent of their revenue from the Federal Government. Yes, they are private corporations, but they are essentially subsidiaries of the Federal Government. Yet, despite receiving over 90 percent of their funding from the taxpayers of this country, they are paying their CEOs over 100 times more than the Secretary of Defense makes. And the Secretary of Defense does just fine, but the CEOs, on government revenue of the major defense companies, earn 100 times more than the Secretary of Defense. It is not, therefore, very surprising to learn that we have a revolving door where our generals and admirals and other officials in the military leave government service and then end up on the boards of directors of these major defense companies.

Moreover, as the GAO has told us, there are massive, massive cost overruns in the Defense Department's acquisition budget that the U.S. Congress must address. According to the GAO, the Pentagon's $1.8 trillion acquisition portfolio currently suffers from more than $628 billion in cost overruns, with much of the costs taking place after production.

In other words, they tell the government—they tell the DOD that they will produce a weapons system for X dollars. It doesn't mean much because the total amount ends up being Y after they get the contract.

The GAO tells us also that ''many DOD programs fall short of costs, schedule and performance expectations, meaning the DOD pays more than anticipated, can buy less than expected, and in some cases delivers less capability to the warfighter.''

The Commission on Wartime Contracting in Iraq and Afghanistan concluded in 2011, and $31 to $60 billion in Iraq and Afghanistan has been lost to fraud and waste—$31 to $60 billion. Separately, in 2015, the Special Inspector General for Afghanistan Reconstruction reported that the Pentagon could not account for $45 billion in funding for reconstruction projects. It just got lost. A few bucks here, a few bucks there? No, $45 billion of taxpayer money was lost and cannot be accounted for. More recently, an audit conducted by Ernst & Young for the Defense Logistics Agency found that the DOD could not properly account for some $800 million in construction projects. That is what happens when you have a huge agency that is truly unaccountable.

I believe in a strong military, but we cannot keep giving more money to the Pentagon than it needs when millions of children in our country are food insecure, when 140 million Americans cannot afford the basic necessities of life without going into debt, throwing billions after billions into the Pentagon and a few blocks away from here, in the Nation's Capital, people are sleeping out in the streets, children

can't find a decent education, and young people can't afford to go to college.

In 1967, Dr. Martin Luther King, Jr., warned us that ''a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.''

Let me repeat that.

Dr. King said that ''a nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death.''

The time is long overdue for the U.S. Senate to listen to what Dr. King said. At a time when, in the richest country in the history of the world, half of our people are struggling paycheck-to-paycheck; when over 40 million Americans are living in poverty; and when over 500,000 Americans are homeless, to quote Dr. King, we are approaching spiritual death.

At a time when we have the highest rate of childhood poverty of almost every major country on Earth and when millions of Americans are in danger of going hungry, we are approaching spiritual death.

At a time when over 60,000 Americans die unnecessarily every year because they can't afford to go to a doctor when they need to go to a doctor and when one out of five Americans cannot afford the prescription drugs their doctors prescribe, yes, we are approaching spiritual death.

Now, at this moment of unprecedented national crisis, it is time to rethink what we value as a society and to fundamentally transform our national priorities. The status quo is no longer good enough. Now, at this moment of national crises, a growing pandemic and economic meltdown, the demand to end systemic racism and police brutality, and an unstable President, it is time for us to truly focus on what we value as a society and to fundamentally transform our national priorities. Cutting the military budget by 10 percent and investing that money in human needs is a modest way to begin that process.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO DANIEL WELBORN

Mr. SULLIVAN. Mr. President, it is Thursday, and it is that time of the week that I like to come down to the Senate floor and talk about somebody who is doing something great in my State, someone I get to brag about, a special Alaskan, somebody we refer to as our Alaskan of the Week.

Sometimes this person has made big headlines back home, maybe even across the country, and throughout the State, people know them. But oftentimes—and one of the reasons we started this whole series many years ago—this is a person who has worked more behind the scenes day in, day out, year in, year out, doing the kind of public service that is so vital to the health and well-being of our communities throughout Alaska, throughout America, but is not always recognized and certainly not recognized enough.

Our Alaskan of the week, Fairbanks police officer Daniel Welborn, is one of those people. He recently retired from the Fairbanks Police Force after 26 years—more than a quarter of a century—and is one of those everyday heroes who we think are important to highlight as an Alaskan of the Week and as an American helping his fellow Americans and Alaskans.

Before I get into Officer Welborn's story, let me tell you a little bit about what is going on in Alaska right now. The weather has been glorious in many areas—sunny in a lot of places, rainy in others. We have a very big State. The summer solstice is just a few days behind us. That is the longest day of the year and a huge day in Alaska—midnight Sun, energy. It is great being in Alaska right now.

Most of the State has opened up with precautions, of course, in place, given the pandemic. More and more people are getting out. The salmon are certainly running, beginning to run up our rivers. The bears are fully woke—maybe not woke in that sense, but they are awake.

I was home last week in Fairbanks celebrating the amazing life of my mother-in-law, Mary Jane Fate, whom our family put to rest. She was one of the most revered Alaskan leaders and elders who recently passed away, and we had a beautiful, moving ceremony, talking about this trailblazing woman.

I can't wait to get back home—get back home to Fairbanks in particular, the Golden Heart City, where Officer Welborn has spent his entire career protecting and defending.

As you know, much attention has been spent on our Nation's police forces in recent weeks, but there hasn't been nearly enough attention, in my view, drawn to what it actually means to be a police officer—not an easy job—and to be a good police officer—a critically important job—which the vast majority of police officers—certainly in Alaska but I would say across America—are, good police officers who put their lives on the line every day for us, and Alaskans and Americans should be grateful that they do that.

As I have said many times before at police memorial ceremonies back home, every job in our country, every job in my State is important, but there is something special, noble, even sacred about a job that entails protecting others and being willing to put your life on the line to keep your fellow citizens safe.

So let me talk about a good police officer, one of many in my State. Dan Welborn and his large Catholic family of seven brothers and sisters moved to Fairbanks in 1988. Dan's father was in the Army, which, of course, draws a lot of people to the Golden Heart City of Fairbanks and to the great State of Alaska. We have more veterans per capita than any State in the country. By his father and mother and probably, I am sure, a bunch of his siblings, he was taught discipline and respect and the importance of giving back to his community.

Dan graduated from West Valley High in Fairbanks and then went on to the University of Alaska at Fairbanks—UAF, as we call it. As a student, he began working with the campus police, which piqued his interest in law enforcement as a career and led him—he put himself through the law enforcement academy in Alaska.

Eventually, newly married and considering starting a family, Dan got a job at the Fairbanks Police Department, and that is the job he has kept for 26 years, and he has done it very well. He has done nearly every job there is to do on the force. Traffic duty, patrol, oversight of investigations, homicides, sexual assaults, fraud, forgery, computer and internet crimes—you name it, Dan's done it. He helped build a property crimes unit in Fairbanks.

He wrote dozens and dozens of grants to help the department get the equipment it needed so they can keep up with the times.

His awards are extensive. I was looking at his record. It is very impressive—Officer of the Year, numerous service awards and ribbons.

His community service is also extensive beyond just being a police officer—serving on the board of Mothers Against Drunk Driving, starting a project called Operation Glow in Fairbanks, which helps keep kids safe on Halloween when they are out trick-or-treating.

In 2016, Officer Welborn was promoted to deputy chief of police where, again, he excelled. He is known throughout the State for his solid decisionmaking, his even temperament, and for the good way that he has with people. He is judicious and stern when needed, but always kind, considerate, and respectful, which is what we want in our police force.

Service also runs in Dan's family. I love this part of his life. His brother Doug is also a Fairbanks police officer, and his son Brett was sworn in as a Fairbanks police officer on May 20, a month ago. Wow. That is a family of service.

What he tells his son Brett is this:

> It's important that you understand defensive tactics. [This is not always easy work.] But the most important thing is your people skills. You need to be able to sympathize [empathize] with people, and take charge if you need to. And if you need to take charge and you get someone under control, you must treat them with professionalism and respect. It's a hard thing to remember [sometimes], but it's the most critical thing to remember.

That is Officer Welborn. That is sage wisdom.

Now, I hear that Dan will be moving to St. Louis to be close to his beloved baseball team, the Cardinals. He will miss the community, his job, and his

family. By the way, his sister Patty wrote this great letter to me, which I read all about his community service.

Boy, Dan, your sister thinks you are amazing. We hope that you will come back. Actually, we are pretty confident you are going to come back to Alaska because we want you to come back. You are not done serving our community.

We know this: Officer Welborn will certainly be missed, and he will miss being a patrol officer. He loved working the traffic beat because of all the people he got to meet and all the times he got to help people on the road. Of course, there are things about the job he won't miss. I am not sure this is talked about enough, images that will likely stick with him and images that, unfortunately, haunt many police officers across the country because the fact of the matter is, people can be difficult. People can be brutal to each other, domestic violence and child abuse. The police see it all. It is not easy, and he has witnessed way too much of that brutality, and he has protected Fairbanks' citizens from a lot of it.

Here is what he also knows: Mostly, the vast majority of people are good, and that is so important to remember. Alaskans are good people. Americans are good people. He has witnessed that, too, and he has contributed to that goodness.

He recently told a story about a time at the department that will stay with him. He talked about attending a wedding at a hotel. There was a man there setting tables and working at the hotel. He looked at Officer Welborn and said, ''Officer, can I talk to you for a minute?'' He said, ''Sure.'' This man went up to Officer Welborn and said:

> Officer, you probably don't remember me, but you arrested me years ago for a DUI. [I was having problems then, and] I've turned my life around since then. All these years later, Officer Welborn, I still remember how well you treated me.

Think about that. Those are the kind of good memories that will stay with Dan too. So, thank you, Officer Welborn, for all you have done for our community and the great city of Fairbanks. Thanks for your service to Alaska and to America. Thanks for protecting us and for setting the example with respect.

We wish you all the happiness in retirement. We really want you to come back to Alaska, so don't stay in St. Louis too long. The Cardinals aren't even that good of a baseball team.

Congratulations on being our Alaskan of the Week.

I yield the floor.

(Mr. SULLIVAN assumed the Chair.)

The PRESIDING OFFICER (Mr. SCOTT of Florida). The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Committee on Commerce be discharged from further consideration of PN1674; that the Senate proceed to its consideration; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate, and that the President be immediately notified of the Senate's action and that the Senate then resume legislative session.

The nomination considered and confirmed is as follows:

PN1674—COAST GUARD

The following named officers for appointment in the United States Coast Guard to the grade indicated under Title 14 U.S.C., sec. 2121(e):

To be captain

ERIN N. ADLER
BRADFORD E. APITZ
WILLIAM L. ARRITT
MATTHEW J. BAER
JONATHAN BATES
KRISTI L. BERNSTEIN
MARC BRANDT
VERONICA A. BRECHT
JASON A. BRENNELL
RANDALL E. BROWN
JONATHAN A. CARTER
MICHAEL A. CILENTI
DANIEL H. COST
CHRISTOPHER F. COUTU
THOMAS D. CRANE
PATRICK A. CULVER
THOMAS C. DARCY
CARMEN S. DEGEORGE
KELLY K. DENNING
JOSE E. DIAZ
KEITH M. DONOHUE
ERIC D. DREY
DAVID M. DUBAY
JEFFREY T. ELDRIDGE
BRIAN C. ERICKSON
SEAN C. FAHEY
JOSHUA W. FANT
AMY E. FLORENTINO
BENJAMIN M. GOLIGHTLY
JEFFREY R. GRAHAM
JASON B. GUNNING
MATTHEW W. HAMMOND
SEAN P. HANNIGAN
JOHN HENRY
EDWARD J. HERNAEZ
WESLEY H. HESTER
TEDD B. HUTLEY
MICHAEL S. JACKSON
ANDREW S. JOCA
ERIC J. JONES
WARREN D. JUDGE
DANIEL P. KEANE
BRAD W. KELLY
DIRK L. KRAUSE
BRIAN C. KRAUTLER
MARK I. KUPERMAN
MICHAEL R. LACHOWICZ
TAYLOR Q. LAM
LEANNE M. LUSK
BENJAMIN J. MAULE
LEON MCCLAIN JR.
EUGENE D. MCGUINNESS
ZEITA MERCHANT
JOSEPH E. MEUSE
JOSHUA P. MILLER
MATTHEW J. MOORLAG
STEPHANIE A. MORRISON
MAURICE D. MURPHY
BRYAN C. PAPE
JOSE PEREZ
SHANNON M. PITTS
ROBERT H. POTTER JR.
SCOTT B. POWERS
CLINTON J. PRINDLE
ARTHUR L. RAY
RYAN S. RHODES
LUIS J. RODRIGUEZ
RICHARD M. SCOTT
MICHAEL R. SINCLAIR
JENNIFER A. STOCKWELL
JOHN M. STONE
TODD C. TROUP
DANIEL R. URSINO
DANIEL R. WARREN
CHARLES E. WEBB
MOLLY A. WIKE
ERIN E. WILLIAMS
WILLIAM C. WOITYRA
CHRISTOPHER G. WOLFE
MARC A. ZLOMEK

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

MORNING BUSINESS

CORONAVIRUS

Mr. DURBIN. Mr. President, we are now several months into a global pandemic that has caused terrible human and economic suffering.

Here in the United States alone, more than 2.3 million Americans have been infected, and more than 120,000 have died.

That is more Americans killed in the Korean, Vietnam, Afghanistan, and Iraq wars combined and more than those killed in one of our most deadly wars, World War I.

I recently spoke with Melinda Gates about the foundation she and her husband Bill established and its efforts regarding the coronavirus pandemic.

Bill warned years ago to prepare for just this kind of pandemic, including directly with Donald Trump just before taking office.

Not surprisingly, their foundation has provided millions to global efforts to find a vaccine and treatment for the coronavirus.

One such event was an EU-hosted virtual conference in May with many of our key allies that raised more than $8 billion to be spent over 2 years to further promising vaccine and treatment efforts.

The EU and Norway each gave $1 billion; the French, Germans, and Brits combined also gave nearly $1 billion; the Canadians pledged $850 million; the Swiss $400 million, and the Dutch, $200 million. Japan and others also made sizeable pledges.

The Gates Foundation gave $125 million, with Melinda wisely telling the gathering, ''This virus doesn't care what nationality you are . . . As long as the virus is somewhere, it's everywhere.''

And what was the contribution of the United States? Nothing.

The U.S. Government under President Trump didn't participate in this shared effort that could help save American lives.

But that is not all. On this 40th anniversary of the World Health Organization's historic achievement to eradicate smallpox, President Trump also

withdrew the United States and suspended U.S. funding from this key global health organization.

That is right, amid a deadly, worldwide pandemic with devastating impacts on the American people, President Trump decided this was the time to walk away from the body heading a global response.

I cannot think of more counterproductive, ill-informed, and petty decision when it comes to addressing this pandemic.

Twice in the last 2 months, I came to the floor to ask consent on a simple and timely resolution sponsored by nearly half of this Chamber's Members.

It urged increased American participation in these global coronavirus vaccine and treatment efforts.

After all, we don't know where a vaccine or effective treatment may ultimately be discovered. With so much medical and scientific knowledge, it may be here in the United States. I hope so.

But why not team up with our allies on joint programs that maximize and speed up the chances of success? Do we really want the American people left out of such efforts?

For example, today there are more than 100 coronavirus vaccine candidates in development worldwide. The United States launched Operation Warp Speed to focus on 14 of them, including promising ones like those from Oxford-AstraZeneca and Modern.

We are proud to have some of the world's best researchers and experts—from the NIH and our leading universities to private industry—but it is quite plausible the safest and most effective vaccine will be developed in Germany, China, or elsewhere.

But when the United States pursues a go-it-alone approach while the rest of the world is working together, where will that leave us?

Look no further than the worldwide demand and competition we faced accessing PPE. The supply chain for vaccine products like glass vials, stoppers, and syringes will demand global cooperation.

Just ask NIH's Drs. Fauci and Collins, who said, ''The ability to manufacture hundreds of millions to billions of doses of vaccine requires the vaccine-manufacturing capacity of the entire world. ''

But ultimately it is simple math. Most of the vaccine candidates currently in human trials have not originated in the United States, joining global efforts makes sense and is the point of my resolution.

Sadly, the majority objected both times.

Therefore, I am pleased to announce that this week, the resolution has finally passed the full Senate, and I want to thank Senators Lee and Risch for working with me on a path forward.

This final resolution now states the obvious: that the United States should work with key partners around the world to find an effective and timely coronavirus vaccine and treatment.

On this historic 40th anniversary of the global cooperative effort that eradicated smallpox, I can think of no more timely message from the Senate.

I only wish we had said so sooner.

BORROWER DEFENSE RULE

Mr. DURBIN. Mr. President, this week, the House of Representatives will vote on the override of President Trump's veto of my resolution overturning Education Secretary Betsy DeVos's borrower defense rule.

Congress passed the resolution on a bipartisan basis in both Chambers. Ten Republicans joined Democrats to overturn the rule in the Senate.

Unfortunately, in just the eighth veto of his Presidency, President Trump rejected the measure.

Unless Congress overrides his veto—with a two-thirds vote in both the House and the Senate—the DeVos borrower defense rule will take effect.

It means that student borrowers who are defrauded by their schools will have almost no chance of getting their Federal student loans forgiven.

Estimates show that only 3 percent of all student loans associated with school misconduct and fraud will be forgiven under the DeVos rule.

That is because it places unreasonable new burdens on defrauded borrowers.

First, the DeVos rule eliminates all group relief.

It makes every individual borrower who is defrauded gather and submit their own evidence instead of being able to apply as a group when they have experienced similar misconduct.

To prove their claims, borrowers must provide evidence that the school intended to deceive them, had knowledge of the deception, or acted with reckless disregard for the truth.

How are defrauded borrowers supposed to prove that?

In addition, borrowers under the DeVos rule are required to show financial harm above and beyond the fact that they now carry huge amounts of debt as a result of their experience.

They have to prove that they have been trying to find a job, weren't fired, or didn't fail to meet other employment standards. It is unfair and excessive.

Who are these borrowers who are being defrauded? More than 318,000 student borrowers have applied for borrower defense relief from the Department of Education.

They come from every State in the Union. Sadly, many of them are veterans. That is why more than 30 veterans organizations, including the American Legion, called on President Trump to sign our resolution to overturn this terrible rule.

In his statement ''imploring'' Trump to sign, American Legion National Commander James ''Bill'' Oxford said:

> Student veterans are a tempting target for . . . for-profit schools to mislead with deceptive promises while offering degrees and certificates of little-to-no value. Under [the DeVos rule], it is nearly impossible for veterans to successfully use a borrower defense [to have their loans forgiven when they've been defrauded].

Unfortunately, just days after Memorial Day, President Trump ignored the pleas of veterans and vetoed the resolution.

This issue isn't going away anytime soon.

More students are going to be defrauded by for-profit colleges and are going to be left high and dry by the DeVos rule—unless Congress votes to override Trump's veto.

The Department of Education estimates that nearly 200,000 borrowers will be subject to illegal practices by their schools next year alone.

Those estimates were before the current pandemic, which creates a new opportunity for predatory for-profit schools to take advantage of students.

Last week, a New York Times article entitled ''For-Profit Colleges, Long Troubled, See Surge Amid Pandemic.''

The article notes how the industry saw a similar surge during the 2008 financial crisis when Americans were losing jobs and turning to flexible, highly advertised, for-profit college programs to continue their education in an attempt to make themselves more marketable to employers.

Unfortunately, these programs are too often of dubious quality, the promises they make are often false, and the cost leaves students buried in debt.

For-profit college stocks are beginning to see increases as investors smell the opportunity.

The CEO of for-profit American Public Education, Inc., which owns American Public University and American Military University, put it plainly when she said, ''The pandemic has created an unexpected opportunity.''

Predatory for-profit Ashford University is hiring hundreds of new recruiters to take advantage.

We are seeing these for-profit schools use the same tactics they developed during the last recession.

Only this time, if the DeVos rule goes into effect, these defrauded borrowers will be stuck with crippling student debt for a worthless degree for the rest of their lives.

I ask unanimous consent that the New York Times article to which I referred to be printed in the RECORD following my remarks.

My colleagues in the House will have the chance to hold schools accountable and not leave students and veterans holding the bag for the misconduct of their schools.

I urge Republicans and Democrats to come together, stand with students and veterans, and vote to override the President's veto.

How many of us have given speeches about how much we support our military and veterans?

Well, tomorrow is the time to prove it by voting to override the President's veto and overturning the DeVos borrower defense rule.

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

[From the New York Times, June 17, 2020]

FOR-PROFIT COLLEGES, LONG TROUBLED, SEE SURGE AMID PANDEMIC

(By Sarah Butrymowicz and Meredith Kolodner)

In March, as colleges and universities shuttered campuses under a nationwide lockdown, Strayer University updated its website with a simple message: ''Great things can happen at home.''

Capella University, owned by the same company as Strayer, has run ads promoting its flexibility in ''uncertain times'' and promising would-be transfer students that they can earn a bachelor's degree in as little as a year.

Online for-profit colleges like these have seen an opportunity to increase enrollment during the coronavirus pandemic. Their flexible programs may be newly attractive to the many workers who have lost their jobs, to college students whose campuses are closed, and to those now seeking to change careers. The colleges' parent companies often have substantial cash reserves that they can pump into tuition discounts and marketing at a time when public universities and nonprofit colleges are seeing their budgets disintegrate.

Few of the largest for-profit colleges operating primarily online have track records to justify the optimistic advertising pitches. Some have put students deep in debt while posting dismal graduation rates amid a history of investigations by state and federal agencies, including many that have led to substantial financial settlements.

Still, there is evidence that interest in the schools has increased.

''I hate to call anybody a winner in this crisis,'' said Jeffrey M. Silber, managing director at BMO Capital Markets, a financial services company, ''but I think growth will increase this fall and could continue thereafter.''

For-profit colleges have long devoted large sums to advertising, spending almost $400 per student in 2017, according to research from the Brookings Institution. For nonprofit institutions, that figure was $48, and for public colleges it was $14.

''Unfortunately, because of the financial distress a lot of not-for-profits are facing, they may have to cut back on marketing,'' Mr. Silber said. ''I think the for-profits may be at a competitive advantage.''

Ashford University has received so many new inquiries in recent months that it has announced plans to hire 200 additional ''enrollment advisers'' to field them. Another school that operates largely online, Grand Canyon University, says it has had a surge in enrollments. (Grand Canyon has nonprofit status in Arizona and with the Internal Revenue Service but is designated as a for-profit institution by the U.S. Department of Education.) Capella and Strayer have reported increases in requests for information.

The trend concerns many student-protection advocacy groups, which point out that the colleges that stand to gain are among those with the most troubling records. For the most part, the largest online for-profit universities have poor graduation rates—often no higher than 25 percent, and sometimes as low as in the single digits. Several have been accused of intentionally misleading students about potential job prospects to persuade them to enroll and often to take on tens of thousands of dollars in debt.

Eileen Connor, the legal director at the Project on Predatory Student Lending at Harvard Law School, said she was worried by the prospect of a resurgence for online, for-profit schools.

''In times of economic downturn, that's when the for-profit colleges start to thrive,'' she said. Online colleges ''have a running start, especially now, when there's an economic downturn keeping people in their homes,'' she added. ''That is a perfect storm for the thing that they're trying to do.''

These schools often attract low-income, nontraditional college students who tend to have lower completion rates than those who enroll straight from high school and attend full time. Many have family pressures that interfere with study.

In recent earnings calls, many companies emphasized the quality of the education they provide. Karl McDonnell, the chief executive of Strategic Education Inc., the parent company of Capella and Strayer, told investors in March, ''We're going to continue to focus on maintaining the highest possible academic quality figuring that that's really the best way to sort of position yourself vis-à-vis any kinds of regulatory or legislative initiatives.''

In the first quarter, Strategic Education took in $46.5 million in profit, up from $36.7 million over the same quarter last year. Its executive chairman, Robert Silberman, told investors that the company had a ''fortress balance sheet with over $500 million in cash.''

Before the broad market decline last week, Strategic's stock price had climbed steadily since early April, as had those of other publicly traded companies that own universities and college-related education services, including Grand Canyon Education Inc., Perdoceo Education Corporation and Zovio. But for many of their students, the future is precarious.

At Capella, only 11 percent of undergraduates earn a degree within eight years, according to the most recent federal statistics. At Strayer, graduation rates range from 3 percent at its Arkansas campus to a high of 27 percent in Virginia.

Fewer than a third of students at Perdoceo campuses graduate within eight years. The company's schools were recently barred from receiving G.I. Bill money from new students after the Department of Veterans Affairs found that they had used sales and enrollment practices that were ''erroneous, deceptive or misleading.''

Ashford University, owned by Zovio, had a 25 percent graduation rate, according to the most recent federal data. Those completing degrees had a median debt of $34,000 on leaving. Zovio is being sued by the California attorney general, accused of making false promises to students and using illegal debt collection practices. The company denies any wrongdoing.

For-profit schools made a similar play for students during the 2008 recession, as people searching for work in a shrinking job market sought new credentials at low cost. Enrollment at for-profit colleges climbed 24 percent at the height of the recession, according to an analysis by BMO Capital Markets.

Along with that surge came increased scrutiny. Government investigators concluded that two of the biggest for-profit operators, Corinthian Colleges Inc. and ITT Technical Institute, had mismanaged or failed to account for millions of dollars in federal financial aid. They were subsequently barred from receiving such aid, which led to their collapse. The companies were also accused of pushing students to take loans they could never expect to repay.

The Obama administration put rules in place to shut down programs whose graduates didn't earn enough to pay back their student debt and to make it easier for students who had been defrauded to have their loans forgiven. Experts say conditions are ripe for new growth in the for-profit sector because the Trump administration has rolled back those changes.

''A lot of the pieces are in place to be right back where we were in 2008, and the regulations that had come out of lessons learned are being whittled away,'' said Yan Cao, a fellow at the liberal-leaning Century Foundation who studies higher education.

The Trump administration's Department of Education has disputed criticism of its oversight of forprofit colleges. It notes that it has expanded information on its websites to help students make informed choices.

Shawn Cooper, an Air Force veteran, said he was twice given approval for his dissertation project at Capella and worked on it for months, only to be told that he needed to start over with a new topic. He said he was forced to leave, despite a 4.0 grade-point average.

Mr. Cooper says he owes more than $100,000 in student loans after his time at Capella. ''At the end of the day, I feel like it's all just a facade on their end,'' he said. ''Get people in, take their money and get them out, usually without anything to show for it.''

A lawsuit was filed against Capella seeking class-action status for students like Mr. Cooper who say the school intentionally and needlessly prolonged their doctoral programs, costing them tens of thousands of dollars. Last year, a judge allowed three counts in the suit to continue, all regarding the time it took a ''typical'' student to complete programs, but dismissed most other counts, including those about how long the programs were ''designed'' or ''structured'' to take.

Strategic Education officials did not reply to requests for comment.

Angela Selden, the chief executive of American Public Education Inc., which owns American Public University and American Military University, told investors that the company has started spending part of its marketing budget originally earmarked for later this year. ''The pandemic has created an unexpected opportunity,'' Ms. Selden said.

Wallace Boston, the president of American Public's two universities, said both schools offered a highquality education. ''People who are critical of the sector on a whole tend to be looking at things on the surface, and marketing is one of the things they pick on the most,'' Mr. Boston said. ''I don't think that those critics are justified unless they do their homework.''

Relative to some other online-only institutions, the American Public University System is cheaper, at $6,880 a year in tuition and fees, and has higher graduation rates. Still, 22 percent of American Public University's 36,000-plus students graduate after eight years, according to the most recent federal data.

Mr. Boston said the university allowed students to take up to a decade to complete their programs. The most recent 10–year graduation rate was 35 percent, he added.

Tyler Hutchinson, of Brigham City, Utah, enrolled at American Public University in 2017. He had three children and worked part time, so the flexibility of taking online classes offered hope a degree in environmental science that would lead to a well-paying job.

But Mr. Hutchinson, 31, dropped out after one semester because, he said, the college did not disburse his federal financial aid. The school also sent him a bill for more than $1,000 for classes the next semester that he had never signed up for, he said—a bill that has been sold to a collection agency.

Mr. Boston said the university could not provide information about a student without

the student's consent. Mr. Hutchinson gave his consent by email, but a spokesman said the university needed a formal consent filing and would have no further comment.

Having been laid off at a convenience store and with his work as a United States Census worker suspended because of the coronavirus pandemic, Mr. Hutchinson has no income.

''When they advertised, what got me was the work-life balance. And with financial aid, it was really attractive,'' he said. ''Even though I really enjoyed it, the financials were such a burden we just decided to discontinue.''

American Public Education Inc.'s net income of $2.4 million in the first three months of 2020 was more than double that of the same period last year, and on June 9 its stock price hit its highest closing point in a year.

RELEVANT SECTION OF THE INSPECTOR GENERAL ACT

INSPECTOR GENERAL ACCESS ACT STRIKES b(3)

5a U.S. Code §8E. Special provisions concerning the Department of Justice

(a)

(1) Notwithstanding the last two sentences of section 3(a), the Inspector General shall be under the authority, direction, and control of the Attorney General with respect to audits or investigations, or the issuance of subpoenas, which require access to sensitive information concerning—

(A) ongoing civil or criminal investigations or proceedings;

(B) undercover operations;

(C) the identity of confidential sources, including protected witnesses;

(D) intelligence or counterintelligence matters; or

(E) other matters the disclosure of which would constitute a serious threat to national security.

(2) With respect to the information described under paragraph (1), the Attorney General may prohibit the Inspector General from carrying out or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena, after such Inspector General has decided to initiate, carry out, or complete such audit or investigation, access such information, or to issue such subpoena, if the Attorney General determines that such prohibition is necessary to prevent the disclosure of any information described under paragraph (1) or to prevent the significant impairment to the national interests of the United States.

(3) If the Attorney General exercises any power under paragraph (1) or (2), the Attorney General shall notify the Inspector General in writing stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General shall transmit a copy of such notice to the Committees on Governmental Affairs and Judiciary of the Senate and the Committees on Government Operations and Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

(b) In carrying out the duties and responsibilities specified in this Act, the Inspector General of the Department of Justice—

(1) may initiate, conduct and supervise such audits and investigations in the Department of Justice as the Inspector General considers appropriate;

(2) except as specified in subsection (a) and paragraph (3), may investigate allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or may, in the discretion of the Inspector General, refer such allegations to the Office of Professional Responsibility or the internal affairs office of the appropriate component of the Department of Justice;

(3) shall refer to the Counsel, Office of Professional Responsibility of the Department of Justice, allegations of misconduct involving Department attorneys, investigators. or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice, except that no such referral shall be made if the attorney is employed in the Office of Professional Responsibility;

(4) may investigate allegations of criminal wrongdoing or administrative misconduct by a person who is the head of any agency or component of the Department of Justice; and

(5) shall forward the results of any investigation conducted under paragraph (4), along with any appropriate recommendation for disciplinary action, to the Attorney General.

(c) Any report required to be transmitted by the Attorney General to the appropriate committees or subcommittees of the Congress under section 5(d) shall also be transmitted, within the seven-day period specified under such section, to the Committees on the Judiciary and Governmental Affairs of the Senate and the Committees on the Judiciary and Government Operations of the House of Representatives.

(d) The Attorney General shall ensure by regulation that any component of the Department of Justice receiving a nonfrivolous allegation of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, except with respect to allegations described in subsection (b)(3), shall report that information to the Inspector General.

THE INTER-AMERICAN DEVELOPMENT BANK

Mr. LEAHY. Mr. Presisent, according to press reports, the Trump administration plans to nominate Mauricio Claver-Carone to be the next president of the Inter-American Development Bank, IDB. It is also my understanding that a number of Latin American governments have already expressed support for his nomination.

As someone who has supported the IDB for decades, including at times when amendments were proposed to eliminate or reduce the U.S. contribution, it is important to be aware that this nomination could jeopardize U.S. support for and cooperation with that institution. Further, if the U.S. Treasury Department and other IDB shareholders believe this nominee will help to build support for a capital increase for the Bank in the U.S. Senate Appropriations Committee, of which I am vice chairman, Mr. Claver-Carone is the wrong nominee to make the case for such an increase.

This nomination would break a 60-year precedent that a Latin American serves as president of the IDB and a U.S. citizen serves as executive vice president. That precedent exists for a reason. The Bank is an institution working to improve the lives of millions of people in Latin America and the Caribbean, and absent a compelling reason to the contrary, it should continue to be led by a person from the region it serves. There are any number of Latin Americans who are well-qualified for the job and who would be supported by the United States.

I am disappointed, albeit not surprised, that the Trump Treasury Department would nominate such a controversial candidate as Mr. Claver-Carone. As senior director for Western Hemisphere Affairs at the National Security Council, he has been the architect of President Trump's most ideologically driven policies toward Latin America, policies that have failed to achieve any of their stated goals. In fact, these ineffective policies have made resolving conflicts with governments we disagree with more difficult, and they have complicated our relations with friends and allies.

Mr. Claver-Carone's idea of diplomacy is often to admonish and impose sanctions, which in Latin America more often than not means unilateral sanctions, which have isolated the United States, emboldened those who the sanctions are intended to punish, and harmed people in those countries who we want to help. While there are circumstances when well-designed sanctions make sense, Mr. Claver-Carone seems to believe that even when it is obvious that sanctions have failed the solution is to tighten them rather than fix them. This approach to regional problems is wholly unsuited for the IDB, whose shareholders have traditionally supported the institution, in part, because of its long history of addressing regional priorities. A polarizing American at the helm could intensify divisions, weaken shareholder support, and diminish the Bank's ability to carry out its mission on behalf of the people it was established to serve.

I also worry that a Claver-Carone presidency at the IDB would set the Bank on a collision course with its largest shareholder, the United States, should Vice President Biden win in November. Electing Mr. Claver-Carone to a 5-year term just weeks before the U.S. Presidential election, coupled with his unpopularity with some Members of Congress, including key members of the Senate and House Appropriations Committees, would not bode well for U.S. support for the Bank in the coming years.

For these reasons, I urge the IDB board of governors to carefully consider the enormity of the economic, public health, political, and other challenges currently confronting Latin America, and the implications of Mr. Claver-Carone's election shortly before the U.S. Presidential election. These challenges have been greatly compounded by the COVID–19 pandemic, which will have grave ramifications for the social, economic, and political stability of the region for years to come.

The need for steady IDB leadership that can build consensus during this time of regional uncertainty has never been more evident than it is today.

I ask unanimous consent that an article in The Economist on the Claver-Carone nomination be printed in the RECORD.

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

[From the Economist, June 20, 2020]

A GRINGO TAKEOVER BID FOR THE INTER-AMERICAN DEVELOPMENT BANK

THE UNITED STATES BREAKS A GENTLEMEN'S AGREEMENT

Since it was founded in 1959, the Inter-American Development Bank (idb) has had just four presidents: a Chilean, a Mexican, a Uruguayan and, since 2005, Luis Alberto Moreno, a Colombian. Under the gentlemen's agreement by which it was founded, Latin America has the presidency and a small majority of the capital while the United States has the number-two job and some informal vetoes over how the bank is run. The idb has not been free of the faults of such institutions, such as bureaucracy and a degree of cronyism, but it has played an important role in the region. It lends around $12bn a year for infrastructure, health, education and so on, does some useful research and advises governments. It has also been a channel of communication between the two halves of the Americas.

Donald Trump doesn't believe in gentlemen's agreements, and his administration this week broke this one. The Treasury Department named Mauricio Claver-Carone, the top official for Latin America at the National Security Council (nsc), as its candidate to replace Mr Moreno, who is due to step down in September. Mr Claver-Carone, a Cuban-American, is technically qualified for the post. He has been an adviser to the Treasury and a representative to the imf, and was involved in the Trump administration's initiatives on development finance. He has told interlocutors that he would serve only one term at the idb, would bring fresh ideas and would be better placed than a Latin American to get the Treasury's crucial support for a capital increase that would give the bank resources to mitigate the covid–19 slump in the region. These are things that many in Latin America might welcome.

But Mr Claver-Carone is a controversial choice, and not just because his nomination breaks with tradition. At the nsc he has been the chief architect of Mr Trump's Venezuela policy, which has failed in its aim of getting rid of the dictatorship of Nicolas Maduro. ''He's a guy who comes with very Miami-type baggage, adversarial to Cuba and Venezuela and representing a conservative alliance,'' says a Latin American diplomat. ''He would bring ideology directly into the bank.'' Mr Claver-Carone walked out of the inauguration of Argentina's president, Alberto Fernandez, in December because of the presence of a Venezuelan minister. Many who have dealt with him describe him as arrogant and confrontational.

Given the Trump administration's cold war against China, Mr Claver-Carone's appointment as head of the idb might force Latin America to choose between the two countries, which the region is reluctant to do. Although China is granting fewer loans to Latin America than it did recently, it remains one of the region's most important trade partners. The Trump administration was furious with Mr Moreno for agreeing to hold the bank's annual meeting in China in 2019 (though in the event it was delayed and moved to Ecuador because of a row over who represented Venezuela). Mr Claver-Carone has his own animus against Mr Moreno, who vetoed his appointment as the bank's vice-president.

For Latin America the loss of the idb presidency would be a big diplomatic defeat, reflecting the region's weakness and ideological division. Its leaders are a generally unimpressive bunch. They have failed to unite behind a candidate of their own. Diplomats expected the job to go either to Brazil or to Argentina. Jair Bolsonaro's government in Brazil informally canvassed support for Rodrigo Xavier, an experienced banker. Argentina's putative candidate, Gustavo Béliz, is a competent former idb official, but its centreleft government has few allies in the region. Brazil looks likely to back Mr Claver-Carone, mainly because Mr Bolsonaro has aligned himself closely with Mr Trump. Other smaller countries may, too, because they are desperate for money.

The new president must secure a double majority, of countries representing 50% of the idb's shares (the United States has 30% and Brazil 11%) and separately of the 28 members in the Americas. That may yet be a problem for Mr Claver-Carone.

The biggest reason to oppose his nomination is that he represents a polarising administration that may well lose an election in November, making him ''the earliest lame duck in history'', as a South American official puts it. The sensible course would be to extend Mr Moreno's term until next year, both to give time for other candidates to emerge and to see whether Mr Claver-Carone really represents the United States.

REMEMBERING BYRON MALLOTT

Ms. MURKOWSKI. Mr. President, in the short history of Alaska as a State in our Union, there have been a handful of people—Bill Egan, Elizabeth Peratrovich, Jay Hammond, Wally Hickel, Ted Stevens—whose lives formed the fibers that wove Alaskans together. Another of those leaders passed recently.

Byron Mallott stands among the best of us. Born in the small town of Yakutat, AL, to the Kwaash Ke Kwaan clan of the Tlingit, in 1943 when Alaska was still a territory, he went on to an amazing life and career. His father was the long-time mayor of Yakutat, and when he died unexpectedly, Byron returned home from college, campaigned to take over the job, and won the election in 1965 at the age of 22. He then went on to serve the State's first Governor, Bill Egan, as the commissioner of the Department of Community and Regional Affairs. When Egan lost his reelection campaign, Byron went back home to Yakutat and served on the city council. In 1968, he ran for a seat in the State house, losing by only 23 votes. In 1969, U.S. Senator Mike Gravel hired Byron to work on his staff in Washington, DC, where he had a hand in drafting the Alaska Native Claims Settlement Act, the foundational legislation that continues to define our State and the relationship with Alaska Natives.

After ANCSA was signed into law, Byron spent 20 years working for Sealaska Corporation, 1 of 12 Native corporations which was created by the law. Sealaska is based in Juneau, and its shareholders are primarily Tlingit, Haida, and Tsimshian. Over the course of his tenure with Sealaska, Byron was a director, chairman, and then spent a decade as president and CEO of the corporation. He helped fulfill the vision of ANCSA by supporting not just the economic vitality of the Native people in the region, but a cultural renaissance as well.

His additional business experience was extensive. Byron was a director of several commercial banking institutions, including 6 years on the Seattle Branch Board of Directors of the Federal Reserve Bank of San Francisco, multiple years as a director of the Alaska Air Group, and on the board of the National Alliance for Business. He also served as president of the Alaska Federation of Native, a brief stint as the mayor of the city and borough of Juneau, and executive director of the Alaska Permanent Fund Corporation.

But Byron was far more than a summation of his résumé, impressive though it was. He was a good man and a good friend. When I made the decision to run as a write-in candidate in 2010, I called to ask him to be the co-chair of that campaign. His response was instant, ''Yes, absolutely.'' When I said I was making the announcement in an hour, he said, ''I'll be there.'' There was no hesitation, no concern that he was a lifelong Democrat, supporting a long-shot Republican candidate. He exemplified in the best way Ted Stevens' philosophy: To hell with politics, do what is right for Alaska. With Byron's help, I was able to make history by winning the second write-in campaign for U.S. Senate in the country's history. I don't know if I would have been successful without him.

In 2014, Byron made history himself when he won the Democratic nomination for Governor of Alaska, then sacrificed his own ambition by joining with the Independent candidate for Governor to create a Unity Ticket. Byron agreed to serve as the candidate for Lieutenant Governor, with Bill Walker leading the ticket. Again, we did what he felt was right for Alaska, rather than his person political gain.

The Unity Ticket won the 2014 election, but faced some serious challenges, with low oil prices and a tough deficit situation. The fiscal crisis unfortunately dominated the 4 years of the Walker-Mallott administration and created rough political seas for them to weather, necessitating some hard decisions. Through it all, Byron continued to do what he had always done, work for Alaska and Alaskans. In the end, Byron held himself strictly accountable, which is something few people do, especially in politics.

A friend of mine, Dr. Rosita Worl, says that the Tlingit mourn the passing of a leader by noting, ''In our forest, a great tree has fallen.'' That is a fitting metaphor for Byron, who stood strong for decades, serving as both shelter and a guide for people in Alaska. Byron was a strong and proud man, not in a boastful way, but as a true leader whose passion allowed him to put all Alaskans first. His heart was Alaska, and mine is stronger for having been blessed to call him my friend. I will miss him. Alaska will miss him.

ADDITIONAL STATEMENTS

TRIBUTE TO JACKIE STRATTON

● Mr. DAINES. Mr. President, this week I have the honor of recognizing Jackie Stratton of Toole County for her tremendous efforts to support her community.

Jackie, a graduating senior at Shelby High School, took the initiative to start a food bank at her school to help those in need.

Jackie's FFA and Ag teacher encouraged her to apply for a grant from Montana State University to fund her idea. After applying for the grant, she received $500 from the Alpha Gamm Rho fraternity at Montana State University to start her food bank. Her selfless efforts then caught the attention of community member Lynda Barker, who was able to secure a $2,500 grant from the America's Farmers Build Community Bayer Fund to help Jackie's efforts.

With these grants, Jackie was able to purchase a refrigerator, shelving, food, and hygiene products. Jackie also collaborated with the local Albertsons for dairy, breads, and frozen foods. Additionally, Jackie secured the donation of 300 pounds of ground beef from Flesch Angus in Shelby for her food bank.

It is my honor to recognize Jackie for her selfless efforts to help her fellow students and community members in need of support during this difficult time. Her bold initiatives inspired—others to give as well and demonstrated how Montanans can come together to help one another.●

TRIBUTE TO EMILY AHO

● Ms. HASSAN. Mr. President, I am proud to recognize Emily Aho of Jaffrey as June's Granite Stater of the Month. Aho has stepped forward and provided emotional support for healthcare workers on the frontlines of the COVID–19 pandemic, reflecting our State's commitment to the idea that every individual can make a difference in times of critical need.

Aho is the executive director of the Newfoundland Pony Conservancy in Jaffrey, a nonprofit organization that provides a safe living environment for the endangered Newfoundland pony. Up until December 2019, Aho was also a registered nurse until some physical ailments made it difficult for her to work in a hospital.

Shortly after her retirement, COVID–19 began to spread rapidly throughout the United States, and Aho found herself feeling helpless as she watched her loved ones succumb to the deadly virus, including her father, a World War II veteran who was a guard during the Nuremburg trials.

After her father's death, Aho went searching for her father's old photos and memorabilia and found them in the closet where she also kept her materials for equine-assisted learning. Her discovery of those materials was an inspiration and a reminder that, despite her loss, she had much to give.

Through a partnership with True Hope Therapeutic Horsemanship, Aho helped establish the Heal the Heroes program, which provides free therapeutic sessions with ponies and horses for healthcare workers who have experienced heightened mental and physical challenges amid the pandemic.

The healthcare workers visit Aho's conservancy once a week for 4 weeks, where they learn to communicate and connect with her Newfoundland ponies. Due to social distancing guidelines, the program can only take two people in one session, and all the equipment is properly sanitized to avoid spreading the virus. After 4 weeks with the Newfoundland ponies, the participants graduate to True Hope Therapeutic Horsanship, where they continue therapeutic work with horses, both ridden and unridden.

This pandemic has impacted people and organizations throughout our State, including nonprofit organizations like the Newfoundland Pony Conservancy that Aho operates. But despite her own financial struggles, Aho still found a way to give back to her community and provide support to those on the front lines of this crisis. Aho's empathy and commitment to improving the mental wellness of her fellow community members exemplifies the best of our State and what it means to be a Granite Stater. I am honored to recognize her.●

TRIBUTE TO JEFF FOX

● Mr. RISCH. Mr. President, along with my colleagues Senator MIKE CRAPO and Representative MIKE SIMPSON, I congratulate College of Southern Idaho, CSI, president Jeff Fox on his well-deserved retirement.

At age 10, just as CSI was gearing up to offer its very first classes in the fall semester of 1965, Dr. Fox's grandfather took him to the farm fields where the new local college was being built. Twenty-two years later, Dr. Fox returned to the College of Southern Idaho to begin his career in education.

For 33 years, Dr. Fox has dedicated his life to educating and developing the citizens and the communities of South-Central Idaho. He first came to CSI as an English professor, spending 15 years in the classroom helping his students learn and grow. His talent and skill eventually led him to accept positions in the college's administration, serving as the director of the Academic Development Center, chairman of the English Department, and executive vice president and chief academic officer.

In 2014, Dr. Fox was selected to serve as the fourth president of CSI. During his tenure, he oversaw a rapid expansion of the campus and community, introducing new training programs and academic offerings to better equip students to thrive after graduation. Among his many accomplishments, he was instrumental in the dedication and administration of the Applied Technology and Innovation Center that houses CSI's workforce development and custom training programs for businesses and industries.

Today, CSI is known throughout South-Central Idaho for its outstanding nursing, agriculture, business, and workforce development programs, and its passion for equipping students with the tools needed to build a successful career and life. The students and faculty at CSI have been fortunate to prosper under Dr. Fox's skilled and steady leadership, and there is no question he has left an indelible mark on the CSI campus and the Magic Valley community at large.

President Fox, congratulations on your outstanding career. You make our great State proud, and we wish you all the best in your retirement and future endeavors.●

MESSAGES FROM THE PRESIDENT

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

EXECUTIVE MESSAGES REFERRED

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.)

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–4889. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2–Propenoic acid, homopolymer, ester with a-methyl-u-hydroxypoly(oxy-1,2-ethanediyl) and a-[2,4,6-tris(1-phenyletgy)phenyl]-u-hydroxypoly(oxy-1,2-ethanediyl), graft, sodium salt; Tolerance Exemption'' (FRL No. 10006–65–OCSPP) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4890. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyflumetofen; Pesticide Tolerances''

(FRL No. 10009–25–OCSPP) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4891. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Formic Acid and Sodium Formate; Exemption from the Requirement of a Tolerance'' (FRL No. 10009–36–OCSPP) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4892. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tetraethyl Orthosilicate; Exemption from the Requirement of a Tolerance'' (FRL No. 10007–73–OCSPP) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4893. A communication from the Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Land Uses; Special Uses; Streamlining Processes of Communication use Applications'' (RIN0596–AD38) received in the Office of the President of the Senate on June 22, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4894. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Civilian Employment and Reemployment Rights for Service Members, Former Service Members, and Applicants of the Uniformed Services'' (RIN0790–AK93) received in the Office of the President of the Senate on June 22, 2020; to the Committee on Armed Services.

EC–4895. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to serious human rights abuse and corruption that was declared in Executive Order 13818 of December 20, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–4896. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order that declares a national emergency with respect to the attempts by the International Criminal Court (ICC) to assert authority over United States personnel without the consent of the United States, and over personnel of countries that are allied with the United States without these governments' consent; to the Committee on Banking, Housing, and Urban Affairs.

EC–4897. A communication from the Chief of Policy, Regulation, and Analysis, Bureau of Ocean Energy Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Air Quality Control, Reporting, and Compliance'' (RIN1010–AE02) received in the Office of the President of the Senate on June 22, 2020; to the Committee on Energy and Natural Resources.

EC–4898. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Minnesota; Revision to the Minnesota State Implementation Plan'' (FRL No. 10007–92–Region 5) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Environment and Public Works.

EC–4899. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Air Plan Approval; Missouri and Kansas; Determination of Attainment for the Jackson County, Missouri 1-hour Sulfur Dioxide Nonattainment Area and Redesignation of the Wyandotte County, Kansas Unclassifiable Area to Attainment/Unclassifiable'' (FRL No. 10010–76–Region 7) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Environment and Public Works.

EC–4900. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Wyoming; Regional Haze 5–Year Progress Report State Implementation Plan'' (FRL No. 10010–53–Region 8) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Environment and Public Works.

EC–4901. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants; Miscellaneous Coating Manufacturing Residual Risk and Technology Review'' (FRL No. 10010–12–OAR) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Environment and Public Works.

EC–4902. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Taconite Iron Processing Residual Risk and Technology Review'' (FRL No. 10010–15–OAR) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Environment and Public Works.

EC–4903. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Redesignation and Maintenance Plan for the West Virginia Portion of the Steubenville Sulfur Dioxide Nonattainment Area'' (FRL No. 10010–63–Region 3) received in the Office of the President of the Senate on June 23, 2020; to the Committee on Environment and Public Works.

EC–4904. A communication from the Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Removing the Borax Lake Club From the List of Endangered and Threatened Wildlife'' (RIN1018–BA43) received in the Office of the President of the Senate on June 18, 2020; to the Committee on Environment and Public Works.

EC–4905. A communication from the Vice President of External Affairs, Tennessee Valley Authority, transmitting, pursuant to law, a report relative to a vacancy for the position of Inspector General, Tennessee Valley Authority, received in the office of the President of the Senate on June 23, 2020; to the Committee on Environment and Public Works.

EC–4906. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, Department of Homeland Security, received in the Office of the President of the Senate on June 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–4907. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary, Department of Homeland Security, received in the Office of the President of the Senate on June 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–4908. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to two (2) vacancies in the Department of Homeland Security, received in the Office of the President of the Senate on June 22, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC–4909. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis (l&A), Department of Homeland Security, received in the Office of the President of the Senate on June 22, 2020; to the Select Committee on Intelligence.

EC–4910. A communication from the Chief of Regulatory Analysis and Development, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Animal Welfare; Amendments to Licensing Provisions and to Requirements for Dogs'' (RIN0579–AE35) received in the Office of the President of the Senate on June 22, 2020; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4911. A communication from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Liquefied Natural Gas by Rail'' (RIN2137–AF40) received in the Office of the President of the Senate on June 22, 2020; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–210. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing its support for the annual Gulf Hypoxia Mapping Cruise conducted by the Louisiana Universities Marine Consortium, and urging the United States Congress to authorize continued funding; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 64

Whereas, the growth of a large area of low-oxygen off Louisiana's coast, known as the Gulf of Mexico Hypoxic Zone or ''Dead Zone'', has been a long-standing issue of concern for the state because of the risks it poses for our commercial and recreational fishing and seafood industries, and its wider impacts on marine life in the Gulf; and

Whereas, the summer cruises to map the Gulf of Mexico Hypoxic Zone, conducted by scientists at the LUMCON in Cocodrie, Louisiana, have been carried out each year since 1985, providing a consistent and long-term baseline and record of data on the annual extent and formation of the zone, which has in turn aided the development of models to predict its yearly size and future growth; and

Whereas, these cruises, utilizing Louisiana scientists, researchers, graduate and undergraduate students, and cooperating universities and other partners, are the primary means of measuring the size of the Gulf of Mexico Hypoxic Zone and its growth or reduction, as well as the progress of efforts to

reduce it, including the efforts of the state-federal Gulf Hypoxia Task Force with which the state of Louisiana has been a participant since 1997; and

Whereas, the LUMCON mapping cruises have been largely funded through the federal National Oceanic and Atmospheric Administration, reflecting the importance of the Gulf of Mexico Hypoxic Zone and Louisiana's coastal fishery and waters as resources of national concern; and

Whereas, because this federal funding is at risk of discontinuation, and the annual LUM CON summer mapping cruise was cancelled in 2016 for only the second time in thirty-one years, the continuation of this vital work is itself at risk.

Therefore, be it *Resolved*, That the Legislature of Louisiana does hereby express its support for the annual Gulf Hypoxia Mapping Cruise conducted by the Louisiana Universities Marine Consortium, in recognition of the important role it plays in the understanding and conserving of our coastal resources, as well as its support for continued funding for this important effort by memorializing the United States Congress and the Louisiana congressional delegation to authorize continued funding for this most important endeavor; and be it further

Resolved, That a copy of this Resolution be forwarded to the officers of both houses of the United States Congress and each member of the Louisiana congressional delegation.

POM–211. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions are necessary to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by supporting S. 521 of the 116th Congress, the Social Security Fairness Act; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 9

Whereas, the Congress of the United States of America has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefits payable to any person who also receives a public pension benefit; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO has a harsh effect on hundreds of thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, according to recent Social Security Administration figures, more than half a million individuals nationally are affected by the GPO; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hardworking individuals to lose a significant portion of the Social Security benefits that they earn themselves; and

Whereas, according to recent Social Security Administration figures, more than one and a half million individuals nationally are affected by the WEP; and

Whereas, in certain circumstances both the WEP and the GPO can be applied to a qualifying survivor's benefit, each independently reducing the available benefit and in combination eliminating a large portion of the total Social Security benefit available to the survivor; and

Whereas, because of the calculation characteristics of the GPO and the WEP, they have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise their quality of life; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

Whereas, individuals drastically affected by the GPO or WEP may have no choice but to return to work after retirement in order to make ends meet, but the earnings accumulated during this return to work can further reduce the Social Security benefits the individual is entitled to; and

Whereas, the GPO and WEP are established in federal law, and repeal of the GPO and the WEP can only be enacted by congress: Now, therefore be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to review the Government Pension Offset and the Windfall Elimination Provision Social Security benefit reductions and to consider eliminating or reducing them by supporting S.521 of the 116th Congress, the Social Security Fairness Act; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–212. A resolution adopted by the Senate of the State of Michigan denouncing the violent activities of extremist organizations, urging the United States Congress to redouble its efforts to combat the spread of all forms of domestic terrorism; to the Committee on the Judiciary.

SENATE RESOULUTION NO. 122

Whereas, Freedom of Speech and Freedom of the Press are hallmarks of our First Amendment rights and founding principles of this great nation. Article I, Section 5 of the *Constitution of the State of Michigan of 1963* reaffirms, ''Every person may freely speak, write, express and publish his views on all subjects, being responsible for the abuse of such right; and no law shall be enacted to restrain or abridge the liberty of speech or of the press.''; and

Whereas, It is a fundamental responsibility of government to protect citizens thereby creating an environment that allows and encourages peaceful speech and peaceful protest; and

Whereas, Extremist organizations, including Antifa, White supremacist groups such as Boogaloo, and others, represent opposition to the democratic ideals of peaceful assembly and free speech for all. These organizations, because they believe that free speech is equivalent to violence, have used threats of violence and online harassment in the pursuit of suppressing opposing political ideologies; and

Whereas, Federal statute defines the term ''domestic terrorism'' to mean activities that involve ''acts dangerous to human life that are a violation of the criminal laws of the United States or of any State and those acts appear to be intended to intimidate or coerce a civilian population, to influence the policy of a government by intimidation or coercion, or to affect the conduct of government . . .''; and

Whereas, Extremist organizations, including Antifa and White supremacist groups such as Boogaloo, and others, have traded civil protest for violence on multiple occasions, endangering public welfare and wreaking havoc on cities across America to advance their political ideologies. These organizations have participated in attacks on civilians, members of the press, law enforcement, and our men and women in uniform. Their violence detracts from peaceful gatherings, endangering individuals using civil protest as a means of expression; and

Whereas, Their use of violence as a means of furthering their political agenda has been denounced by various leaders and groups across the political spectrum; and

Whereas, There is no place for violence in the discourse between people in a civil society. The use of violence by extremist organizations represents a significant threat to public safety as well as the First Amendment rights of all people; now, therefore, be it

Resolved by the Senate, That we unequivocally condemn and denounce the violent actions of extremist organizations as unacceptable; and be it further

Resolved, That we memorialize the Congress of the United States to redouble its efforts, using all available and appropriate tools, to combat the spread of all forms of domestic terrorism; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Director of the Federal Bureau of Investigation, the President of the United States Senate, the Speaker of the United States House of Representatives, the chair and ranking member of the United States House Committee on the Judiciary, and the members of the Michigan congressional delegation.

POM—213. A resolution adopted by the General Court of the Commonwealth of Massachusetts urging the Administration and the Secretary of Agriculture to authorize the use of the Supplemental Nutrition Assistance Program (SNAP) electronic benefits transfer cards for the online purchase of groceries and other essentials in the commonwealth; to the Committee on Agriculture, Nutrition, and Forestry.

RESOLUTIONS

Whereas, the Trump Administration and United States Secretary of Agriculture have the power to authorize the use of Supplemental Nutrition Assistance Program electronic benefits transfer cards for the online purchase of groceries and other essentials; and

Whereas, the novel coronavirus, also known as COVID–19, presents a particular risk to individuals with comorbidities, including diabetes and asthma, and Supplemental Nutrition Assistance Program participants often have higher rates of diabetes and asthma than individuals who do not participate; and

Whereas, people of color suffer from higher rates of diabetes and asthma and, according to the Boston Public Health Commission, the 4 neighborhoods in the city of Boston with the largest populations of people of color also have the highest number of documented COVID–19 cases; and

Whereas, social distancing reduces the likelihood of contracting COVID–19 and avoiding unnecessary travel to grocery stores and other public locations can help Supplemental Nutrition Assistance Program participants reduce exposure to the virus; and

Whereas, the United States Department of Agriculture's Pilot Program allowing the use of Supplemental Nutrition Assistance Program electronic benefits transfer cards for online purchases was created on April 18, 2019 and is currently in place in a number of other states; therefore be it

Resolved, That the Massachusetts General Court hereby calls upon the Trump Administration and the United States Secretary of Agriculture to Authorize The use of Supplemental Nutrition Assistance Program electronic benefits transfer cards for the online purchase of groceries and other essentials in the commonwealth; and be it further

Resolved, That a copy of these resolutions be forwarded by the clerk of the Senate to United States President Donald J. Trump, United States Secretary of Agriculture Sonny Perdue and the Massachusetts Congressional Delegation.

POM–214. A resolution adopted by the Board of Supervisors of the City and County of San Francisco, California, urging the United States Congress to mandate that all employers provide their employees an additional fourteen days of paid leave during public health emergencies; to the Committee on Health, Education, Labor, and Pensions.

POM–215. A resolution adopted by the Township Council of the Township of Mahwah, New Jersey, recognizing June 5, 2020, as National Gun Violence Awareness Day; to the Committee on the Judiciary.

POM–216. A resolution adopted by the Mayor and City Council of the City of Gautier, Mississippi relative to assessments on tenants, owners, or occupiers of the Singing River Mall site; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 3675. An act to require a review of Department of Homeland Security trusted traveler programs, and for other purposes (Rept. No. 116–237).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. GRAHAM for the Committee on the Judiciary.

Owen McCurdy Cypher, of Michigan, to be United States Marshal for the Eastern District of Michigan for the term of four years.

Thomas L. Foster, of Virginia, to be United States Marshal for the Western District of Virginia for the term of four years.

Tyreece L. Miller, of Tennessee, to be United States Marshal for the Western District of Tennessee for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. BLUMENTHAL (for himself, Mr. MARKEY, Mr. MURPHY, Mr. WHITEHOUSE, Mr. MENENDEZ, Ms. HARRIS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Ms. HIRONO, Mr. SANDERS, Ms. WARREN, Mr. REED, Mr. CASEY, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. WYDEN, Ms. BALDWIN, Mr. KAINE, Mr. COONS, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. LEAHY, and Mr. CARDIN):

S. 4068. A bill prohibit firearms dealers from selling a firearm prior to the completion of a background check; to the Committee on the Judiciary.

By Mr. DAINES:

S. 4069. A bill to amend the Small Business Act to provide that Major League Baseball franchises will be prohibited from receiving loans under the Paycheck Protection Program under certain circumstances, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PETERS (for himself and Ms. STABENOW):

S. 4070. A bill to designate the medical center of the Department of Veterans Affairs in Ann Arbor, Michigan, as the ''Lieutenant Colonel Charles S. Kettles Department of Veterans Affairs Medical Center''; to the Committee on Veterans' Affairs.

By Mr. RUBIO (for himself and Mr. TILLIS):

S. 4071. A bill to amend the Internal Revenue Code of 1986 to adjust identification number requirements for taxpayers filing joint returns to receive Economic Impact Payments; to the Committee on Finance.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 4072. A bill to designate the clinic of the Department of Veterans Affairs in Bend, Oregon, as the ''Robert D. Maxwell Department of Veterans Affairs Clinic''; to the Committee on Veterans' Affairs.

By Mr. CARDIN (for himself, Mr. PORTMAN, Mr. COONS, Mr. YOUNG, Mr. BROWN, and Mr. SCOTT of South Carolina):

S. 4073. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for neighborhood revitalization, and for other purposes; to the Committee on Finance.

By Mr. PAUL (for himself, Mr. KING, Mr. CRAPO, and Mr. LEE):

S. 4074. A bill to restore the integrity of the Fifth Amendment to the Constitution of the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. CAPITO (for herself and Mr. CARDIN):

S. 4075. A bill to amend the Public Works and Economic Development Act of 1965 to provide for the release of certain Federal interests in connection with certain grants under that Act, and for other purposes; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. BENNET, Mr. MARKEY, Ms. BALDWIN, Mr. WYDEN, Ms. KLOBUCHAR, Mr. SANDERS, Mr. CASEY, Mr. WHITEHOUSE, Mr. DURBIN, Ms. HIRONO, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mrs. SHAHEEN, Ms. HARRIS, Mr. MENENDEZ, Mr. BROWN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. BOOKER, Mr. HEINRICH, Mr. UDALL, Mr. LEAHY, Ms. STABENOW, Mr. MURPHY, Ms. SMITH, Mr. MERKLEY, Ms. HASSAN, Ms. CANTWELL, Mr. CARDIN, Mr. COONS, Ms. CORTEZ MASTO, Ms. ROSEN, and Ms. DUCKWORTH):

S. 4076. A bill to remove Confederate names, symbols, displays, monuments, and paraphernalia from assets of the Department of Defense; to the Committee on Armed Services.

By Mr. PORTMAN (for himself, Mrs. FISCHER, and Mr. LANKFORD):

S. 4077. A bill to amend the Unfunded Mandates Reform Act of 1995 to provide for regulatory impact analyses for certain rules, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself, Ms. CANTWELL, Mr. BENNET, and Mr. CARDIN):

S. 4078. A bill to amend the Internal Revenue Code of 1986 to improve the low-income housing credit and provide relief relating to the coronavirus emergency, and for other purposes; to the Committee on Finance.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 4079. A bill to authorize the Seminole Tribe of Florida to lease or transfer certain land, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ:

S. 4080. A bill to counter white identity terrorism globally, and for other purposes; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. CASSIDY, and Mr. JONES):

S. 4081. A bill to provide a grant program for elementary schools, secondary schools, and institutions of higher education to help offset costs associated with complying with guidelines, recommendations, and other public health communications issued by the Centers for Disease Control and Prevention, or a State, Indian Tribe, Tribal organization, or locality related to mitigating the hazards presented by COVID–19; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself and Mr. PORTMAN):

S. 4082. A bill to require reports on certain Department of Defense activities with respect to artificial intelligence, and for other purposes; to the Committee on Armed Services.

By Mr. VAN HOLLEN (for himself, Mr. MERKLEY, Mr. MURPHY, and Ms. BALDWIN):

S. 4083. A bill to amend the Relief for Workers Affected by Coronavirus Act to extend Federal Pandemic Unemployment Compensation and improve short-time compensation programs and agreements, and for other purposes; to the Committee on Finance.

By Mr. MARKEY (for himself and Mr. MERKLEY):

S. 4084. A bill to prohibit biometric surveillance by the Federal Government without explicit statutory authorization and to withhold certain Federal public safety grants from State and local governments that engage in biometric surveillance; to the Committee on the Judiciary.

By Ms. ERNST (for herself, Mr. COTTON, Mr. MCCONNELL, and Mrs. BLACKBURN):

S. 4085. A bill to make certain States and political subdivisions of States ineligible to receive Federal finance assistance, and for other purposes; to the Committee on Finance.

By Mr. BOOZMAN (for himself and Mr. TESTER):

S. 4086. A bill amend title 38, United States Code, to revise the definition of Vietnam era for purposes of the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. ROSEN (for herself and Ms. CORTEZ MASTO):

S. 4087. A bill to provide for the conveyance of certain Federal land in Carson City, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN (for himself, Mrs. MURRAY, Mr. LEAHY, Ms. BALDWIN, Mr. SCHATZ, Ms. STABENOW, Mr. MURPHY, and Mr. MERKLEY):

S. 4088. A bill to amend title XIX of the Social Security Act to extend the application of the Medicare payment rate floor to primary care services furnished under Medicaid and to apply the rate floor to additional providers of primary care services; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. HARRIS, Mr. BROWN, Mr. SCHATZ, and Mr. MERKLEY):

S. 4089. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES):

S. 4090. A bill to reauthorize the Native American Housing Assistance and Self-Determination Act of 1996, and for other purposes; to the Committee on Indian Affairs.

ADDITIONAL COSPONSORS

S. 348

At the request of Mr. MENENDEZ, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 348, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 360

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 360, a bill to amend the Securities Exchange Act of 1934 to require the submission by issuers of data relating to diversity, and for other purposes.

S. 450

At the request of Mr. GARDNER, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 450, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to expedite the onboarding process for new medical providers of the Department of Veterans Affairs, to reduce the duration of the hiring process for such medical providers, and for other purposes.

S. 654

At the request of Ms. BALDWIN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 654, a bill to require the Secretary of Transportation to carry out a pilot program to develop and provide to States and transportation planning organizations accessibility data sets, and for other purposes.

S. 835

At the request of Ms. KLOBUCHAR, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 835, a bill to amend title 38, United States Code, to improve the care provided by the Secretary of Veterans Affairs to newborn children.

S. 1246

At the request of Mr. KAINE, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1246, a bill to extend the protections of the Fair Housing Act to persons suffering discrimination on the basis of sexual orientation or gender identity, and for other purposes.

S. 1820

At the request of Ms. SMITH, her name was added as a cosponsor of S. 1820, a bill to improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority.

S. 1903

At the request of Ms. SMITH, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1903, a bill to establish an interagency One Health Program, and for other purposes.

S. 2302

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 2302, a bill to amend title 23, United States Code, to authorize funds for Federal-aid highways and highway safety construction programs, and for other purposes.

S. 2689

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2689, a bill to prohibit the use of biometric recognition technology and biometric analytics in certain federally assisted rental dwelling units, and for other purposes.

S. 3020

At the request of Ms. BALDWIN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3020, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with States or to award grants to States to promote health and wellness, prevent suicide, and improve outreach to veterans, and for other purposes.

S. 3067

At the request of Mrs. CAPITO, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 3067, a bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to non-opioid treatments in the hospital outpatient setting.

S. 3276

At the request of Mr. COONS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3276, a bill to eliminate asset limits employed by certain federally funded means-tested public assistance programs, and for other purposes.

S. 3487

At the request of Ms. BALDWIN, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3487, a bill to amend the Victims of Crime Act of 1984 to provide for the compensation of elderly victims of property damage, to provide increased funding for the crime victim compensation fund, and for other purposes.

S. 3569

At the request of Ms. KLOBUCHAR, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 3569, a bill to help small business broadband providers keep customers connected.

S. 3644

At the request of Mr. BOOKER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3644, a bill to amend titles XVIII and XIX of the Social Security Act to improve the quality of care in skilled nursing facilities under the Medicare program and nursing facilities under the Medicare program during the COVID–19 emergency period, and for other purposes.

S. 3677

At the request of Ms. BALDWIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3677, a bill to require the Occupational Safety and Health Administration to promulgate an emergency temporary standard to protect employees from occupational exposure to SARS–CoV–2, and for other purposes.

S. 3703

At the request of Ms. COLLINS, the names of the Senator from Florida (Mr. RUBIO), the Senator from Mississippi (Mr. WICKER), the Senator from Montana (Mr. DAINES) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 3703, a bill to amend the Elder Abuse Prevention and Prosecution Act to improve the prevention of elder abuse and exploitation of individuals with Alzheimer's disease and related dementias.

S. 3756

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3756, a bill to direct the Secretary of Agriculture to establish a renewable fuel feedstock reimbursement program.

S. 3798

At the request of Mr. TOOMEY, the names of the Senator from Arizona (Ms. MCSALLY), the Senator from Arkansas (Mr. COTTON), the Senator from Texas (Mr. CRUZ) and the Senator from Nebraska (Mr. SASSE) were added as cosponsors of S. 3798, a bill to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and for other purposes.

S. 3851

At the request of Ms. WARREN, the names of the Senator from Connecticut

(Mr. BLUMENTHAL), the Senator from Maryland (Mr. VAN HOLLEN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3851, a bill to prohibit high-level appointees in the Department of Justice from participating in particular matters in which the President, a relative of the President, or an individual associated with the campaign of the President is a party.

S. 3868

At the request of Ms. KLOBUCHAR, the names of the Senator from Delaware (Mr. COONS), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Tennessee (Mrs. BLACKBURN), and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 3868, a bill to require the Secretary of Defense and the Secretary of Veterans Affairs to evaluate members of the Armed Forces and veterans who have tested positive for a virus certified as a pandemic for potential exposure to open burn pits and toxic airborne chemicals or other airborne contaminants, to conduct a study on the impact of such a pandemic on members and veterans with such exposure, and for other purposes.

S. 3957

At the request of Mr. BOOKER, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Virginia (Mr. KAINE), the Senator from California (Mrs. FEINSTEIN), and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3957, a bill to remove all statues of individuals who voluntarily served the Confederate States of America from display in the Capitol of the United States.

S. 4001

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Iowa (Ms. ERNST), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Montana (Mr. DAINES), and the Senator from Maine (Mr. KING) were added as cosponsors of S. 4001, a bill to amend title IX of the Social Security Act to improve emergency unemployment relief for governmental entities and nonprofit organizations.

S. 4016

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 4016, a bill to reiterate the support of Congress for the relationship between the United States and the Federal Republic of Germany, to prevent the weakening of the deterrence capacity of the United States in Europe, to prohibit use of funds to withdraw the United States Armed Forces from Europe, and for other purposes.

S. 4019

At the request of Mr. MARKEY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 4019, a bill to amend title 5, United States Code, to designate Juneteenth National Independence Day as a legal public holiday.

S. 4034

At the request of Mr. DURBIN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 4034, a bill to expand eligibility for and provide judicial review for the Elderly Home Detention Pilot Program, provide for compassionate release based on COVID–19 vulnerability, shorten the waiting period for judicial review during the COVID–19 pandemic, and make other technical corrections.

S. 4046

At the request of Mr. MERKLEY, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 4046, a bill to direct the Administrator of the Environmental Protection Agency to establish a program to award grants to eligible entities to purchase, and as applicable install, zero emissions port equipment and technology, and for other purposes.

S. RES. 509

At the request of Mr. TOOMEY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. Res. 509, a resolution calling upon the United Nations Security Council to adopt a resolution on Iran that extends the dates by which Annex B restrictions under Resolution 2231 are currently set to expire.

S. RES. 633

At the request of Mr. MARKEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. Res. 633, a resolution supporting the goals of International Myalgic Encephalomyelitis/Chronic Fatigue Syndrome Awareness Day.

AMENDMENT NO. 1690

At the request of Mr. BLUMENTHAL, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of amendment No. 1690 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1691

At the request of Mr. BLUMENTHAL, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of amendment No. 1691 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1707

At the request of Ms. DUCKWORTH, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of amendment No. 1707 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1709

At the request of Mr. HAWLEY, the names of the Senator from Florida (Mr. SCOTT), the Senator from North Dakota (Mr. CRAMER), and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of amendment No. 1709 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1729

At the request of Mrs. SHAHEEN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 1729 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1730

At the request of Mrs. SHAHEEN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 1730 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1731

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of amendment No. 1731 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1732

At the request of Mrs. SHAHEEN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 1732 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1733

At the request of Mrs. SHAHEEN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 1733 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1746

At the request of Mr. WYDEN, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of amendment No. 1746 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1755

At the request of Mrs. GILLIBRAND, the names of the Senator from Massachusetts (Mr. MARKEY), the Senator from California (Ms. HARRIS), the Senator from Wisconsin (Ms. BALDWIN), the Senator from Illinois (Mr. DURBIN), the Senator from New Mexico (Mr. UDALL), the Senator from Pennsylvania (Mr. CASEY), the Senator from Vermont (Mr. SANDERS), the Senator from Oregon (Mr. WYDEN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Massachusetts (Ms. WARREN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from New Jersey (Mr. BOOKER), the Senator from Connecticut (Mr. MURPHY), and the Senator from Alabama (Mr. JONES) were added as cosponsors of amendment No. 1755 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1762

At the request of Mr. MURPHY, the names of the Senator from New York (Mr. SCHUMER), the Senator from California (Ms. HARRIS), and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 1762 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1764

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of amendment No. 1764 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1765

At the request of Mr. HOEVEN, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of amendment No. 1765 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1767

At the request of Mr. HOEVEN, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of amendment No. 1767 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1774

At the request of Mr. BLUMENTHAL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 1774 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

AMENDMENT NO. 1776

At the request of Mr. BLUMENTHAL, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 1776 intended to be proposed to S. 4049, an original bill to authorize appropriations for fiscal year 2021 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Ms. HARRIS, Mr. BROWN, Mr. SCHATZ, and Mr. MERKLEY):

S. 4089. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 4089

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Protecting Employees and Retirees in Business Bankruptcies Act of 2020''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Business bankruptcies have increased sharply in recent years and remain at high levels due to the impact of the COVID–19 pandemic. As the use of bankruptcy has expanded, job preservation and retirement security are placed at greater risk.

(2) Laws enacted to improve recoveries for employees and retirees and limit their losses

in bankruptcy cases have not kept pace with the increasing and broader use of bankruptcy by businesses in all sectors of the economy. However, while protections for employees and retirees in bankruptcy cases have eroded, management compensation plans devised for those in charge of troubled businesses have become more prevalent and are escaping adequate scrutiny.

(3) Changes in the law regarding these matters are urgently needed as bankruptcy is used to address increasingly more complex and diverse conditions affecting troubled businesses and industries.

TITLE I—IMPROVING RECOVERIES FOR EMPLOYEES AND RETIREES

SEC. 101. INCREASED WAGE PRIORITY.

Section 507(a) of title 11, United States Code, is amended—

(1) in paragraph (4)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) in the matter preceding clause (i), as so redesignated, by inserting ''(A)'' before ''Fourth'';

(C) in subparagraph (A), as so designated, in the matter preceding clause (i), as so redesignated—

(i) by striking ''$10,000'' and inserting ''$20,000'';

(ii) by striking ''within 180 days''; and

(iii) by striking ''or the date of the cessation of the debtor's business, whichever occurs first,''; and

(D) by adding at the end the following:

''(B) Severance pay described in subparagraph (A)(i) shall be deemed earned in full upon the layoff or termination of employment of the individual to whom the severance is owed.'';

(2) in paragraph (5)—

(A) in subparagraph (A)—

(i) by striking ''within 180 days''; and

(ii) by striking ''or the date of the cessation of the debtor's business, whichever occurs first''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) for each such plan, to the extent of the number of employees covered by each such plan, multiplied by $20,000.''.

SEC. 102. CLAIM FOR STOCK VALUE LOSSES IN DEFINED CONTRIBUTION PLANS.

Section 101(5) of title 11, United States Code, is amended—

(1) in subparagraph (A), by striking ''or'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(C) right or interest in equity securities of the debtor, or an affiliate of the debtor, if—

''(i) the equity securities are held in a defined contribution plan (within the meaning of section 3(34) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(34))) for the benefit of an individual who is not an insider, a senior executive officer, or any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers;

''(ii) the equity securities were attributable to either employer contributions by the debtor or an affiliate of the debtor, or elective deferrals (within the meaning of section 402(g) of the Internal Revenue Code of 1986), and any earnings thereon; and

''(iii) an employer or plan sponsor who has commenced a case under this title has committed fraud with respect to such plan or has otherwise breached a duty to the participant that has proximately caused the loss of value.''.

SEC. 103. PRIORITY FOR SEVERANCE PAY AND CONTRIBUTIONS TO EMPLOYEE BENEFIT PLANS.

Section 503(b) of title 11, United States Code, is amended—

(1) in paragraph (8)(B), by striking ''and'' at the end;

(2) in paragraph (9), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(10) severance pay owed to employees of the debtor (other than to an insider of the debtor, a senior executive officer of the debtor, the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor), under a plan, program, or policy generally applicable to employees of the debtor (but not under an individual contract of employment), or owed pursuant to a collective bargaining agreement, for layoff or termination on or after the date of the filing of the petition, which pay shall be deemed earned in full upon such layoff or termination of employment; and

''(11) any contribution to an employee benefit plan that is due on or after the date of the filing of the petition; and''.

SEC. 104. FINANCIAL RETURNS FOR EMPLOYEES AND RETIREES.

Section 1129(a) of title 11, United States Code is amended—

(1) by striking paragraph (13) and inserting the following:

''(13) With respect to retiree benefits, as that term is defined in section 1114(a), the plan—

''(A) provides for the continuation after the effective date of the plan of payment of all retiree benefits at the level established pursuant to subsection (e)(1)(B) or (g) of section 1114 at any time before the date of confirmation of the plan, for the duration of the period for which the debtor has obligated itself to provide such benefits, or if no modifications are made before confirmation of the plan, the continuation of all such retiree benefits maintained or established in whole or in part by the debtor before the date of the filing of the petition; and

''(B) provides for recovery of claims arising from the modification of retiree benefits or for other financial returns, as negotiated by the debtor and the authorized representative (to the extent that such returns are paid under, rather than outside of, a plan).''; and

(2) by adding at the end the following:

''(17) The plan provides for recovery of damages payable for the rejection of a collective bargaining agreement, or for other financial returns as negotiated by the debtor and the authorized representative under section 1113 (to the extent that such returns are paid under, rather than outside of, a plan).''.

SEC. 105. PRIORITY FOR WARN ACT DAMAGES.

Section 503(b)(1)(A)(ii) of title 11, United States Code is amended by inserting ''any back pay, civil penalty, or damages for a violation of any Federal or State labor and employment law, including the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.) and any comparable State law,'' before ''wages and benefits''.

TITLE II—REDUCING EMPLOYEES' AND RETIREES' LOSSES

SEC. 201. REJECTION OF COLLECTIVE BARGAINING AGREEMENTS.

Section 1113 of title 11, United States Code, is amended by striking subsections (a) through (f) and inserting the following:

''(a) The debtor in possession, or the trustee if one has been appointed under this chapter, other than as provided in section 103(m) for collective bargaining agreements covered by the Railway Labor Act (45 U.S.C. 151 et seq.), may reject a collective bargaining agreement only in accordance with this section. In this section, a reference to the trustee includes the debtor in possession.

''(b) No provision of this title shall be construed to permit the trustee to unilaterally terminate or alter any provision of a collective bargaining agreement before complying with this section. The trustee shall timely pay all monetary obligations arising under the terms of the collective bargaining agreement. Any such payment required to be made before a plan confirmed under section 1129 is effective has the status of an allowed administrative expense under section 503.

''(c)(1) If the trustee seeks modification of a collective bargaining agreement, the trustee shall provide notice to the labor organization representing the employees covered by the collective bargaining agreement that modifications are being proposed under this section, and shall promptly provide an initial proposal for modifications to the collective bargaining agreement. Thereafter, the trustee shall confer in good faith with the labor organization, at reasonable times and for a reasonable period in light of the complexity of the case, in attempting to reach mutually acceptable modifications of the collective bargaining agreement.

''(2) The initial proposal and subsequent proposals by the trustee for modification of a collective bargaining agreement shall be based upon a business plan for the reorganization of the debtor, and shall reflect the most complete and reliable information available. The trustee shall provide to the labor organization all information that is relevant for negotiations. The court may enter a protective order to prevent the disclosure of information if disclosure could compromise the position of the debtor with respect to the competitors in the industry of the debtor, subject to the needs of the labor organization to evaluate the proposals of the trustee and any application for rejection of the collective bargaining agreement or for interim relief pursuant to this section.

''(3) In consideration of Federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the collective bargaining agreement, modifications proposed by the trustee—

''(A) shall be proposed only as part of a program of workforce and nonworkforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs;

''(B) shall be limited to modifications designed to achieve a specified aggregate financial contribution for the employees covered by the collective bargaining agreement (taking into consideration any labor cost savings negotiated within the 12-month period before the filing of the petition), and shall be not more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by the liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term; and

''(C) shall not be disproportionate or overly burden the employees covered by the collective bargaining agreement, either in the amount of the cost savings sought from such employees or the nature of the modifications.

''(d)(1) If, after a period of negotiations, the trustee and the labor organization have not reached an agreement over mutually satisfactory modifications, and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking rejection of the collective bargaining agreement after notice and a hearing. Absent agreement of the parties, no

such hearing shall be held before the expiration of the 21-day period beginning on the date on which notice of the hearing is provided to the labor organization representing the employees covered by the collective bargaining agreement. Only the debtor and the labor organization may appear and be heard at such hearing. An application for rejection shall seek rejection effective upon the entry of an order granting the relief.

''(2) In consideration of Federal policy encouraging the practice and process of collective bargaining and in recognition of the bargained-for expectations of the employees covered by the collective bargaining agreement, the court may grant a motion seeking rejection of a collective bargaining agreement only if, based on clear and convincing evidence—

''(A) the court finds that the trustee has complied with the requirements of subsection (c);

''(B) the court has considered alternative proposals by the labor organization and has concluded that such proposals do not meet the requirements of subsection (c)(3)(B);

''(C) the court finds that further negotiations regarding the proposal of the trustee or an alternative proposal by the labor organization are not likely to produce an agreement;

''(D) the court finds that implementation of the proposal of the trustee shall not—

''(i) cause a material diminution in the purchasing power of the employees covered by the collective bargaining agreement;

''(ii) adversely affect the ability of the debtor to retain an experienced and qualified workforce; or

''(iii) impair the labor relations of the debtor such that the ability to achieve a feasible reorganization would be compromised; and

''(E) the court concludes that rejection of the collective bargaining agreement and immediate implementation of the proposal of the trustee is essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term.

''(3) If, during the bankruptcy, the trustee has implemented a program of incentive pay, bonuses, or other financial returns for an insider of the debtor, a senior executive officer of the debtor, any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor, or such a program was implemented within 180 days before the date of the filing of the petition, the court shall presume that the trustee has failed to satisfy the requirements of subsection (c)(3)(C).

''(4) In no case shall the court enter an order rejecting a collective bargaining agreement that would result in modifications to a level lower than the level proposed by the trustee in the proposal found by the court to have complied with the requirements of this section.

''(5) At any time after the date on which an order rejecting a collective bargaining agreement is entered, or in the case of a collective bargaining agreement entered into between the trustee and the labor organization providing mutually satisfactory modifications, at any time after that collective bargaining agreement has been entered into, the labor organization may apply to the court for an order seeking an increase in the level of wages or benefits, or relief from working conditions, based upon changed circumstances. The court shall grant the request only if the increase or other relief is not inconsistent with the standard set forth in paragraph (2)(E).

''(e) During a period during which a collective bargaining agreement at issue under this section continues in effect and a motion for rejection of the collective bargaining agreement has been filed, if essential to the continuation of the business of the debtor or in order to avoid irreparable damage to the estate, the court, after notice and a hearing, may authorize the trustee to implement interim changes in the terms, conditions, wages, benefits, or work rules provided by the collective bargaining agreement. Any hearing under this subsection shall be scheduled in accordance with the needs of the trustee. The implementation of such interim changes shall not render the application for rejection moot and may be authorized for not more than 14 days in total.

''(f)(1) Rejection of a collective bargaining agreement constitutes a breach of the collective bargaining agreement, and shall be effective no earlier than the entry of an order granting such relief.

''(2) Notwithstanding paragraph (1), solely for purposes of determining and allowing a claim arising from the rejection of a collective bargaining agreement, rejection shall be treated as rejection of an executory contract under section 365(g) and shall be allowed or disallowed in accordance with section 502(g)(1). No claim for rejection damages shall be limited by section 502(b)(7). Economic self-help by a labor organization shall be permitted upon a court order granting a motion to reject a collective bargaining agreement under subsection (d) or pursuant to subsection (e), and no provision of this title or of any other provision of Federal or State law may be construed to the contrary.

''(g) The trustee shall provide for the reasonable fees and costs incurred by a labor organization under this section, upon request and after notice and a hearing.

''(h) A collective bargaining agreement that is assumed shall be assumed in accordance with section 365.''.

SEC. 202. PAYMENT OF INSURANCE BENEFITS TO RETIRED EMPLOYEES.

Section 1114 of title 11, United States Code, is amended—

(1) in subsection (a), by inserting '', without regard to whether the debtor asserts a right to unilaterally modify such payments under such plan, fund, or program'' before the period at the end;

(2) in subsection (b)(2), by inserting '', and a labor organization serving as the authorized representative under subsection (c)(1),'' after ''section'';

(3) by striking subsection (f) and inserting the following:

''(f)(1) If a trustee seeks modification of retiree benefits, the trustee shall provide a notice to the authorized representative that modifications are being proposed pursuant to this section, and shall promptly provide an initial proposal. Thereafter, the trustee shall confer in good faith with the authorized representative at reasonable times and for a reasonable period in light of the complexity of the case in attempting to reach mutually satisfactory modifications.

''(2) The initial proposal and subsequent proposals by the trustee shall be based upon a business plan for the reorganization of the debtor and shall reflect the most complete and reliable information available. The trustee shall provide to the authorized representative all information that is relevant for the negotiations. The court may enter a protective order to prevent the disclosure of information if disclosure could compromise the position of the debtor with respect to the competitors in the industry of the debtor, subject to the needs of the authorized representative to evaluate the proposals of the trustee and an application pursuant to subsection (g) or (h).

''(3) Modifications proposed by the trustee—

''(A) shall be proposed only as part of a program of workforce and nonworkforce cost savings devised for the reorganization of the debtor, including savings in management personnel costs;

''(B) shall be limited to modifications that are designed to achieve a specified aggregate financial contribution for the retiree group represented by the authorized representative (taking into consideration any cost savings implemented within the 12-month period before the date of filing of the petition with respect to the retiree group), and shall be no more than the minimum savings essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by the liquidation, or the need for further financial reorganization, of the debtor (or any successor to the debtor) in the short term; and

''(C) shall not be disproportionate or overly burden the retiree group, either in the amount of the cost savings sought from such group or the nature of the modifications.'';

(4) in subsection (g)—

(A) by striking the subsection designation and all that follows through the semicolon at the end of paragraph (3) and inserting the following:

''(g)(1) If, after a period of negotiations, the trustee and the authorized representative have not reached agreement over mutually satisfactory modifications and further negotiations are not likely to produce mutually satisfactory modifications, the trustee may file a motion seeking modifications in the payment of retiree benefits after notice and a hearing. Absent agreement of the parties, no such hearing shall be held before the expiration of the 21-day period beginning on the date on which notice of the hearing is provided to the authorized representative. Only the debtor and the authorized representative may appear and be heard at such hearing.

''(2) The court may grant a motion to modify the payment of retiree benefits only if, based on clear and convincing evidence—

''(A) the court finds that the trustee has complied with the requirements of subsection (f);

''(B) the court has considered alternative proposals by the authorized representative and has determined that such proposals do not meet the requirements of subsection (f)(3)(B);

''(C) the court finds that further negotiations regarding the proposal of the trustee or an alternative proposal by the authorized representative are not likely to produce a mutually satisfactory agreement;

''(D) the court finds that implementation of the proposal shall not cause irreparable harm to the affected retirees; and

''(E) the court concludes that an order granting the motion and immediate implementation of the proposal of the trustee is essential to permit the debtor to exit bankruptcy, such that confirmation of a plan of reorganization is not likely to be followed by liquidation, or the need for further financial reorganization, of the debtor (or a successor to the debtor) in the short term.

''(3) If, during the bankruptcy, a trustee has implemented a program of incentive pay, bonuses, or other financial returns for insiders of the debtor, senior executive officers of the debtor, the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division managers of the debtor, or any consultants providing services to the debtor, or such a program was implemented within 180

days before the date of the filing of the petition, the court shall presume that the trustee has failed to satisfy the requirements of subsection (f)(3)(C).''; and

(B) in the matter following paragraph (3)—

(i) by striking ''except that in no case'' and inserting the following:

''(4) In no case''; and

(ii) by striking ''is consistent with the standard set forth in paragraph (3)'' and inserting ''assures that all creditors, the debtor, and all of the affected parties are treated fairly and equitably, and is clearly favored by the balance of the equities'';

(5) in subsection (h)(1), by inserting ''for a period of not longer than 14 days'' before the period; and

(6) by striking subsection (k) and redesignating subsections (l) and (m) as subsections (k) and (l), respectively.

SEC. 203. PROTECTION OF EMPLOYEE BENEFITS IN A SALE OF ASSETS.

(a) REQUIREMENT TO PRESERVE JOBS AND MAINTAIN TERMS AND CONDITIONS OF EMPLOYMENT.—Section 363 of title 11, United States Code, is amended by adding at the end the following:

''(q)(1) In approving a sale or lease of property of the estate under this section or a plan under chapter 11, the court shall give substantial weight to the extent to which a prospective purchaser or lessee of the property will—

''(A) preserve the jobs of the employees of the debtor;

''(B) maintain the terms and conditions of employment of the employees of the debtor; and

''(C) assume or match the pension and health benefit obligations of the debtor to the retirees of the debtor.

''(2) If there are 2 or more offers to purchase or lease property of the estate under this section or a plan under chapter 11, the court shall approve the offer of the prospective purchaser or lessee that will best carry out the actions described in subparagraphs (A) through (C) of paragraph (1).''.

(b) CHAPTER 11 PLANS.—Section 1129(a) of title 11, United States Code is amended by adding at the end the following:

''(17) If the plan provides for the sale of all or substantially all of the property of the estate, the plan requires the purchaser of the sale to carry out the actions described in subparagraphs (A) through (C) of section 363(q)(1).''.

SEC. 204. CLAIM FOR PENSION LOSSES.

Section 502 of title 11, United States Code, is amended by adding at the end the following:

''(l) The court shall allow a claim asserted by an active or retired participant, or by a labor organization representing such participants, in a defined benefit plan terminated under section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341, 1342), for any shortfall in pension benefits accrued as of the effective date of the termination of such pension plan as a result of the termination of the plan and limitations upon the payment of benefits imposed pursuant to section 4022 of that Act (29 U.S.C. 1342), notwithstanding any claim asserted and collected by the Pension Benefit Guaranty Corporation with respect to such termination.

''(m) The court shall allow a claim of a kind described in section 101(5)(C) by an active or retired participant in a defined contribution plan (within the meaning of section 3(34) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(34))), or by a labor organization representing such participants. The amount of such claim shall be measured by the market value of the stock at the time of contribution to, or purchase by, the plan and the value as of the commencement of the case.''.

SEC. 205. PAYMENTS BY SECURED LENDER.

Section 506(c) of title 11, United States Code, is amended—

(1) by adding ''(1)'' after ''(c)''; and

(2) by adding at the end the following:

''(2) If one or more employees of the debtor have not received wages, accrued vacation, severance, or any other compensation owed under a plan, program, policy or practice of the debtor, or pursuant to the terms of a collective bargaining agreement, for services rendered on or after the date of the commencement of the case, or the debtor has not made a contribution due under an employee benefit plan on or after the date of the commencement of the case, such unpaid obligations shall be deemed reasonable, necessary costs and expenses of preserving, or disposing of, property securing an allowed secured claim and benefitting the holder of the allowed secured claim, and shall be recovered by the trustee for payment to the employees or the employee benefit plan, as applicable, even if the trustee, or a successor or predecessor in interest has otherwise waived the provisions of this subsection under an agreement with the holder of the allowed secured claim or a successor or predecessor in interest.''.

SEC. 206. PRESERVATION OF JOBS AND BENEFITS.

Chapter 11 of title 11, United States Code, is amended—

(1) by inserting before section 1101 the following:

''§ 1100. Statement of purpose

''A debtor commencing a case under this chapter shall have as its principal purpose the reorganization of its business to preserve going concern value to the maximum extent possible through the productive use of its assets and the preservation of jobs that will sustain productive economic activity.'';

(2) in section 1129—

(A) in subsection (a), as amended by section 104, by adding at the end the following:

''(18) The debtor has demonstrated that the reorganization preserves going concern value to the maximum extent possible through the productive use of the assets of the debtor and preserves jobs that sustain productive economic activity.''; and

(B) in subsection (c)—

(i) by inserting ''(1)'' after ''(c)''; and

(ii) by striking the last sentence and inserting the following:

''(2) If the requirements of subsections (a) and (b) are met with respect to more than 1 plan, the court shall, in determining which plan to confirm—

''(A) consider the extent to which each plan would preserve going concern value through the productive use of the assets of the debtor and the preservation of jobs that sustain productive economic activity; and

''(B) confirm the plan that better serves such interests.

''(3) A plan that incorporates the terms of a settlement with a labor organization representing employees of the debtor shall presumptively constitute the plan that satisfies this subsection.''; and

(3) in the table of sections, by inserting before the item relating to section 1101 the following:

''1100. Statement of purpose.''.

SEC. 207. TERMINATION OF EXCLUSIVITY.

Section 1121(d) of title 11, United States Code, is amended by adding at the end the following:

''(3) For purposes of this subsection, cause for reducing the 120-day period or the 180-day period includes—

''(A) the filing of a motion pursuant to section 1113 seeking rejection of a collective bargaining agreement if a plan based upon an alternative proposal by the labor organization is reasonably likely to be confirmed within a reasonable time; and

''(B) the proposed filing of a plan by a proponent other than the debtor, which incorporates the terms of a settlement with a labor organization if such plan is reasonably likely to be confirmed within a reasonable time.''.

SEC. 208. CLAIM FOR WITHDRAWAL LIABILITY.

Section 503(b) of title 11, United States Code, as amended by section 103 of this Act, is amended by adding at the end the following:

''(12) with respect to withdrawal liability owed to a multiemployer pension plan for a complete or partial withdrawal pursuant to section 4201 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1381) where such withdrawal occurs on or after the commencement of the case, an amount equal to the total benefits payable from such pension plan that accrued as a result of employees' services rendered to the debtor during the period beginning on the date of commencement of the case and ending on the date of the withdrawal from the plan.''.

TITLE III—RESTRICTING EXECUTIVE COMPENSATION PROGRAMS

SEC. 301. EXECUTIVE COMPENSATION UPON EXIT FROM BANKRUPTCY.

Section 1129(a) of title 11, United States Code, is amended—

(1) in paragraph (4)—

(A) by adding ''(A)'' after ''(4)'';

(B) in subparagraph (A), as so designated, by striking ''Any payment'' and inserting ''Subject to subparagraph (B), any payment''; and

(C) by adding at the end the following:

''(B)(i) Subject to clause (ii), the plan does not provide for payments or other distributions to, or for the benefit of, an insider of the debtor, a senior executive officer of the debtor, any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor, unless—

''(I) the payments or other distributions are part of a program that is generally applicable to all full-time employees of the debtor; and

''(II) the payments or distributions do not exceed the compensation limits established in section 503(c)(1) in comparison to the nonmanagement workforce of the debtor.

''(ii) The requirement under clause (i) shall not apply to the compensation described in paragraph (5)(C).'';

(2) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) the compensation disclosed under subparagraph (B) has been approved by, or is subject to the approval of, the court as—

''(i) reasonable when compared to individuals holding comparable positions at comparable companies in the same industry as the debtor;

''(ii) not more than the amount corresponding to the 50th percentile of the compensation of the individuals described in clause (i); and

''(iii) not excessive or disproportionate in light of economic losses of the nonmanagement workforce of the debtor.''.

SEC. 302. LIMITATIONS ON EXECUTIVE COMPENSATION ENHANCEMENTS.

Section 503(c) of title 11, United States Code, is amended—

(1) In the matter preceding paragraph (1), by inserting ''and subject to section 363(b)(3)'' after ''subsection (b)'';

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting '', a senior executive officer of the debtor, any the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor'' before ''for the purpose''; and

(ii) by inserting ''or for the payment of performance or incentive compensation, or a bonus of any kind, or other financial returns designed to replace or enhance incentive, stock, or other compensation in effect before the date of the commencement of the case,'' after ''remain with the debtor's business,'';

(B) by amending subparagraph (A) to read as follows:

''(A) the transfer or obligation is part of a program that is generally applicable to all full-time employees of the debtor; and'';

(C) by striking subparagraph (B);

(D) by redesignating subparagraph (C) as subparagraph (B);

(E) in subparagraph (B), as so redesignated—

(i) in clause (i), by striking ''10'' and inserting ''2''; and

(ii) in clause (ii)—

(I) by striking ''25'' and inserting ''10''; and

(II) by striking ''insider'' and inserting ''person'';

(3) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting '', a senior executive officer of the debtor, any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor,'' before '', unless''; and

(B) in subparagraph (B), by striking ''10'' and inserting ''2''; and

(4) by amending paragraph (3) to read as follows:

''(3) other transfers or obligations to, or for the benefit of, an insider of the debtor, a senior executive officer of the debtor, the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor that are outside of the ordinary course of business, except as part of a plan of reorganization and subject to the approval of the court under paragraphs (4) and (5) of section 1129(a).''.

SEC. 303. PROHIBITION AGAINST SPECIAL COMPENSATION PAYMENTS.

Section 363 of title 11, United States Code, is amended—

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

''(3) No plan, program, or other transfer or obligation to, or for the benefit of, an insider of the debtor, a senior executive officer of the debtor, the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor shall be approved if the debtor has, on or after the date that is 1 year before the date of the filing of the petition—

''(A) discontinued any plan, program, policy, or practice of paying severance pay to the nonmanagement workforce of the debtor; or

''(B) modified any plan, program, policy, or practice described in subparagraph (A) in order to reduce benefits under the plan, program, policy, or practice.''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''If the business'' and inserting ''Except as provided in paragraph (5), if the business''; and

(B) by adding at the end the following:

''(5) In the case of a transaction that is a transfer or obligation described in paragraphs (1) through (3) of section 503(c), the trustee shall obtain the prior approval of the court after notice and an opportunity for a hearing.''.

SEC. 304. ASSUMPTION OF EXECUTIVE BENEFIT PLANS.

Section 365 of title 11, United States Code, is amended—

(1) in subsection (a), by striking ''and (d)'' and inserting ''(d), (q), and (r)''; and

(2) by adding at the end the following:

''(q) No deferred compensation arrangement for the benefit of an insider of the debtor, a senior executive officer of the debtor, or any of the 20 highest compensated employees of the debtor who are not insiders or senior executive officers shall be assumed if a defined benefit plan for employees of the debtor has been terminated pursuant to section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341, 1342), on or after the date that is 1 year before the date of the commencement of the case.

''(r) No plan, fund, program, or contract to provide retiree benefits for insiders of the debtor, senior executive officers of the debtor, or the 20 highest compensated employees of the debtor who are not insiders or senior executive officers shall be assumed if the debtor has obtained relief under subsection (g) or (h) of section 1114 to impose reductions in retiree benefits or under subsection (d) or (e) of section 1113 to impose reductions in the health benefits of active employees of the debtor, or has otherwise reduced or eliminated health benefits for employees or retirees of the debtor on are after the date that is 1 year before the date of the commencement of the case.''.

SEC. 305. RECOVERY OF EXECUTIVE COMPENSATION.

(a) IN GENERAL.—Subchapter III of chapter 5 of title 11, United States Code, is amended by inserting after section 562 the following:

''§ 563. Recovery of executive compensation

''(a) If a debtor has obtained relief under section 1113(d) or section 1114(g), by which the debtor reduces the cost of its obligations under a collective bargaining agreement or a plan, fund, or program for retiree benefits (as defined in section 1114(a)), the court, in granting relief, shall determine the percentage diminution in the value of the obligations when compared to the obligations of the debtor under the collective bargaining agreement, or with respect to retiree benefits, as of the date of the commencement of the case under this title before granting such relief. In making its determination, the court shall include reductions in benefits, if any, as a result of the termination pursuant to section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341, 1342), of a defined benefit plan administered by the debtor, or for which the debtor is a contributing employer, effective at any time on or after 180 days before the date of the commencement of a case under this title. The court shall not take into account pension benefits paid or payable under that Act as a result of any such termination.

''(b) If a defined benefit pension plan administered by the debtor, or for which the debtor is a contributing employer, has been terminated pursuant to section 4041 or 4042 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1341, 1342), effective at any time on or after 180 days before the date of the commencement of a case under this title, but a debtor has not obtained relief under section 1113(d), or section 1114(g), the court, upon motion of a party in interest, shall determine the percentage diminution in the value of benefit obligations when compared to the total benefit liabilities before such termination. The court shall not take into account pension benefits paid or payable under title IV of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1301 et seq.) as a result of any such termination.

''(c) Upon the determination of the percentage diminution in value under subsection (a) or (b), the estate shall have a claim for the return of the same percentage of the compensation paid, directly or indirectly (including any transfer to a self-settled trust or similar device, or to a nonqualified deferred compensation plan under section 409A(d)(1) of the Internal Revenue Code of 1986) to any officer of the debtor serving as member of the board of directors of the debtor within the year before the date of the commencement of the case, and any individual serving as chairman or lead director of the board of directors at the time of the granting of relief under section 1113 or 1114 or, if no such relief has been granted, the termination of the defined benefit plan.

''(d) The trustee or a committee appointed pursuant to section 1102 may commence an action to recover such claims, except that if neither the trustee nor such committee commences an action to recover such claim by the first date set for the hearing on the confirmation of plan under section 1129, any party in interest may apply to the court for authority to recover such claim for the benefit of the estate. The costs of recovery shall be borne by the estate.

''(e) The court shall not award postpetition compensation under section 503(c) or otherwise to any person subject to subsection (c) of this section if there is a reasonable likelihood that such compensation is intended to reimburse or replace compensation recovered by the estate under this section.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 11, United States Code, is amended by inserting after the item relating to section 562 the following:

''563. Recovery of executive compensation.''.

SEC. 306. PREFERENTIAL COMPENSATION TRANSFER.

Section 547 of title 11, United States Code, is amended by adding at the end the following:

''(j)(1) The trustee may avoid a transfer—

''(A) made—

''(i) to, or for the benefit of, an insider of the debtor (including an obligation incurred for the benefit of an insider under an employment contract), a senior executive officer of the debtor, the 20 highest compensated employees of the debtor who are not insiders or senior executive officers, any department or division manager of the debtor, or any consultant providing services to the debtor made in anticipation of bankruptcy; or

''(ii) in anticipation of bankruptcy to a consultant who is formerly an insider and who is retained to provide services to an entity that becomes a debtor (including an obligation under a contract to provide services to such entity or to a debtor); and

''(B) made or incurred on or within 1 year before the filing of the petition.

''(2) No provision of subsection (c) shall constitute a defense against the recovery of a transfer described in paragraph (1).

''(3) The trustee or a committee appointed pursuant to section 1102 may commence an action to recover a transfer described in paragraph (1), except that, if neither the trustee nor such committee commences an action to recover the transfer by the time of the commencement of a hearing on the confirmation of a plan under section 1129, any

party in interest may apply to the court for authority to recover the claims for the benefit of the estate. The costs of recovery shall be borne by the estate.''.

TITLE IV—OTHER PROVISIONS

SEC. 401. UNION PROOF OF CLAIM.

Section 501(a) of title 11, United States Code, is amended by inserting '', including a labor organization,'' after ''A creditor''.

SEC. 402. EXCEPTION FROM AUTOMATIC STAY.

Section 362(b) of title 11, United States Code, is amended—

(1) in paragraph (27), by striking ''and'' at the end;

(2) in paragraph (28), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (28) the following:

''(29) of the commencement or continuation of a grievance, arbitration, or similar dispute resolution proceeding established by a collective bargaining agreement that was or could have been commenced against the debtor before the filing of a case under this title, or the payment or enforcement of an award or settlement under such proceeding.''.

SEC. 403. EFFECT ON COLLECTIVE BARGAINING AGREEMENTS UNDER THE RAILWAY LABOR ACT.

Section 103 of title 11, United States Code, is amended by adding at the end the following:

''(m) Notwithstanding sections 365, 1113, or 1114, neither the court nor the trustee may change the wages, working conditions, or retirement benefits of an employee or a retiree of the debtor established by a collective bargaining agreement that is subject to the Railway Labor Act (45 U.S.C. 151 et seq.), except in accordance with section 6 of that Act (45 U.S.C. 156).''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1796. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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.

SA 1797. Mr. JONES (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1798. Mr. JONES submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1799. Mr. ENZI (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1800. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1801. Mr. WARNER (for himself, Ms. HARRIS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1802. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1803. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1804. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1805. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1806. Mr. JOHNSON (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1807. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1808. Mr. COONS (for himself, Ms. COLLINS, Mrs. CAPITO, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1809. Mr. HAWLEY (for Mr. LANKFORD) proposed an amendment to the bill S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys, and for other purposes.

SA 1810. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes.

SA 1811. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, supra.

SA 1812. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, supra.

SA 1813. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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.

SA 1814. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1815. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1816. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1817. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1818. Mr. COTTON (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1819. Mr. RISCH (for himself, Ms. CORTEZ MASTO, Mr. KENNEDY, Ms. ROSEN, Mrs. CAPITO, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1820. Mr. RISCH (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1821. Mr. VAN HOLLEN (for Mr. TOOMEY (for himself and Mr. VAN HOLLEN)) proposed an amendment to the bill S. 3798, to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and for other purposes.

SA 1822. Mr. LANKFORD (for himself, Mr. PERDUE, Mrs. LOEFFLER, Mr. LEE, and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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.

SA 1823. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1824. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1825. Mr. LANKFORD (for himself, Mr. PETERS, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1826. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1827. Mr. WARNER (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1828. Mr. CARPER (for himself, Mr. BARRASSO, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. CRAMER, Mr. VAN HOLLEN, Mr. SULLIVAN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. CARDIN, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1829. Mr. COONS (for himself, Mr. TILLIS, Mr. MARKEY, Mr. YOUNG, Mr. DURBIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1830. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1831. Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mr. BLUMENTHAL, and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1832. Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1833. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1834. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1835. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1836. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1837. Ms. COLLINS (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1838. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1839. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1840. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1841. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1842. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1843. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1844. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1845. Mr. VAN HOLLEN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1846. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1847. Mr. VAN HOLLEN (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1848. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1849. Mr. VAN HOLLEN (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1850. Mr. KING (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1851. Mr. SCHUMER (for himself, Ms. MURKOWSKI, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1852. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1853. Mrs. CAPITO (for herself and Mr. SANDERS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1854. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1855. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1856. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1857. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1858. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1859. Ms. WARREN (for herself, Ms. COLLINS, Mr. KING, Mr. DAINES, Mr. BROWN, Mr. CORNYN, Ms. HASSAN, Mr. CRAMER, Mr. MERKLEY, Ms. MCSALLY, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. JONES, Ms. KLOBUCHAR, Mr. BOOKER, Ms. BALDWIN, Ms. STABENOW, Mr. MARKEY, Mr. HOEVEN, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1860. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1861. Mr. REED (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1862. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1863. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1864. Mr. REED (for himself, Mr. TESTER, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1865. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1866. Mr. REED (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1867. Mr. REED (for himself, Mr. INHOFE, Mr. JONES, Mrs. HYDE-SMITH, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1868. Mr. REED (for himself, Ms. COLLINS, Mr. JONES, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1869. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1870. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1871. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1872. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1873. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1874. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1875. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1876. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1877. Mr. COTTON (for himself, Mr. SCHUMER, Mr. SCOTT of Florida, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1878. Mrs. LOEFFLER (for herself, Ms. SINEMA, Mrs. BLACKBURN, and Mr. PERDUE) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1879. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1880. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mrs. CAPITO, Mr. CRAMER, Mr. COONS, Mr. HOEVEN, Mr. ROUNDS, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1881. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1882. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1883. Mr. ROMNEY (for himself, Mr. COONS, Ms. HASSAN, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1884. Mr. ROMNEY (for himself, Mr. KING, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1885. Mr. ROMNEY (for himself, Mr. GRAHAM, Mr. RUBIO, Mr. COONS, Mr. KAINE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1886. Mr. CRUZ (for himself, Mrs. SHAHEEN, Mr. BARRASSO, Mr. JOHNSON, and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1887. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1888. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1889. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1890. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1891. Mr. PORTMAN (for himself, Mr. SCHATZ, Ms. ERNST, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1892. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1893. Mr. PORTMAN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1894. Mr. PORTMAN (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1895. Mr. RUBIO (for himself, Mr. COONS, Mr. RISCH, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1896. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1897. Mr. BLUNT (for himself, Mr. HAWLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1898. Mr. BLUNT (for himself, Mr. HAWLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1899. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1900. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1901. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1902. Ms. ERNST (for herself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1903. Ms. ERNST (for herself and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1904. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1905. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1906. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1907. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1908. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1909. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1910. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1911. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1912. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1913. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1914. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1915. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1916. Mr. HEINRICH (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1917. Ms. HASSAN (for herself, Mr. CORNYN, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1918. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1919. Mr. SANDERS (for himself, Mr. LEE, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1920. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1921. Mr. MERKLEY (for himself, Mr. CORNYN, Mr. MARKEY, Mr. SCOTT of Florida, Mr. CARDIN, Mr. GARDNER, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1922. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1923. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1924. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1925. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1926. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1927. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1928. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1929. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1930. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1931. Mrs. SHAHEEN (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARPER, Mr. CASEY, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Mr. LEAHY, Mr. SANDERS, Mr. SCHUMER, Mr. VAN HOLLEN, Ms. WARREN, Mr. MARKEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1932. Mrs. GILLIBRAND (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1933. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1934. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1935. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1936. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1937. Mr. PETERS (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1938. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1939. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1940. Ms. ROSEN (for herself and Ms. ERNST) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1941. Ms. KLOBUCHAR (for herself, Mr. ROUNDS, Ms. DUCKWORTH, Mr. SULLIVAN, Mr. COONS, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. MENENDEZ, Mrs. BLACKBURN, Ms. WARREN, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1942. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Ms. SINEMA, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1943. Ms. KLOBUCHAR (for herself, Mr. TILLIS, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1944. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1945. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1946. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1947. Ms. KLOBUCHAR (for herself, Ms. WARREN, and Mr. BENNET) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1948. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1949. Ms. KLOBUCHAR (for herself, Ms. HIRONO, Ms. BALDWIN, Mr. VAN HOLLEN, Mrs. SHAHEEN, Ms. SMITH, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1950. Ms. KLOBUCHAR (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1951. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1952. Mr. SCOTT, of Florida (for himself, Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COTTON, Mr. RUBIO, Mr. HAWLEY, and Ms. MCSALLY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1953. Mr. MURPHY (for himself, Ms. WARREN, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1954. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1955. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1956. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1957. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1958. Mr. MENENDEZ (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1959. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1960. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1961. Mr. MENENDEZ (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1962. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1963. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1964. Mr. HEINRICH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1965. Mr. TESTER (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1966. Mr. TESTER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1967. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1968. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1969. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1970. Mr. TESTER (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1971. Mr. TESTER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1972. Mr. TESTER (for himself, Mr. BROWN, Mr. SCHATZ, Mr. MARKEY, Ms. HASSAN, Ms. KLOBUCHAR, Mr. KAINE, Mr. BENNET, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. WARREN, Ms. SMITH, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. ROSEN, Mr. COONS, Mr. WARNER, Ms. BALDWIN, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1973. Mr. TESTER (for himself, Mr. HOEVEN, Mr. UDALL, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1974. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1975. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1976. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1977. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1978. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1979. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1980. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1981. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1982. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1983. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1984. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1985. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1986. Mr. KENNEDY (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1987. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1988. Mr. KENNEDY (for himself, Mr. VAN HOLLEN, Mr. RUBIO, Mr. COTTON, Mr. MENENDEZ, Mr. CRAMER, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1989. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1990. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1991. Mr. KENNEDY (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1992. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1993. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1994. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1995. Mr. TOOMEY (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1996. Mr. TOOMEY (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1997. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1998. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 1999. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2000. Mr. WICKER (for himself and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2001. Mr. LEE (for himself, Mr. JOHNSON, Mr. ROMNEY, and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2002. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2003. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. CRUZ, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2004. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2005. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2006. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2007. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2008. Mr. RISCH (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2009. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2010. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2011. Mr. PAUL (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2012. Ms. MURKOWSKI (for herself, Mr. BOOKER, Mr. TILLIS, Mr. MANCHIN, Mr. JONES, Ms. MCSALLY, Mrs. BLACKBURN, Mrs. HYDE-SMITH, Mr. RISCH, Mr. CRAPO, Mr. WHITEHOUSE, Mr. COONS, Mr. PORTMAN, Mr. CRAMER, Mr. CARDIN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2013. Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2014. Ms. MURKOWSKI (for herself, Mr. MANCHIN, Mr. RISCH, Ms. MCSALLY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2015. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2016. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2017. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2018. Mr. ROMNEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2019. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2020. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2021. Mr. SULLIVAN (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2022. Mr. SULLIVAN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2023. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2024. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2025. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2026. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2027. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2028. Mr. GRASSLEY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2029. Mr. RISCH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2030. Mr. CRAPO (for himself, Mrs. SHAHEEN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2031. Mr. CRAPO (for himself, Ms. STABENOW, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2032. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2033. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2034. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2035. Mr. CASEY (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2036. Mr. CASEY (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2037. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2038. Mr. CASEY (for himself, Mr. BENNET, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2039. Mr. CASEY (for himself, Mr. MURPHY, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2040. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2041. Ms. STABENOW (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2042. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2043. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2044. Mr. MARKEY (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2045. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2046. Mr. MARKEY (for himself, Ms. WARREN, Mr. MERKLEY, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2047. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2048. Mr. MARKEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2049. Mr. MARKEY (for himself, Mr. BENNET, Ms. HASSAN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2050. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2051. Mr. MARKEY (for himself, Ms. WARREN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. CARDIN, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. MURPHY, Ms. SMITH, Mr. SANDERS, Ms. BALDWIN, Mr. WYDEN, Mr. BROWN, Ms. HIRONO, Mr. CASEY, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2052. Mr. MARKEY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2053. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2054. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2055. Mr. DURBIN (for himself, Ms. HIRONO, Mr. BLUMENTHAL, Mr. BROWN, Mr. KAINE, Mr. MERKLEY, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2056. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2057. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2058. Ms. SMITH (for herself and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2059. Mr. UDALL (for himself, Mr. PAUL, Mr. KAINE, Mr. LEE, Mr. DURBIN, Mr. LEAHY, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Ms. WARREN, Mr. MERKLEY, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MARKEY, Mr. BLUMENTHAL, Mr. BROWN, Mr. WYDEN, Mr. SANDERS, Mr. SCHATZ, and Ms. HARRIS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2060. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2061. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2062. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2063. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2064. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2065. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2066. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2067. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2068. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2069. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2070. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2071. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2072. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2073. Mr. GARDNER submitted an amendment intended to be proposed by him

to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2074. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2075. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2076. Mr. CRUZ (for himself and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2077. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2078. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2079. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2080. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2081. Mr. PORTMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2082. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2083. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2084. Mr. LEE (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2085. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2086. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2087. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2088. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2089. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2090. Mr. CORNYN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2091. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2092. Mr. CORNYN (for himself, Ms. DUCKWORTH, and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2093. Mr. CORNYN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2094. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2095. Mr. PERDUE (for himself, Mrs. LOEFFLER, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2096. Mr. PERDUE (for himself and Mrs. LOEFFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2097. Mr. PERDUE (for himself and Mrs. LOEFFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2098. Mr. PERDUE (for himself, Ms. SINEMA, Mr. KING, and Mrs. LOEFFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2099. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2100. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2101. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2102. Mr. SCHUMER (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2103. Ms. HASSAN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2104. Ms. HASSAN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2105. Ms. HASSAN (for herself, Ms. WARREN, Mr. DURBIN, and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2106. Mrs. GILLIBRAND (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2107. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2108. Ms. ROSEN (for herself, Mr. ROUNDS, Mr. PETERS, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2109. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2110. Mr. CARPER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2111. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2112. Ms. BALDWIN (for herself, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Ms. HASSAN, Mr. MERKLEY, Mr. MENENDEZ, Ms. WARREN, Mr. JONES, Mr. BENNET, Ms. HIRONO, Mr. MARKEY, Mr. DURBIN, Mr. SCHATZ, Mr. KAINE, Mr. WARNER, Ms. HARRIS, Ms. DUCKWORTH, Mr. BROWN, Mr. SCHUMER, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2113. Ms. BALDWIN (for herself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. LEAHY, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2114. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2115. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2116. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2117. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2118. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2119. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2120. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2121. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2122. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2123. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2124. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2125. Mr. MANCHIN (for himself, Ms. HIRONO, Ms. SMITH, Mrs. BLACKBURN, Mr. HAWLEY, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2126. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2127. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2128. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2129. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2130. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2131. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2132. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2133. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2134. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2135. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2136. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2137. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2138. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2139. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2140. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2141. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2142. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2143. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2144. Mrs. BLACKBURN (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2145. Mrs. BLACKBURN (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2146. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2147. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2148. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2149. Mr. SCOTT, of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2150. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2151. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2152. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2153. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2154. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2155. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2156. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2157. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2158. Mr. THUNE (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2159. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2160. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2161. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2162. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2163. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2164. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2165. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2166. Mr. INHOFE (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2167. Mr. MENENDEZ (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2168. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2169. Mr. DURBIN (for himself, Mr. MARKEY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2170. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2171. Mr. CARPER (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2172. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2173. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2174. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2175. Mr. CRAMER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2176. Mr. LANKFORD (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2177. Ms. ERNST (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2178. Mr. WICKER (for himself, Ms. CANTWELL, and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2179. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2180. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2181. Mr. LEAHY (for himself, Mrs. MURRAY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2182. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2183. Ms. SINEMA (for herself and Mr. CRAMER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2184. Ms. SINEMA (for herself and Mr. COTTON) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2185. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2186. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2187. Ms. CORTEZ MASTO (for herself and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2188. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2189. Ms. CORTEZ MASTO (for herself and Mr. YOUNG) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2190. Mr. COTTON (for himself, Mr. SCHUMER, Mr. REED, Mr. RISCH, Ms. COLLINS, Mr. KING, Mr. HAWLEY, Mr. JONES, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2191. Mr. CRUZ (for himself, Mr. ENZI, Mrs. BLACKBURN, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2192. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2193. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2194. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2195. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2196. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2197. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2198. Mr. CRAPO (for himself, Mr. BROWN, Mr. COTTON, Mr. WARNER, Mr. ROUNDS, Mr. JONES, Mr. MORAN, Mr. MENENDEZ, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2199. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2200. Ms. HARRIS submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2201. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2202. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2203. Mr. INHOFE (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2204. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2205. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2206. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mrs. CAPITO, Mr. CRAMER, Mr. COONS, Mr. HOEVEN, Mr. ROUNDS, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2207. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2208. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2209. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2210. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2211. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2212. Mr. SCOTT, of Florida (for himself, Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COTTON, Mr. RUBIO, Mr. HAWLEY, and Ms. MCSALLY) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2213. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1796. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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____. CONSISTENCY OF DEADLINES FOR FILING CLAIMS FOR REIMBURSEMENT OR PAYMENT FROM DEPARTMENT OF VETERANS AFFAIRS FOR EMERGENCY TREATMENT FURNISHED TO VETERANS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall modify the regulations implementing sections 1725 and 1728 of title 38, United States Code, to ensure that the deadline for filing claims for reimbursement or payment for emergency treatment covered by such sections—

(1) provides the same period of time for the filing of a claim covered under either section; and

(2) is not earlier than the date that is two years after the latest date on which such treatment was provided.

(b) EMERGENCY TREATMENT DEFINED.—In this section, the term ''emergency treatment'' has the meaning given that term in section 1725(f) of title 38, United States Code.

SA 1797. Mr. JONES (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. IMPROVING THE AUTHORITY FOR OPERATIONS OF UNMANNED AIRCRAFT FOR EDUCATIONAL PURPOSES.

Section 350 of the FAA Reauthorization Act of 2018 (Public Law 115–254; 49 U.S.C 44809 note) is amended

(1) in the section heading, by striking ''**AT INSTITUTIONS OF HIGHER EDUCATION**'' and inserting ''**FOR EDUCATIONAL PURPOSES**''; and

(2) in subsection (a)—

(A) by striking ''aircraft system operated by'' and inserting the following: ''aircraft system—

''(1) operated by'';

(B) in paragraph (1), as added by subparagraph (A), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(2) flown as part of the established curriculum of an elementary school or secondary school (as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

''(3) flown as part of an established Junior Reserve Officers' Training Corps (JROTC) program; or

''(4) flown as part of an educational program that is chartered by a recognized community-based organization (as defined in subsection (h) of such section).''.

SA 1798. Mr. JONES submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON IMPLEMENTATION OF THE RECOMMENDATIONS OF THE MILITARY LEADERSHIP DIVERSITY COMMISSION.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation by the Department of Defense and the Armed Forces of the recommendations of the Military Leadership Diversity Commission as set forth in the final report of the Commission entitled ''From Representation to Inclusion: Diversity Leadership for the 21st Century Military'' and dated March 15, 2011.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of each recommendation in the final report referred to in that subsection.

(2) For each such recommendation, a description and assessment of the implementation of such recommendation by the Department of Defense and the Armed Forces, including an assessment whether progress remains to be made in the implementation of such recommendation.

(3) A description and assessment of the progress of the Department and the Armed Forces in achieving diversity in the leadership of the Armed Forces.

(4) A description and assessment of areas in which the Armed Forces are making insufficient progress in achieving diversity in the leadership of the Armed Forces, an assessment of the causes of such lack of progress, and recommendations for actions to be undertaken to address such lack of progress.

(5) Such other matters in connection with diversity in leadership of the Armed Forces as the Secretary considers appropriate.

SA 1799. Mr. ENZI (for himself and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, add the following:

SEC. 894. LISTING OF OTHER TRANSACTION AUTHORITY CONSORTIA.

Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall maintain on the government-wide point of entry for contracting

opportunities, Beta.SAM.gov (or any successor system), a list of the consortia used by the Department of Defense to announce or otherwise make available contracting opportunities using other transaction authority (OTA).

SA 1800. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. QUESTIONS REGARDING RACISM, ANTI-SEMITISM, AND SUPREMACISM IN WORKPLACE SURVEYS ADMINISTERED BY THE SECRETARY OF DEFENSE.

Section 593 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by inserting ''(a) QUESTIONS REQUIRED.—'' before ''The Secretary'';

(2) in paragraph (1), by inserting '', racist, anti-Semitic, or supremacist'' after ''extremist''; and

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

''(b) REPORT.—Not later than March 1, 2021, the Secretary shall submit to Congress a report including—

''(1) the text of the questions included in surveys under subsection (a); and

''(2) which surveys include such questions.''.

SA 1801. Mr. WARNER (for himself, Ms. HARRIS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28___. INCLUSION OF ASSESSMENT OF PERFORMANCE METRICS IN ANNUAL PUBLICATION ON USE OF INCENTIVE FEES FOR PRIVATIZED MILITARY HOUSING PROJECTS.

(a) IN GENERAL.—Section 2891c of title 10, United States Code, is amended—

(1) by striking the section heading and inserting the following: ''**Transparency regarding finances and performance metrics**'';

(2) in subsection (b)—

(A) in the subsection heading, by inserting ''PERFORMANCE METRICS AND'' before ''USE OF INCENTIVE FEES'';

(B) in paragraph (1), by striking ''publicly accessible website, information'' and inserting ''publicly accessible website—

''(A) for each contract for the provision or management of housing units—

''(i) an assessment of indicators underlying the performance metrics under such contract to ensure such indicators adequately measure the condition and quality of the home or homes covered by the contract, including—

''(I) resident satisfaction;

''(II) maintenance management;

''(III) project safety; and

''(IV) financial management; and

''(ii) a detailed description of each indicator assessed under subparagraph (A), including an indication of—

''(I) the limitations of available survey data;

''(II) how resident satisfaction and maintenance management is calculated; and

''(III) whether data is missing; and

''(B) information''; and

(C) in paragraph (2), by striking ''paragraph (1)'' and inserting ''paragraph (1)(B)''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 169 of such title is amended by striking the item relating to section 2891c and inserting the following new item:

''2891c. Transparency regarding finances and performance metrics.''.

SA 1802. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. INCLUSION OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY IN DEPARTMENT OF DEFENSE PERSONNEL MANAGEMENT AUTHORITY TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.

(a) IN GENERAL.—Subsection (a) of section 1599h of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(7) NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—The Director of the National Geospatial-Intelligence Agency may carry out a program of personnel management authority provided in subsection (b) in order to facilitate recruitment of eminent experts in science or engineering for the Agency.''.

(b) SCOPE OF APPOINTMENT AUTHORITY.—Subsection (b)(1) of such section is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by adding ''and'' at the end; and

(3) by adding at the end the following new subparagraph:

''(G) in the case of the National Geospatial-Intelligence Agency, appoint scientists and engineers to a total of not more than 5 scientific and engineering positions in the Agency;''.

(c) ENHANCED PAY AUTHORITY.—Subsection (b)(2)(A) of such section is amended—

(1) by striking ''paragraph (1)(B)'' and inserting ''subparagraph (B) of paragraph (1)''; and

(2) by inserting ''or employees appointed pursuant to subparagraph (G) of such paragraph to any of 3 positions designated by the Director of the National Geospatial-Intelligence Agency'' after ''this subparagraph''.

(d) EXTENSION OF TERMS OF APPOINTMENT.—Subsection (c)(2) of such section is amended by striking ''or the Joint Artificial Intelligence Center'' and inserting ''the Joint Artificial Intelligence Center, or the National Geospatial-Intelligence Agency''.

(e) STUDY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Intelligence and Security and the Director of National Intelligence shall jointly submit to the appropriate committees of Congress a study on the utility of providing elements of the intelligence community of the Department of Defense, other than the National Geospatial-Intelligence Agency, personnel management authority to attract experts in science and engineering under section 1599h of title 10, United States Code.

(2) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(B) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 1803. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. EFFICIENT USE OF SENSITIVE COMPARTMENTED INFORMATION FACILITIES.

Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Defense, shall issue revised guidance authorizing and directing Government agencies and their appropriately cleared contractors to process, store, use, and discuss sensitive compartmented information (SCI) at facilities previously approved to handle such information, without need for further approval by agency or by site. Such guidance shall apply to controlled access programs of the intelligence community and to special access programs of the Department of Defense.

SA 1804. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title V, add the following:

SEC. _____. POSTHUMOUS HONORARY PROMOTION TO GENERAL OF LIEUTENANT GENERAL FRANK MAXWELL ANDREWS, UNITED STATES ARMY.

(a) POSTHUMOUS HONORARY PROMOTION.—Notwithstanding any time limitation with respect to posthumous promotions for persons who served in the Armed Forces, the President is authorized to issue a posthumous honorary commission promoting Lieutenant General Frank Maxwell Andrews, United States Army, to the grade of general.

(b) ADDITIONAL BENEFITS NOT TO ACCRUE.—The honorary promotion of Frank Maxwell Andrews under subsection (a) shall not affect the retired pay or other benefits from the United States to which Frank Maxwell Andrews would have been entitled based upon

his military service or affect any benefits to which any other person may become entitled based on his military service.

SA 1805. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.

(a) SHORT TITLE.—This section may be cited as the ''Luke and Alex School Safety Act of 2020''.

(b) CLEARINGHOUSE.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting after section 2214 the following:

''SEC. 2215. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary, in coordination with the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services, shall establish a Federal Clearinghouse on School Safety Best Practices (in this section referred to as the 'Clearinghouse') within the Department.

''(2) PURPOSE.—The Clearinghouse shall be the primary resource of the Federal Government to identify and publish online through SchoolSafety.gov, or any successor website, the best practices and recommendations for school safety for use by State and local educational agencies, institutions of higher education, State and local law enforcement agencies, health professionals, and the general public.

''(3) PERSONNEL.—

''(A) ASSIGNMENTS.—The Clearinghouse shall be assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

''(B) DETAILEES.—The Secretary of Education, the Attorney General, and the Secretary of Health and Human Services may detail personnel to the Clearinghouse.

''(4) EXEMPTIONS.—

''(A) PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act') shall not apply to any rulemaking or information collection required under this section.

''(B) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply for the purposes of carrying out this section.

''(b) CLEARINGHOUSE CONTENTS.—

''(1) CONSULTATION.—In identifying the best practices and recommendations for the Clearinghouse, the Secretary may consult with appropriate Federal, State, local, Tribal, private sector, and nongovernmental organizations.

''(2) CRITERIA FOR BEST PRACTICES AND RECOMMENDATIONS.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

''(A) involve comprehensive school safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of a school upon implementation;

''(B) include any evidence or research rationale supporting the determination of the Clearinghouse that the best practice or recommendation under subparagraph (A) has been shown to have a significant effect on improving the health, safety, and welfare of persons in school settings, including—

''(i) relevant research that is evidence-based, as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), supporting the best practice or recommendation;

''(ii) findings and data from previous Federal or State commissions recommending improvements to the safety posture of a school; or

''(iii) other supportive evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations to improve the safety posture of a school upon implementation; and

''(C) include information on Federal grant programs for which implementation of each best practice or recommendation is an eligible use for the program.

''(3) PAST COMMISSION RECOMMENDATIONS.—To the greatest extent practicable, the Clearinghouse shall present, as appropriate, Federal, State, local, Tribal, private sector, and nongovernmental organization issued best practices and recommendations and identify any best practice or recommendation of the Clearinghouse that was previously issued by any such organization or commission.

''(c) ASSISTANCE AND TRAINING.—The Secretary may produce and publish materials on the Clearinghouse to assist and train educational agencies and law enforcement agencies on the implementation of the best practices and recommendations.

''(d) CONTINUOUS IMPROVEMENT.—The Secretary shall—

''(1) collect for the purpose of continuous improvement of the Clearinghouse—

''(A) Clearinghouse data analytics;

''(B) user feedback on the implementation of resources, best practices, and recommendations identified by the Clearinghouse; and

''(C) any evaluations conducted on implementation of the best practices and recommendations of the Clearinghouse; and

''(2) in coordination with the Secretary of Education, the Secretary of Health and Human Services, and the Attorney General—

''(A) regularly assess and identify Clearinghouse best practices and recommendations for which there are no resources available through Federal Government programs for implementation; and

''(B) establish an external advisory board, which shall be comprised of appropriate State, local, Tribal, private sector, and nongovernmental organizations, including organizations representing parents of elementary and secondary school students, to—

''(i) provide feedback on the implementation of best practices and recommendations of the Clearinghouse; and

''(ii) propose additional recommendations for best practices for inclusion in the Clearinghouse.

''(e) PARENTAL ASSISTANCE.—The Clearinghouse shall produce materials to assist parents and legal guardians of students with identifying relevant Clearinghouse resources related to supporting the implementation of Clearinghouse best practices and recommendations.''.

(1) TECHNICAL AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Federal Clearinghouse on School Safety Best Practices.''.

(c) NOTIFICATION OF CLEARINGHOUSE.—

(1) NOTIFICATION BY THE SECRETARY OF EDUCATION.—The Secretary of Education shall provide written notification of the publication of the Federal Clearinghouse on School Safety Best Practices (referred to in this subsection and subsection (d) as the ''Clearinghouse''), as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State and local educational agency; and

(B) other Department of Education partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Education.

(2) NOTIFICATION BY THE SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State homeland security advisor;

(B) every State department of homeland security; and

(C) other Department of Homeland Security partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Homeland Security.

(3) NOTIFICATION BY THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State department of public health; and

(B) other Department of Health and Human Services partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Health and Human Services.

(4) NOTIFICATION BY THE ATTORNEY GENERAL.—The Attorney General shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State department of justice; and

(B) other Department of Justice partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Attorney General.

(d) GRANT PROGRAM REVIEW.—

(1) FEDERAL GRANTS AND RESOURCES.—The Secretary of Education, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Attorney General shall each—

(A) review grant programs administered by their respective agency and identify any grant program that may be used to implement best practices and recommendations of the Clearinghouse;

(B) identify any best practices and recommendations of the Clearinghouse for which there is not a Federal grant program that may be used for the purposes of implementing the best practice or recommendation as applicable to the agency; and

(C) periodically report any findings under subparagraph (B) to the appropriate committees of Congress.

(2) STATE GRANTS AND RESOURCES.—The Clearinghouse shall, to the extent practicable, identify, for each State—

(A) each agency responsible for school safety in the State, or any State that does not have such an agency designated;

(B) any grant program that may be used for the purposes of implementing best practices and recommendations of the Clearinghouse; and

(C) any resources other than grant programs that may be used to assist in implementation of best practices and recommendations of the Clearinghouse.

(e) RULES OF CONSTRUCTION.—

(1) WAIVER OF REQUIREMENTS.—Nothing in this section or the amendments made by this section shall be construed to create, satisfy, or waive any requirement under—

(A) title II of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 et seq.);

(B) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(C) title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.);

(D) title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); or

(E) the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).

(2) PROHIBITION ON FEDERALLY DEVELOPED, MANDATED, OR ENDORSED CURRICULUM.—Nothing in this section or the amendments made by this section shall be construed to authorize any officer or employee of the Federal Government to engage in an activity otherwise prohibited under section 103(b) of the Department of Education Organization Act (20 U.S.C. 3403(b)).

SA 1806. Mr. JOHNSON (for himself and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. COUNTERING UNMANNED AIRCRAFT SYSTEMS COORDINATOR.

(a) IN GENERAL.—Title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.) is amended by adding at the end the following new section:

"SEC. 321. COUNTERING UNMANNED AIRCRAFT SYSTEMS COORDINATOR.

''(a) COORDINATOR.—

''(1) IN GENERAL.—The Secretary shall designate an individual in a Senior Executive Service position (as defined in section 3132 of title 5, United States Code) of the Department within the Office of Strategy, Policy, and Plans as the Countering Unmanned Aircraft Systems Coordinator (in this section referred to as the 'Coordinator') and provide appropriate staff to carry out the responsibilities of the Coordinator.

''(2) RESPONSIBILITIES.—The Coordinator shall—

''(A) oversee and coordinate with relevant Department offices and components, including the Office of Civil Rights and Civil Liberties and the Privacy Office, on the development of guidance and regulations to counter threats associated with unmanned aircraft systems (in this section referred to as 'UAS') as described in section 210G;

''(B) promote research and development of counter UAS technologies in coordination with the Office of Science and Technology;

''(C) coordinate with the relevant components and offices of the Department, including the Office of Intelligence and Analysis, to ensure the sharing of information, guidance, and intelligence relating to countering UAS threats, counter UAS threat assessments, and counter UAS technology, including the retention of UAS and counter UAS incidents within the Department;

''(D) serve as the Department liaison, in coordination with relevant components and offices of the Department, to the Department of Defense, Federal, State, local, and Tribal law enforcement entities and the private sector regarding the activities of the Department relating to countering UAS;

''(E) maintain the information required under section 210G(g)(3); and

''(F) carry out other related counter UAS authorities and activities under section 210G, as directed by the Secretary.

''(b) COORDINATION WITH APPLICABLE FEDERAL LAWS.—The Coordinator shall, in addition to other assigned duties, coordinate with relevant Department components and offices to ensure testing, evaluation, or deployment of a system used to identify, assess, or defeat a UAS is carried out in accordance with applicable Federal laws.

''(c) COORDINATION WITH PRIVATE SECTOR.—The Coordinator shall, among other assigned duties, working with the Office of Partnership and Engagement and other relevant Department offices and components, or other Federal agencies, as appropriate, serve as the principal Department official responsible for sharing to the private sector information regarding counter UAS technology, particularly information regarding instances in which counter UAS technology may impact lawful private sector services or systems.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 320 the following:

''Sec. 321. Countering Unmanned Aircraft Systems Coordinator.''.

SA 1807. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. SUBPOENA AUTHORITY.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

''(6) the term 'security vulnerability' has the meaning given that term in section 102(17) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501(17)); and'';

(2) in subsection (c)—

(A) in paragraph (10), by striking ''and'' at the end;

(B) in paragraph (11), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(12) detecting, identifying, and receiving information about security vulnerabilities relating to critical infrastructure in the information systems and devices for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).''; and

(3) by adding at the end the following:

''(o) SUBPOENA AUTHORITY.—

''(1) DEFINITION.—In this subsection, the term 'covered device or system'—

''(A) means a device or system commonly used to perform industrial, commercial, scientific, or governmental functions or processes that relate to critical infrastructure, including operational and industrial control systems, distributed control systems, and programmable logic controllers; and

''(B) does not include personal devices and systems, such as consumer mobile devices, home computers, residential wireless routers, or residential internet enabled consumer devices.

''(2) AUTHORITY.—

''(A) IN GENERAL.—If the Director identifies a system connected to the internet with a specific security vulnerability and has reason to believe that the security vulnerability relates to critical infrastructure and affects a covered device or system, and the Director is unable to identify the entity at risk that owns or operates the covered device or system, the Director may issue a subpoena for the production of information necessary to identify and notify the entity at risk, in order to carry out a function authorized under subsection (c)(12).

''(B) LIMIT ON INFORMATION.—A subpoena issued under the authority under subparagraph (A) may seek information—

''(i) only in the categories set forth in subparagraphs (A), (B), (D), and (E) of section 2703(c)(2) of title 18, United States Code; and

''(ii) for not more than 20 covered devices or systems.

''(C) LIABILITY PROTECTIONS FOR DISCLOSING PROVIDERS.—The provisions of section 2703(e) of title 18, United States Code, shall apply to any subpoena issued under the authority under subparagraph (A).

''(3) COORDINATION.—

''(A) IN GENERAL.—If the Director decides to exercise the subpoena authority under this subsection, and in the interest of avoiding interference with ongoing law enforcement investigations, the Director shall coordinate the issuance of any such subpoena with the Department of Justice, including the Federal Bureau of Investigation, pursuant to inter-agency procedures which the Director, in coordination with the Attorney General, shall develop not later than 60 days after the date of enactment of this subsection.

''(B) CONTENTS.—The inter-agency procedures developed under this paragraph shall provide that a subpoena issued by the Director under this subsection shall be—

''(i) issued in order to carry out a function described in subsection (c)(12); and

''(ii) subject to the limitations under this subsection.

''(4) NONCOMPLIANCE.—If any person, partnership, corporation, association, or entity fails to comply with any duly served subpoena issued under this subsection, the Director may request that the Attorney General seek enforcement of the subpoena in any judicial district in which such person, partnership, corporation, association, or entity resides, is found, or transacts business.

''(5) NOTICE.—Not later than 7 days after the date on which the Director receives information obtained through a subpoena issued under this subsection, the Director shall notify any entity identified by information obtained under the subpoena regarding the subpoena and the identified vulnerability.

''(6) AUTHENTICATION.—

''(A) IN GENERAL.—Any subpoena issued by the Director under this subsection shall be authenticated with a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor technology, that allows the Agency to demonstrate that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.

''(B) INVALID IF NOT AUTHENTICATED.—Any subpoena issued by the Director under this

subsection that is not authenticated in accordance with subparagraph (A) shall not be considered to be valid by the recipient of the subpoena.

''(7) PROCEDURES.—Not later than 90 days after the date of enactment of this subsection, the Director shall establish internal procedures and associated training, applicable to employees and operations of the Agency, regarding subpoenas issued under this subsection, which shall address—

''(A) the protection of and restriction on dissemination of nonpublic information obtained through a subpoena issued under this subsection, including a requirement that the Agency shall not disseminate nonpublic information obtained through a subpoena issued under this subsection that identifies the party that is subject to the subpoena or the entity at risk identified by information obtained, except that the Agency may share the nonpublic information of the entity at risk with another Federal agency if—

''(i) the Agency identifies or is notified of a cybersecurity incident involving the entity, which relates to the vulnerability which led to the issuance of the subpoena;

''(ii) the Director determines that sharing the nonpublic information with another Federal agency is necessary to allow that Federal agency to take a law enforcement or national security action or actions related to mitigating or otherwise resolving such incident;

''(iii) the entity to which the information pertains is notified of the Director's determination, to the extent practicable consistent with national security or law enforcement interests; and

''(iv) the entity consents, except that the entity's consent shall not be required if another Federal agency identifies the entity to the Agency in connection with a suspected cybersecurity incident;

''(B) the restriction on the use of information obtained through the subpoena for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501);

''(C) the retention and destruction of nonpublic information obtained through a subpoena issued under this subsection, including—

''(i) destruction of information obtained through the subpoena that the Director determines is unrelated to critical infrastructure immediately upon providing notice to the entity pursuant to paragraph (5); and

''(ii) destruction of any personally identifiable information not later than 6 months after the date on which the Director receives information obtained through the subpoena, unless otherwise agreed to by the individual identified by the subpoena respondent;

''(D) the processes for providing notice to each party that is subject to the subpoena and each entity identified by information obtained under a subpoena issued under this subsection;

''(E) the processes and criteria for conducting critical infrastructure security risk assessments to determine whether a subpoena is necessary prior to being issued under this subsection; and

''(F) the information to be provided to an entity at risk at the time of the notice of the vulnerability, which shall include—

''(i) a discussion or statement that responding to, or subsequent engagement with, the Agency, is voluntary; and

''(ii) to the extent practicable, information regarding the process through which the Director identifies security vulnerabilities.

''(8) LIMITATION ON PROCEDURES.—The internal procedures established under paragraph (7) may not require an owner or operator of critical infrastructure to take any action as a result of a notice of vulnerability made pursuant to this Act.

''(9) REVIEW OF PROCEDURES.—Not later than 1 year after the date of enactment of this subsection, the Privacy Officer of the Agency shall—

''(A) review the procedures developed by the Director under paragraph (7) to ensure that—

''(i) the procedures are consistent with fair information practices; and

''(ii) the operations of the Agency comply with the procedures; and

''(B) notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of the results of the review.

''(10) PUBLICATION OF INFORMATION.—Not later than 120 days after establishing the internal procedures under paragraph (7), the Director shall publish information on the website of the Agency regarding the subpoena process under this subsection, including regarding—

''(A) the purpose for subpoenas issued under this subsection;

''(B) the subpoena process;

''(C) the criteria for the critical infrastructure security risk assessment conducted prior to issuing a subpoena;

''(D) policies and procedures on retention and sharing of data obtained by subpoena;

''(E) guidelines on how entities contacted by the Director may respond to notice of a subpoena; and

''(F) the procedures and policies of the Agency developed under paragraph (7).

''(11) ANNUAL REPORTS.—The Director shall annually submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report (which may include a classified annex but with the presumption of declassification) on the use of subpoenas under this subsection by the Director, which shall include—

''(A) a discussion of—

''(i) the effectiveness of the use of subpoenas to mitigate critical infrastructure security vulnerabilities;

''(ii) the critical infrastructure security risk assessment process conducted for subpoenas issued under this subsection;

''(iii) the number of subpoenas issued under this subsection by the Director during the preceding year;

''(iv) to the extent practicable, the number of vulnerable covered devices or systems mitigated under this subsection by the Agency during the preceding year; and

''(v) the number of entities notified by the Director under this subsection, and their response, during the previous year; and

''(B) for each subpoena issued under this subsection—

''(i) the source of the security vulnerability detected, identified, or received by the Director;

''(ii) the steps taken to identify the entity at risk prior to issuing the subpoena; and

''(iii) a description of the outcome of the subpoena, including discussion on the resolution or mitigation of the critical infrastructure security vulnerability.

''(12) PUBLICATION OF THE ANNUAL REPORTS.—The Director shall publish a version of the annual report required by paragraph (11) on the website of the Agency, which shall, at a minimum, include the findings described in clauses (iii), (iv) and (v) of paragraph (11)(A).

''(13) PROHIBITION ON USE OF INFORMATION FOR UNAUTHORIZED PURPOSES.—Any information obtained pursuant to a subpoena issued under this subsection shall not be provided to any other Federal agency for any purpose other than a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).''.

(b) RULES OF CONSTRUCTION.—

(1) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this section or the amendments made by this section shall be construed to grant the Secretary of Homeland Security (in this subsection referred to as the ''Secretary''), or another Federal agency, any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

(2) PRIVATE ENTITIES.—Nothing in this section or the amendments made by this section shall be construed to require any private entity—

(A) toto request assistance from the Secretary; or

(B) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

SA 1808. Mr. COONS (for himself, Ms. COLLINS, Mrs. CAPITO, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—SUSTAINABLE CHEMISTRY

SEC. ___1. NATIONAL COORDINATING ENTITY FOR SUSTAINABLE CHEMISTRY.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this title, the Director of the Office of Science and Technology Policy shall convene an interagency entity (referred to in this title as the ''Entity'') under the National Science and Technology Council with the responsibility to coordinate Federal programs and activities in support of sustainable chemistry, including those described in sections ___3 and ___4.

(b) COORDINATION WITH EXISTING GROUPS.—In convening the Entity, the Director of the Office of Science and Technology Policy shall consider overlap and possible coordination with existing committees, subcommittees, or other groups of the National Science and Technology Council, such as—

(1) the Committee on Environment;

(2) the Committee on Technology;

(3) the Committee on Science; or

(4) related groups or subcommittees.

(c) CO-CHAIRS.—The Entity shall be co-chaired by the Director of the Office of Science and Technology Policy and a representative from the Environmental Protection Agency, the National Institute of Standards and Technology, the National Science Foundation, or the Department of Energy, as selected by the Director of the Office of Science and Technology Policy.

(d) AGENCY PARTICIPATION.—The Entity shall include representatives, including subject matter experts, from the Environmental Protection Agency, the National Institute of Standards and Technology, the National Science Foundation, the Department of Energy, the Department of Agriculture, the Department of Defense, the National Institutes of Health, the Centers for Disease Control and Prevention, the Food and Drug Administration, and other related Federal agencies, as appropriate.

(e) TERMINATION.—The Entity shall terminate on the date that is 10 years after the date of enactment of this title.

SEC. ___2. STRATEGIC PLAN FOR SUSTAINABLE CHEMISTRY.

(a) STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this title, the Entity shall—

(1) consult with relevant stakeholders, including representatives from industry, academia, national labs, the Federal Government, and international entities, to develop and update, as needed, a consensus definition of ''sustainable chemistry'' to guide the activities under this title;

(2) develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry, as described in subsection (b);

(3) assess the state of sustainable chemistry in the United States as a key benchmark from which progress under the activities described in this title can be measured, including assessing key sectors of the United States economy, key technology platforms, commercial priorities, and barriers to innovation;

(4) coordinate and support Federal research, development, demonstration, technology transfer, commercialization, education, and training efforts in sustainable chemistry, including budget coordination and support for public-private partnerships, as appropriate;

(5) identify any Federal regulatory barriers to, and opportunities for, Federal agencies facilitating the development of incentives for development, consideration and use of sustainable chemistry processes and products;

(6) identify major scientific challenges, roadblocks, or hurdles to transformational progress in improving the sustainability of the chemical sciences; and

(7) review, identify, and make effort to eliminate duplicative Federal funding and duplicative Federal research in sustainable chemistry.

(b) CHARACTERIZING AND ASSESSING SUSTAINABLE CHEMISTRY.—The Entity shall develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry for the purposes of carrying out the title. In developing this framework, the Entity shall—

(1) seek advice and input from stakeholders as described in subsection (c);

(2) consider existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry already in use at Federal agencies;

(3) consider existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry already in use by international organizations of which the United States is a member, such as the Organisation for Economic Co-operation and Development; and

(4) consider any other appropriate existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry.

(c) CONSULTATION.—In carrying out the duties described in subsections (a) and (b), the Entity shall consult with stakeholders qualified to provide advice and information to guide Federal activities related to sustainable chemistry through workshops, requests for information, or other mechanisms as necessary. The stakeholders shall include representatives from—

(1) business and industry (including trade associations and small- and medium-sized enterprises from across the value chain);

(2) the scientific community (including the National Academies of Sciences, Engineering, and Medicine, scientific professional societies, national labs, and academia);

(3) the defense community;

(4) State, tribal, and local governments, including nonregulatory State or regional sustainable chemistry programs, as appropriate;

(5) nongovernmental organizations; and

(6) other appropriate organizations.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Entity shall submit a report to the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate, and the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives. In addition to the elements described in subsections (a) and (b), the report shall include—

(A) a summary of federally funded, sustainable chemistry research, development, demonstration, technology transfer, commercialization, education, and training activities;

(B) a summary of the financial resources allocated to sustainable chemistry initiatives by each participating agency;

(C) an assessment of the current state of sustainable chemistry in the United States, including the role that Federal agencies are playing in supporting it;

(D) an analysis of the progress made toward achieving the goals and priorities of this Act, and recommendations for future program activities;

(E) an evaluation of steps taken and future strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(F) an evaluation of duplicative Federal funding and duplicative Federal research in sustainable chemistry, efforts undertaken by the Entity to eliminate duplicative funding and research, and recommendations on how to achieve these goals.

(2) SUBMISSION TO GAO.—The Entity shall also submit the report described in paragraph (1) to the Comptroller General of the United States for consideration in future Congressional inquiries.

(3) ADDITIONAL REPORTS.—The Entity shall submit a report to Congress and the Comptroller General of the United States that incorporates the information described in subparagraphs (A), (B), (D), (E), and (F) of paragraph (1) every 3 years, commencing after the initial report is submitted until the Entity terminates.

SEC. ___3. AGENCY ACTIVITIES IN SUPPORT OF SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity shall carry out activities in support of sustainable chemistry, as appropriate to the specific mission and programs of each agency.

(b) ACTIVITIES.—The activities described in subsection (a) shall—

(1) incorporate sustainable chemistry into existing research, development, demonstration, technology transfer, commercialization, education, and training programs, that the agency determines to be relevant, including consideration of—

(A) merit-based competitive grants to individual investigators and teams of investigators, including, to the extent practicable, early career investigators for research and development;

(B) grants to fund collaborative research and development partnerships among universities, industry, and nonprofit organizations;

(C) coordination of sustainable chemistry research, development, demonstration, and technology transfer conducted at Federal laboratories and agencies;

(D) incentive prize competitions and challenges in coordination with such existing Federal agency programs; and

(E) grants, loans, and loan guarantees to aid in the technology transfer and commercialization of sustainable chemicals, materials, processes, and products;

(2) collect and disseminate information on sustainable chemistry research, development, technology transfer, and commercialization, including information on accomplishments and best practices;

(3) expand the education and training of students at appropriate levels of education, professional scientists and engineers, and other professionals involved in all aspects of sustainable chemistry and engineering appropriate to that level of education and training, including through—

(A) partnerships with industry as described in section ___4;

(B) support for the integration of sustainable chemistry principles into chemistry and chemical engineering curriculum and research training, as appropriate to that level of education and training; and

(C) support for integration of sustainable chemistry principles into existing or new professional development opportunities for professionals including teachers, faculty, and individuals involved in laboratory research (product development, materials specification and testing, life cycle analysis, and management);

(4) as relevant to an agency's programs, examine methods by which the Federal agencies, in collaboration and consultation with the National Institute of Standards and Technology, may facilitate the development or recognition of validated, standardized tools for performing sustainability assessments of chemistry processes or products;

(5) through programs identified by an agency, support (including through technical assistance, participation, financial support, communications tools, awards, or other forms of support) outreach and dissemination of sustainable chemistry advances such as non-Federal symposia, forums, conferences, and publications in collaboration with, as appropriate, industry, academia, scientific and professional societies, and other relevant groups;

(6) provide for public input and outreach to be integrated into the activities described in this section by the convening of public discussions, through mechanisms such as public meetings, consensus conferences, and educational events, as appropriate;

(7) within each agency, develop or adapt metrics to track the outputs and outcomes of the programs supported by that agency; and

(8) incentivize or recognize actions that advance sustainable chemistry products, processes, or initiatives, including through the establishment of a nationally recognized awards program through the Environmental Protection Agency to identify, publicize, and celebrate innovations in sustainable chemistry and chemical technologies.

(c) LIMITATIONS .—Financial support provided under this section shall—

(1) be available only for pre-competitive activities; and

(2) not be used to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. ___4. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity may facilitate and support, through financial, technical, or other assistance, the creation of partnerships between institutions of higher education, nongovernmental organizations, consortia, or companies across the value chain in the

chemical industry, including small- and medium-sized enterprises, to—

(1) create collaborative sustainable chemistry research, development, demonstration, technology transfer, and commercialization programs; and

(2) train students and retrain professional scientists, engineers, and others involved in materials specification on the use of sustainable chemistry concepts and strategies by methods, including—

(A) developing or recognizing curricular materials and courses for undergraduate and graduate levels and for the professional development of scientists, engineers, and others involved in materials specification; and

(B) publicizing the availability of professional development courses in sustainable chemistry and recruiting professionals to pursue such courses.

(b) PRIVATE SECTOR PARTICIPATION.—To be eligible for support under this section, a partnership in sustainable chemistry shall include at least one private sector organization.

(c) SELECTION OF PARTNERSHIPS.—In selecting partnerships for support under this section, the agencies participating in the Entity shall also consider the extent to which the applicants are willing and able to demonstrate evidence of support for, and commitment to, the goals outlined in the strategic plan and report described in section ___2.

(d) PROHIBITED USE OF FUNDS.—Financial support provided under this section may not be used—

(1) to support or expand a regulatory chemical management program at an implementing agency under a State law;

(2) to construct or renovate a building or structure; or

(3) to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. ___5. PRIORITIZATION.

In carrying out this Act, the Entity shall focus its support for sustainable chemistry activities on those that achieve, to the highest extent practicable, the goals outlined in the title.

SEC. ___6. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to alter or amend any State law or action with regard to sustainable chemistry, as defined by the State.

SEC. ___7. MAJOR MULTI-USER RESEARCH FACILITY PROJECT.

Section 110 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s-2) is amended by striking (g)(2) and inserting the following:

''(2) MAJOR MULTI-USER RESEARCH FACILITY PROJECT.—The term 'major multi-user research facility project' means a science and engineering facility project that exceeds $100,000,000 in total construction, acquisition, or upgrade costs to the Foundation.''.

SA 1809. Mr. HAWLEY (for Mr. LANKFORD) proposed an amendment to the bill S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys, and for other purposes; as follows:

At the end of section 2, add the following:

(c) MEMBERSHIP BY POLITICAL PARTY.—If after the Commission is appointed there is a partisan imbalance of Commission members, the congressional leaders of the political party with fewer members on the Commission shall jointly name additional members to create partisan parity on the Commission.

SA 1810. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes; as follows:

Strike all after the resolving clause and insert the following: ''That the Senate—

(1) recognizes the historic leadership role of the United States in stemming global health crises in the past;

(2) commends the historic achievements of the international community to address global public health threats, such as the eradication of smallpox and dramatic progress in reducing cases of polio;

(3) encourages the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19;

(4) commends the promising research and development underway to develop COVID–19 diagnostics, therapies, and vaccines within the United States and with support from the Federal government, public-private partnerships, and commercial partners;

(5) acknowledges the vast international research enterprise and collaboration underway to study an expansive range of drug and vaccine candidates;

(6) urges renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further American deaths; and

(7) calls on the United States Government to strengthen collaboration with key partners at the forefront of responding to COVID–19.

SA 1811. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes; as follows:

Strike the preamble and insert the following:

Whereas there is a rich history of coordinated global health collaboration and coordination, dating back to 1851, to strategically and effectively combat deadly diseases of the time, such as the spread of plague;

Whereas the United States has long been an active and critical leader in such global public health efforts, providing financial and technical support to multilateral institutions, foreign governments, and nongovernmental organizations;

Whereas international collaboration has led to a number of historic global health achievements, including the eradication of smallpox, the reduction of polio cases by 99 percent, the elimination of river blindness, the decline in maternal and child mortality, the recognition of tobacco use as a health hazard, and countless others;

Whereas there has been bipartisan support in the United States to lead efforts to address global health needs, as evidenced by initiatives such as the President's Emergency Plan for AIDS Relief (PEPFAR) and the President's Malaria Initiative;

Whereas the United States led the global effort to end the Ebola outbreak in West Africa between 2014 and 2016;

Whereas these bipartisan investments in global health have helped not only save countless lives around the world, but also at home in the United States;

Whereas an outbreak of coronavirus disease 2019 (COVID–19) in Wuhan, China was first reported in December 2019, with a global pandemic declaration by the World Health Organization on March 11, 2020;

Whereas, according to the Centers for Disease Control and Protection, more than 116,000 individuals in the United States are known to have died due to COVID–19 as of June 17, 2020, and a long-term, sustainable solution will require international access to a vaccine;

Whereas the COVID–19 outbreak continues to place extreme pressure on health care systems and supply chains worldwide, impacting international travel, trade, and all other aspects of international exchanges, and requires a coordinated global effort to respond;

Whereas the interconnectivity of our globalized world means an infectious disease can travel around the world in as little as 36 hours;

Whereas United States Federal departments and agencies have engaged in and supported certain research and clinical trial efforts into coronaviruses, which may yield potential discoveries related to vaccine candidates;

Whereas domestic and domestically supported vaccine candidates for COVID–19 comprise approximately 40 percent of the current potential COVID–19 vaccine candidates worldwide;

Whereas international collaboration and coordination can help ensure equitable access to safe, effective, and affordable therapeutics and vaccines, thereby saving the lives of Americans and others around the world;

Whereas the Coalition for Epidemic Preparedness Innovations is working to accelerate the development of vaccines against emerging infectious diseases, including COVID–19, and to enable equitable access to these vaccines for people during outbreaks;

Whereas, on May 4, 2020, the President of the European Commission led a virtual summit where nations around the world pledged more than $8,000,000,000 to quickly develop vaccines and treatment to fight COVID–19;

Whereas Gavi, the Vaccine Alliance, is working to maintain ongoing immunization programs in partner countries while helping to identify and rapidly accelerate the development, production, and equitable delivery of COVID–19 vaccines; and

Whereas, on June 4, 2020, the United Kingdom hosted a pledging conference for Gavi, the Vaccine Alliance, for which the United States made an historic $1,160,000,000 multi-year commitment: Now, therefore, be it

---

SA 1812. Mr. TOOMEY (for Mr. LEE (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes; as follows:

Amend the title so as to read: ''A resolution encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and for other purposes.''.

SA 1813. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1242. SENSE OF SENATE ON THE IMPORTANCE OF GERMANY TO THE NORTH ATLANTIC TREATY ORGANIZATION ALLIANCE AND THE UNITED STATES AND ON THE CRITICAL REQUIREMENTS TO MAINTAIN ROBUST UNITED STATES MILITARY FORCES IN GERMANY.

(a) FINDINGS.—The Senate makes the following findings:

(1) The North Atlantic Treaty Organization (NATO) alliance is a groundbreaking political and military alliance that ensures freedom and democracy through shared values for all 30 member states of the alliance.

(2) NATO continues to expand, with its newest member, North Macedonia, joining in 2020, showing the continued desire by European nations to join the alliance.

(3) Germany is a longtime member and a strong ally within NATO and a great friend to the United States.

(4) While all NATO member nations contribute critical capabilities to the alliance, the Senate encourages all allies within NATO to reach the goal of spending a minimum of 2.0 percent of their Gross Domestic Product on defense spending as soon as possible to strengthen the alliance even more.

(5) Germany currently spends roughly 1.54 percent of its Gross Domestic Product on defense. As the strongest economy in Europe, the Senate urges Germany to expedite its timeline to meet the 2.0 percent NATO goal.

(6) On March 15, 1967, Stuttgart-Vaihingen, Germany, was selected as the permanent location for the headquarters of the United States European Command.

(7) Since its inception, the United States European Command has supported more than 200 named operations and has deployed forces in support of operations and training throughout Europe, Southwest Asia, and Israel.

(8) On October 1, 2008, the United States established the United States Africa Command in Stuttgart, Germany.

(9) The United States has approximately 35,000 troops stationed within Germany supporting operations for two United States combatant commands and the NATO alliance.

(10) The presence of United States military forces in Germany is a strong deterrent against Russian aggression in Europe and strengthens the capability of NATO.

(11) Germany is one of the Unites States' closest and strongest European allies with both countries sharing common trading partners, institutions, and friendships.

(b) SENSE OF SENATE.—It is the sense of the Senate that Germany—

(1) continues to be a strong ally to the NATO alliance and a great friend to the United States;

(2) serves as a strategic location for United States military forces that serve as a strong deterrent against Russian military aggression and expansion within Europe; and

(3) remains a vital political, economic, and security partner which is critical to our continued prosperity and stability.

SA 1814. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SECURE AND TRUSTED TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence of the Senate;

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

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

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

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

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

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(2) FIFTH-GENERATION WIRELESS NETWORK.—The term ''fifth-generation wireless network'' means a radio network as described by the 3rd Generation Partnership Project (3GPP) Release 15 or higher.

(b) SUPPORTING THE DEVELOPMENT AND ADOPTION OF SECURE AND TRUSTED TECHNOLOGIES AMONG INTELLIGENCE ALLIES AND PARTNERS.—

(1) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—

(A) ESTABLISHMENT OF FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ''Communications Technology Security and Innovation Fund'' (referred to in this paragraph as the ''Security Fund'').

(ii) ADMINISTRATION.—The Director of the Intelligence Advanced Research Projects Activity shall administer the Security Fund.

(iii) CONTENTS OF FUND.—

(I) IN GENERAL.—The fund shall consist of—

(aa) amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(A); and

(bb) such other amounts as may be appropriated or otherwise made available to the Director of the Intelligence Advanced Research Projects Activity to be deposited in the Security Fund.

(II) AVAILABILITY.—

(aa) IN GENERAL.—Amounts deposited in the Security Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Security Fund after the end of the tenth fiscal year beginning after the date of the enactment of this Act shall be deposited in the general fund of the Treasury.

(iv) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available to the Director of the Intelligence Advanced Research Projects Activity to award grants under subparagraph (B).

(B) GRANTS.—

(i) IN GENERAL.—The Director of the Intelligence Advanced Research Projects Activity shall award grants to support research and the commercial application of such research, including in the following areas:

(I) Promoting the development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in fifth-generation (commonly known as ''5G'') and successor wireless technology supply chains.

(II) Accelerating development and deployment of open interface, standards-based compatible interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O–RAN Alliance, the Telecom Infra Project, 3GPP, the O–RAN Software Community, or any successor organizations.

(III) Promoting compatibility of new fifth-generation wireless network equipment with future open standards-based interoperable equipment.

(IV) Managing integration of multivendor network environments.

(V) Objective criteria to define equipment as compliant with open standards for multivendor network equipment interoperability.

(VI) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multivendor networks.

(VII) Promoting the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor market.

(ii) AMOUNT.—

(I) IN GENERAL.—Subject to subclause (II), a grant awarded under clause (i) shall be in such amount as the Director of the Intelligence Advanced Research Projects Activity consider appropriate.

(II) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this paragraph to a recipient for a specific research focus area may not exceed $100,000,000.

(iii) CRITERIA.—The Director of the Intelligence Advanced Research Projects Activity, in consultation with the Secretary of Defense, the Assistant Secretary of Commerce for Communications and Information, the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall establish criteria for grants awarded under clause (i).

(iv) TIMING.—Not later than 1 year after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall begin awarding grants under clause (i).

(C) FEDERAL ADVISORY BODY.—

(i) ESTABLISHMENT.—The Director of the Intelligence Advanced Research Projects Activity shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the Director of the Intelligence Advanced Research Projects Activity on the administration of the Security Fund.

(ii) COMPOSITION.—The advisory committee established under clause (i) shall be composed of—

(I) representatives from—
(aa) the Federal Communications Commission;
(bb) the National Institute of Standards and Technology;
(cc) the Department of Defense;
(dd) the Department of State;
(ee) the National Science Foundation; and
(ff) the Department of Homeland Security; and
(II) other representatives from the private and public sectors, at the discretion of the Security Fund.
(iii) DUTIES.—The advisory committee established under clause (i) shall advise the Director of the Intelligence Advanced Research Projects Activity on technology developments to help inform—
(I) the strategic direction of the Security Fund; and
(II) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.
(D) REPORTS TO CONGRESS.—
(i) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall submit to the appropriate committees of Congress a report with—
(I) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and
(II) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of designated funds.
(ii) ANNUAL REPORT.—For each fiscal year for which amounts in the Security Fund are available under this paragraph, the Director of the Intelligence Advanced Research Projects Activity shall submit to Congress a report that—
(I) describes how, and to whom, grants have been awarded under subparagraph (B);
(II) details the progress of the Director of the Intelligence Advanced Research Projects Activity in meeting the objectives described in subparagraph (B)(i); and
(III) includes such other information as the Director of the Intelligence Advanced Research Projects Activity determine appropriate.
(2) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—
(A) ESTABLISHMENT OF FUND.—
(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ''Multilateral Telecommunications Security Fund'' (in this section referred to as the ''Multilateral Fund'').
(ii) ADMINISTRATION.—The Director of National Intelligence and the Secretary of Defense shall jointly administer the Multilateral Fund.
(iii) USE OF AMOUNTS.—Amounts in the Multilateral Fund shall be used to establish the common funding mechanism required by subparagraph (B).
(iv) CONTENTS OF FUND.—
(I) IN GENERAL.—The Multilateral Fund shall consist of amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(B) and such other amounts as may be appropriated or otherwise made available to the Director and the Secretary to be deposited in the Multilateral Fund.
(II) AVAILABILITY.—
(aa) IN GENERAL.—Amounts deposited in the Multilateral Fund shall remain available through fiscal year 2031.
(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after fiscal year 2031 shall be deposited in the General Fund of the Treasury.
(B) MULTILATERAL COMMON FUNDING MECHANISM.—
(i) IN GENERAL.—The Director and the Secretary shall jointly, in coordination with foreign partners, establish a common funding mechanism that uses amounts from the Multilateral Fund to support the development and adoption of secure and trusted telecommunications technologies in key markets globally.
(ii) CONSULTATION REQUIRED.—The Director and the Secretary shall carry out clause (i) in consultation with the following:
(I) The Federal Communications Commission.
(II) The Secretary of State.
(III) The Assistant Secretary of Commerce for Communications and Information.
(IV) The Director of the Intelligence Advanced Research Projects Activity.
(V) The Under Secretary of Commerce for Standards and Technology.
(C) ANNUAL REPORT TO CONGRESS.—
(i) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and not less frequently than once each fiscal year thereafter until fiscal year 2031, the Director and the Secretary shall jointly submit to the appropriate committees of Congress an annual report on the Multilateral Fund and the use of amounts under subparagraph (B).
(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the fiscal year covered by the report, the following:
(I) Any funding commitments from foreign partners, including each specific amount committed.
(II) Governing criteria for use of the amounts in the Multilateral Fund.
(III) An account of—
(aa) how, and to whom, funds have been deployed;
(bb) amounts remaining in the Multilateral Fund; and
(cc) the progress of the Director and the Secretary in meeting the objective described in subparagraph (B)(i).
(IV) Such recommendations for legislative or administrative action as the Director and the Secretary may have to enhance the effectiveness of the Multilateral Fund in achieving the security goals of the United States.
(3) AUTHORIZATION OF APPROPRIATIONS.—
(A) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—There is authorized to be appropriated to carry out paragraph (1) $750,000,000 for the period of fiscal years 2021 through 2031.
(B) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—There is authorized to be appropriated to carry out paragraph (2) $750,000,000 for the period of fiscal years 2021 through 2031.
(c) EXPOSING POLITICAL PRESSURE IN INTERNATIONAL STANDARDS-SETTING BODIES THAT SET STANDARDS FOR FIFTH-GENERATION WIRELESS NETWORKS.—
(1) REPORT REQUIRED.—
(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on political pressure within international forums that set standards for fifth-generation wireless networks and for future generations of wireless networks, including—
(i) the International Telecommunication Union (ITU);
(ii) the International Organization for Standardization (ISO);
(iii) the Inter-American Telecommunication Commission (CITEL); and
(iv) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3rd Generation Partnership Project (3GPP) and the Institute of Electrical and Electronics Engineers (IEEE).
(B) FORM.—The report submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.
(2) CONSULTATION REQUIRED.—The Director and the Secretary shall carry out paragraph (1) in consultation with the following:
(A) The Federal Communications Commission.
(B) The Secretary of State.
(C) The Assistant Secretary of Commerce for Communications and Information.
(D) The Secretary of Defense.
(E) The Director of National Intelligence.
(F) The Under Secretary of Commerce for Standards and Technology.

SA 1815. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ___—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

DIVISION ____—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2021''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.
(2) The Central Intelligence Agency.
(3) The Department of Defense.
(4) The Defense Intelligence Agency.
(5) The National Security Agency.
(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(7) The Coast Guard.
(8) The Department of State.
(9) The Department of the Treasury.
(10) The Department of Energy.
(11) The Department of Justice.
(12) The Federal Bureau of Investigation.
(13) The Drug Enforcement Administration.
(14) The National Reconnaissance Office.
(15) The National Geospatial-Intelligence Agency.
(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2021 the sum of $731,200,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2021 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2021.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. CLARIFICATION OF AUTHORITIES AND RESPONSIBILITIES OF NATIONAL MANAGER FOR NATIONAL SECURITY TELECOMMUNICATIONS AND INFORMATION SYSTEMS SECURITY.

In carrying out the authorities and responsibilities of the National Manager for National Security Telecommunications and Information Systems Security under National Security Directive 42 (signed by the President on July 5, 1990), the National Manager shall not supervise, oversee, or execute, either directly or indirectly, any aspect of the National Intelligence Program.

SEC. 304. CONTINUITY OF OPERATIONS PLANS FOR CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY IN THE CASE OF A NATIONAL EMERGENCY.

(a) DEFINITION OF COVERED NATIONAL EMERGENCY.—In this section, the term ''covered national emergency'' means the following:

(1) A major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(2) An emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191).

(3) A national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(4) A public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).

(b) IN GENERAL.—The Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the

Director of the National Geospatial-Intelligence Agency shall each establish continuity of operations plans for use in the case of covered national emergencies for the element of the intelligence community concerned.

(c) SUBMISSION TO CONGRESS.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE AND DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of National Intelligence and the Director of the Central Intelligence Agency shall each submit to the congressional intelligence committees the plan established under subsection (b) for that emergency for the element of the intelligence community concerned.

(2) DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE, DIRECTOR OF DEFENSE INTELLIGENCE AGENCY, DIRECTOR OF NATIONAL SECURITY AGENCY, AND DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit the plan established under subsection (b) for that emergency for the element of the intelligence community concerned to the following:

(A) The congressional intelligence committees.

(B) The Committee on Armed Services of the Senate.

(C) The Committee on Armed Services of the House of Representatives.

(d) UPDATES.—During a covered national emergency, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit any updates to the plans submitted under subsection (c)—

(1) in accordance with that subsection; and

(2) in a timely manner consistent with section 501 of the National Security Act of 1947 (50 U.S.C. 3091).

SEC. 305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL III TO POSITION OF DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.

Section 5314 of title 5, United States Code, is amended by adding at the end the following:

''Director of the National Reconnaissance Office.''.

SEC. 306. NATIONAL INTELLIGENCE UNIVERSITY.

(a) IN GENERAL.—Title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) is amended by adding at the end the following:

''Subtitle D—National Intelligence University

''SEC. 1031. TRANSFER DATE.

''In this subtitle, the term 'transfer date' means the date on which the National Intelligence University is transferred from the Defense Intelligence Agency to the Director of National Intelligence under section 5324(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

''SEC. 1032. DEGREE-GRANTING AUTHORITY.

''(a) IN GENERAL.—Beginning on the transfer date, under regulations prescribed by the Director of National Intelligence, the President of the National Intelligence University may, upon the recommendation of the faculty of the University, confer appropriate degrees upon graduates who meet the degree requirements.

''(b) LIMITATION.—A degree may not be conferred under this section unless—

''(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

''(2) the University is accredited by the appropriate academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

''(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

''(1) ACTIONS ON NONACCREDITATION.—Beginning on the transfer date, the Director shall promptly—

''(A) notify the congressional intelligence committees of any action by the Middle States Commission on Higher Education, or other appropriate academic accrediting agency or organization, to not accredit the University to award any new or existing degree; and

''(B) submit to such committees a report containing an explanation of any such action.

''(2) MODIFICATION OR REDESIGNATION OF DEGREE-GRANTING AUTHORITY.—Beginning on the transfer date, upon any modification or redesignation of existing degree-granting authority, the Director shall submit to the congressional intelligence committees a report containing—

''(A) the rationale for the proposed modification or redesignation; and

''(B) any subsequent recommendation of the Secretary of Education with respect to the proposed modification or redesignation.

''SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.

''(a) AUTHORITY OF DIRECTOR.—Beginning on the transfer date, the Director of National Intelligence may employ as many professors, instructors, and lecturers at the National Intelligence University as the Director considers necessary.

''(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be as prescribed by the Director.

''(c) COMPENSATION PLAN.—The Director shall provide each person employed as a professor, instructor, or lecturer at the University on the transfer date an opportunity to elect to be paid under the compensation plan in effect on the day before the transfer date (with no reduction in pay) or under the authority of this section.

''SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.

''The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of title 10, United States Code.

''SEC. 1035. CONTINUED APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT TO THE BOARD OF VISITORS.

''The Federal Advisory Committee Act (5 U.S.C. App.) shall continue to apply to the Board of Visitors of the National Intelligence University on and after the transfer date.''.

(b) CONFORMING AMENDMENTS.—Section 5324 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (b)(1)(C), by striking ''subsection (e)(2)'' and inserting ''section 1032(b) of the National Security Act of 1947'';

(2) by striking subsections (e) and (f); and

(3) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(c) CLERICAL AMENDMENT.—The table of contents of the National Security Act of 1947 is amended by inserting after the item relating to section 1024 the following:

''Subtitle D—National Intelligence University

SEC. 307. REQUIRING FACILITATION OF ESTABLISHMENT OF SOCIAL MEDIA DATA AND THREAT ANALYSIS CENTER.

(a) REQUIREMENT TO FACILITATE ESTABLISHMENT.—Subsection (c)(1) of section 5323 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, by striking ''may'' and inserting ''shall''.

(b) DEADLINE TO FACILITATE ESTABLISHMENT.—Such subsection is further amended by striking ''The Director'' and inserting ''Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director''.

(c) CONFORMING AMENDMENTS.—

(1) REPORTING.—Subsection (d) of such section is amended—

(A) in the matter before paragraph (1), by striking ''If the Director'' and all that follows through ''the Center, the'' and inserting ''The''; and

(B) in paragraph (1), by striking ''180 days after the date of the enactment of this Act'' and inserting ''180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021''.

(2) FUNDING.—Subsection (f) of such section is amended by striking ''fiscal year 2020 and 2021'' and inserting ''fiscal year 2021 and 2022''.

(3) CLERICAL.—Subsection (c) of such section is amended—

(A) in the subsection heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''; and

(B) in paragraph (1), in the paragraph heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''.

SEC. 308. DATA COLLECTION ON ATTRITION IN INTELLIGENCE COMMUNITY.

(a) STANDARDS FOR DATA COLLECTION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish standards for collecting data relating to attrition in the intelligence community workforce across demographics, specialities, and length of service.

(2) INCLUSION OF CERTAIN CANDIDATES.—The Director shall include, in the standards established under paragraph (1), standards for collecting data from candidates who accepted conditional offers of employment but chose to withdraw from the hiring process before entering into service, including data with respect to the reasons such candidates chose to withdraw.

(b) COLLECTION OF DATA.—Not later than 120 days after the date of the enactment of this Act, each element of the intelligence community shall begin collecting data on workforce and candidate attrition in accordance with the standards established under subsection (a).

(c) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director shall submit to the congressional intelligence committees a report on workforce and candidate attrition in the intelligence community that includes—

(1) the findings of the Director based on the data collected under subsection (b);

(2) recommendations for addressing any issues identified in those findings; and

(3) an assessment of timeliness in processing hiring applications of individuals previously employed by an element of the intelligence community, consistent with the Trusted Workforce 2.0 initiative sponsored by the Security Clearance, Suitability, and Credentialing Performance Accountability Council.

SEC. 309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING ENVIRONMENT.

(a) IN GENERAL.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)), as amended by section 6402(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in paragraph (1), in the matter before subparagraph (A), by striking ''Director of National Intelligence'' and inserting ''President'';

(2) in paragraph (2), by striking ''Director of National Intelligence'' both places it appears and inserting ''President''; and

(3) by adding at the end the following:

''(3) DELEGATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the President may delegate responsibility for carrying out this subsection.

''(B) LIMITATION.—The President may not delegate responsibility for carrying out this subsection to the Director of National Intelligence.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2020.

SEC. 310. IMPROVEMENTS TO PROVISIONS RELATING TO INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

Section 6312 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking subsections (e) through (i) and inserting the following:

''(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a long-term roadmap for the intelligence community information technology environment.

''(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a business plan to implement the long-term roadmap required by subsection (e).''.

SEC. 311. REQUIREMENTS AND AUTHORITIES FOR DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY TO IMPROVE EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by adding the following:

''SEC. 24. IMPROVEMENT OF EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' includes a department or agency of the Federal Government, a State, a political subdivision of a State, an individual, and a not-for-profit or other organization in the private sector.

''(2) EDUCATIONAL INSTITUTION.—The term 'educational institution' includes any public or private elementary school or secondary school, institution of higher education, college, university, or any other profit or nonprofit institution that is dedicated to improving science, technology, engineering, the arts, mathematics, business, law, medicine, or other fields that promote development and education relating to science, technology, engineering, the arts, or mathematics.

''(3) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

''(b) REQUIREMENTS.—The Director shall, on a continuing basis—

''(1) identify actions that the Director may take to improve education in the scientific, technology, engineering, arts, and mathematics (known as 'STEAM') skills necessary to meet the long-term national security needs of the United States for personnel proficient in such skills; and

''(2) establish and conduct programs to carry out such actions.

''(c) AUTHORITIES.—

''(1) IN GENERAL.—The Director, in support of educational programs in science, technology, engineering, the arts, and mathematics, may—

''(A) award grants to eligible entities;

''(B) provide cash awards and other items to eligible entities;

''(C) accept voluntary services from eligible entities;

''(D) support national competition judging, other educational event activities, and associated award ceremonies in connection with such educational programs; and

''(E) enter into one or more education partnership agreements with educational institutions in the United States for the purpose of encouraging and enhancing study in science, technology, engineering, the arts, and mathematics disciplines at all levels of education.

''(2) EDUCATION PARTNERSHIP AGREEMENTS.—

''(A) NATURE OF ASSISTANCE PROVIDED.—Under an education partnership agreement entered into with an educational institution under paragraph (1)(E), the Director may provide assistance to the educational institution by—

''(i) loaning equipment to the educational institution for any purpose and duration in support of such agreement that the Director considers appropriate;

''(ii) making personnel available to teach science courses or to assist in the development of science courses and materials for the educational institution;

''(iii) providing sabbatical opportunities for faculty and internship opportunities for students;

''(iv) involving faculty and students of the educational institution in Agency projects, including research and technology transfer or transition projects;

''(v) cooperating with the educational institution in developing a program under which students may be given academic credit for work on Agency projects, including research and technology transfer for transition projects; and

''(vi) providing academic and career advice and assistance to students of the educational institution.

''(B) PRIORITIES.—In entering into education partnership agreements under paragraph (1)(E), the Director shall prioritize entering into education partnership agreements with the following:

''(i) Historically Black colleges and universities and other minority-serving institutions, as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(ii) Educational institutions serving women, members of minority groups, and other groups of individuals who traditionally are involved in the science, technology, engineering, arts, and mathematics professions in disproportionately low numbers.

''(d) DESIGNATION OF ADVISOR.—The Director shall designate one or more individuals within the Agency to advise and assist the Director regarding matters relating to science, technology, engineering, the arts, and mathematics education and training.''.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

SEC. 321. ASSESSMENT BY THE COMPTROLLER GENERAL OF THE UNITED STATES ON EFFORTS OF THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT OF DEFENSE TO IDENTIFY AND MITIGATE RISKS POSED TO THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT BY THE USE OF DIRECT-TO-CONSUMER GENETIC TESTING BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess the efforts of the intelligence community and the Department of Defense to identify and mitigate the risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

(b) REPORT REQUIRED.—

(1) DEFINITION OF UNITED STATES DIRECT-TO-CONSUMER GENETIC TESTING COMPANY.—In this subsection, the term ''United States direct-to-consumer genetic testing company'' means a private entity that—

(A) carries out direct-to-consumer genetic testing; and

(B) is organized under the laws of the United States or any jurisdiction within the United States.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress, including the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, a report on the assessment required by subsection (a).

(3) ELEMENTS.—The report required by paragraph (2) shall include the following:

(A) A description of key national security risks and vulnerabilities associated with direct-to-consumer genetic testing, including—

(i) how the Government of the People's Republic of China may be using data provided by personnel of the intelligence community and the Department through direct-to-consumer genetic tests; and

(ii) how ubiquitous technical surveillance may amplify those risks.

(B) An assessment of the extent to which the intelligence community and the Department have identified risks and vulnerabilities posed by direct-to-consumer genetic testing and have sought to mitigate such risks and vulnerabilities, or have plans for such mitigation, including the extent to which the intelligence community has determined—

(i) in which United States direct-to-consumer genetic testing companies the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China have an ownership interest; and

(ii) which United States direct-to-consumer genetic testing companies may have sold data to the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China.

(C) Such recommendations as the Comptroller General may have for action by the intelligence community and the Department to improve the identification and mitigation of risks and vulnerabilities posed by the use of direct-to-consumer genetic testing by the

Government of the People's Republic of China.

(4) FORM.—The report required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

(c) COOPERATION.—The heads of relevant elements of the intelligence community and components of the Department shall—

(1) fully cooperate with the Comptroller General in conducting the assessment required by subsection (a); and

(2) provide any information and data required by the Comptroller General to conduct the assessment.

SEC. 322. REPORT ON USE BY INTELLIGENCE COMMUNITY OF HIRING FLEXIBILITIES AND EXPEDITED HUMAN RESOURCES PRACTICES TO ASSURE QUALITY AND DIVERSITY IN THE WORKFORCE OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on how elements of the intelligence community are exercising hiring flexibilities and expedited human resources practices afforded under section 3326 of title 5, United States Code, and subpart D of part 315 of title 5, Code of Federal Regulations, or successor regulation, to assure quality and diversity in the workforce of the intelligence community.

(b) OBSTACLES.—The report submitted under subsection (a) shall include identification of any obstacles encountered by the intelligence community in exercising the authorities described in such subsection.

SEC. 323. REPORT ON SIGNALS INTELLIGENCE PRIORITIES AND REQUIREMENTS.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on signals intelligence priorities and requirements subject to Presidential Policy Directive 28.

(b) ELEMENTS.—The report required by subsection (a) shall cover the following:

(1) The implementation of the annual process for advising the Director on signals intelligence priorities and requirements described in section 3 of Presidential Policy Directive 28.

(2) The signals intelligence priorities and requirements as of the most recent annual process.

(3) The application of such priorities and requirements to the signals intelligence collection efforts of the intelligence community.

(4) The contents of the classified annex referenced in section 3 of Presidential Policy Directive 28.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 324. ASSESSMENT OF DEMAND FOR STUDENT LOAN REPAYMENT PROGRAM BENEFIT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall—

(1) calculate the number of personnel of that element who qualify for a student loan repayment program benefit;

(2) compare the number calculated under paragraph (1) to the number of personnel who apply for such a benefit;

(3) provide recommendations for how to structure such a program to optimize participation and enhance the effectiveness of the benefit as a retention tool, including with respect to the amount of the benefit offered and the length of time an employee receiving a benefit is required to serve under a continuing service agreement; and

(4) identify any shortfall in funds or authorities needed to provide such a benefit.

(b) INCLUSION IN FISCAL YEAR 2022 BUDGET SUBMISSION.—The Director of National Intelligence shall include in the budget justification materials submitted to Congress in support of the budget for the intelligence community for fiscal year 2022 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the findings of the elements of the intelligence community under subsection (a).

SEC. 325. ASSESSMENT OF INTELLIGENCE COMMUNITY DEMAND FOR CHILD CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community specified in subsection (b), shall submit to the congressional intelligence committees a report that includes—

(1) a calculation of the total annual demand for child care by employees of such elements, at or near the workplaces of such employees, including a calculation of the demand for early morning and evening child care;

(2) an identification of any shortfall between the demand calculated under paragraph (1) and the child care supported by such elements as of the date of the report;

(3) an assessment of options for addressing any such shortfall, including options for providing child care at or near the workplaces of employees of such elements;

(4) an identification of the advantages, disadvantages, security requirements, and costs associated with each such option;

(5) a plan to meet, by the date that is 5 years after the date of the report—

(A) the demand calculated under paragraph (1); or

(B) an alternative standard established by the Director for child care available to employees of such elements; and

(6) an assessment of needs of specific elements of the intelligence community, including any Government-provided child care that could be collocated with a workplace of employees of such an element and any available child care providers in the proximity of such a workplace.

(b) ELEMENTS SPECIFIED.—The elements of the intelligence community specified in this subsection are the following:

(1) The Central Intelligence Agency.

(2) The National Security Agency.

(3) The Defense Intelligence Agency.

(4) The National Geospatial-Intelligence Agency.

(5) The National Reconnaissance Office.

(6) The Office of the Director of National Intelligence.

SEC. 326. OPEN SOURCE INTELLIGENCE STRATEGIES AND PLANS FOR THE INTELLIGENCE COMMUNITY.

(a) REQUIREMENT FOR SURVEY AND EVALUATION OF CUSTOMER FEEDBACK.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the head of each element of the intelligence community, shall—

(1) conduct a survey of the open source intelligence requirements, goals, monetary and property investments, and capabilities for each element of the intelligence community; and

(2) evaluate the usability and utility of the Open Source Enterprise by soliciting customer feedback and evaluating such feedback.

(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK ANALYSIS OF CREATING OPEN SOURCE CENTER.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community and using the findings of the Director with respect to the survey conducted under subsection (a), shall—

(1) develop a strategy for open source intelligence collection, analysis, and production that defines the overarching goals, roles, responsibilities, and processes for such collection, analysis, and production for the intelligence community;

(2) develop a plan for improving usability and utility of the Open Source Enterprise based on the customer feedback solicited under subsection (a)(2); and

(3) conduct a risk and benefit analysis of creating an open source center independent of any current intelligence community element.

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA REPOSITORY.—Not later than 270 days after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under such subsection, the Director shall develop a plan for a centralized data repository of open source intelligence that enables all elements of the intelligence community—

(1) to use such repository for their specific requirements; and

(2) to derive open source intelligence advantages.

(d) REQUIREMENT FOR COST-SHARING MODEL.—Not later than 1 year after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), the risk and benefit analysis conducted under such subsection, and the plan developed under subsection (c), the Director shall develop a cost-sharing model that leverages the open source intelligence investments of each element of the intelligence community for the beneficial use of the entire intelligence community.

(e) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall jointly brief the congressional intelligence committees on—

(1) the strategy developed under paragraph (1) of subsection (b);

(2) the plan developed under paragraph (2) of such subsection;

(3) the plan developed under subsection (c); and

(4) the cost-sharing model developed under subsection (d).

TITLE IV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

SEC. 401. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES, AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

''(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (a) and promulgated and set forth under subpart A of title 32, Code of Federal Regulations, or successor regulations, shall be the exclusive procedures by

which decisions about eligibility for access to classified information are governed.''.

(b) TRANSPARENCY.—Such section is further amended by adding at the end the following:

''(d) PUBLICATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

''(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

''(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a)—

''(i) are published in the Federal Register; and

''(ii) comply with the requirements of subsection (a).

''(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective.''.

(c) CONSISTENCY.—

(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

''SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(b) IN GENERAL.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the head of the agency—

''(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

''(2) does not discriminate for or against an individual on the basis of race, ethnicity, color, religion, sex, national origin, age, or handicap;

''(3) is not carrying out—

''(A) retaliation for political activities or beliefs; or

''(B) a coercion or reprisal described in section 2302(b)(3) of title 5, United States Code; and

''(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following:

''Sec. 801A. Decisions relating to access to classified information.''.

(d) RIGHT TO APPEAL.—

(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

''SEC. 801B. RIGHT TO APPEAL.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) COVERED PERSON.—The term 'covered person' means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

''(A) A member of the Armed Forces.

''(B) A civilian.

''(C) An expert or consultant with a contractual or personnel obligation to an agency.

''(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(4) NEED FOR ACCESS.—The term 'need for access' has such meaning as the President may define in the procedures established pursuant to section 801(a).

''(5) RECIPROCITY OF CLEARANCE.—The term 'reciprocity of clearance', with respect to a denial by an agency, means that the agency, with respect to a covered person—

''(A) failed to accept a security clearance background investigation as required by paragraph (1) of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(d));

''(B) failed to accept a transferred security clearance background investigation required by paragraph (2) of such section;

''(C) subjected the covered person to an additional investigative or adjudicative requirement in violation of paragraph (3) of such section; or

''(D) conducted an investigation in violation of paragraph (4) of such section.

''(6) SECURITY EXECUTIVE AGENT.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

''(b) AGENCY REVIEW.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency or for whom reciprocity of clearance was denied by the agency can appeal that denial or revocation within the agency.

''(2) ELEMENTS.—The process required by paragraph (1) shall include the following:

''(A) In the case of a covered person to whom eligibility for access to classified information or reciprocity of clearance is denied or revoked by an agency, the following:

''(i) The head of the agency shall provide the covered person with a written—

''(I) detailed explanation of the basis for the denial or revocation as the head of the agency determines is consistent with the interests of national security and as permitted by other applicable provisions of law; and

''(II) notice of the right of the covered person to a hearing and appeal under this subsection.

''(ii) Not later than 30 days after receiving a request from the covered person for copies of the documents that formed the basis of the agency's decision to revoke or deny, including the investigative file, the head of the agency shall provide to the covered person copies of such documents as—

''(I) the head of the agency determines is consistent with the interests of national security; and

''(II) permitted by other applicable provisions of law, including—

''(aa) section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(bb) section 552a of such title (commonly known as the 'Privacy Act of 1974'); and

''(cc) such other provisions of law relating to the protection of confidential sources and privacy of individuals.

''(iii)(I) The covered person shall have the opportunity to retain counsel or other representation at the covered person's expense.

''(II) Upon the request of the covered person, and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

''(iv)(I) The head of the agency shall provide the covered person an opportunity, at a point in the process determined by the agency head—

''(aa) to appear personally before an adjudicative or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

''(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses is not consistent with the interests of national security.

''(II) The head of the agency shall make, as part of the security record of the covered person, a written summary, transcript, or recording of any appearance under item (aa) of subclause (I) or of any calling or cross-examining of witnesses under item (bb) of such subclause.

''(v) On or before the date that is 30 days after the date on which the covered person receives copies of documents under clause (ii), the covered person may request a hearing of the decision to deny or revoke by filing a written appeal with the head of the agency.

''(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

''(3) AGENCY REVIEW PANELS.—

''(A) IN GENERAL.—Each head of an agency shall establish a panel to hear and review appeals under this subsection.

''(B) MEMBERSHIP.—

''(i) COMPOSITION.—Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.

''(ii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

''(C) DECISIONS.—

''(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

''(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head personally exercises the authority granted by this clause to overturn such decision.

''(iv) FINALITY.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final.

''(D) ACCESS TO CLASSIFIED INFORMATION.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the agency head determines—

''(i) necessary for the panel to hear and review an appeal under this subsection; and

''(ii) consistent with the interests of national security.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head's agency under this subsection has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—Each head of an agency shall publish each final decision on an appeal under this subsection.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(c) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeals process under this section.

''(2) WAIVER OF RIGHTS.—

''(A) PERSONS.—Any covered person may voluntarily waive the covered person's right to appeal under this section and such waiver shall be conclusive.

''(B) AGENCIES.—The head of an agency may not require a covered person to waive the covered person's right to appeal under this section for any reason.

''(d) WAIVER OF AVAILABILITY OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

''(1) IN GENERAL.—If the head of an agency determines that a procedure established under subsection (b) cannot be made available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

''(2) FINALITY.—A determination under paragraph (1) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(3) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under subsection (b) cannot be made available to a covered person, the agency head shall, not later than 30 days after the date on which the agency head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(e) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.—

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance in the interest of national security.

''(2) DENIALS AND REVOCATION.—The power and responsibility to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance pursuant to any other provision of law or Executive order may be exercised only when the head of an agency determines that an applicable process established under this section cannot be invoked in a manner that is consistent with national security.

''(3) FINALITY.—A determination under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(4) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that a determination relating to a denial or revocation of eligibility for access to classified information or denial of reciprocity of clearance could not be made pursuant to a process established under this section, the agency head shall, not later than 30 days after the date on which the agency head makes such a determination under paragraph (2), submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(f) RELATIONSHIP TO SUITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purpose of denying a covered person the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information or a denial of reciprocity of clearance.

''(g) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DEFENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in this section shall be construed to diminish or otherwise affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

''(h) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed to apply to paragraphs (6) and (7) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

''Sec. 801B. Right to appeal.''.

SEC. 402. ESTABLISHING PROCESS PARITY FOR SECURITY CLEARANCE REVOCATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) BURDENS OF PROOF.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 403. FEDERAL POLICY ON SHARING OF DEROGATORY INFORMATION PERTAINING TO CONTRACTOR EMPLOYEES IN THE TRUSTED WORKFORCE.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the principal members of the Performance Accountability Council and the Attorney General, shall issue a policy for the Federal Government on sharing of derogatory information pertaining to contractor employees engaged by the Federal Government.

(b) CONSENT REQUIREMENT.—

(1) IN GENERAL.—The policy issued under subsection (a) shall require, as a condition of accepting a security clearance with the Federal Government, that a contractor employee provide prior written consent for the Federal Government to share covered derogatory information with the chief security officer of the contractor employer that employs the contractor employee.

(2) COVERED DEROGATORY INFORMATION.—For purposes of this section, covered derogatory information—

(A) is information that—

(i) contravenes National Security Adjudicative Guidelines as specified in Security Executive Agent Directive 4 (10 C.F.R. 710 app. A), or any successor Federal policy;

(ii) a Federal Government agency certifies is accurate and reliable;

(iii) is relevant to a contractor's ability to protect against insider threats as required by section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(iv) may have a bearing on the contractor employee's suitability for a position of public trust or to receive credentials to access certain facilities of the Federal Government; and

(B) shall include any negative information considered in the adjudicative process, including information provided by the contractor employee on forms submitted for the processing of the contractor employee's security clearance.

(c) ELEMENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of a contractor employee engaged with the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guideline it falls under, with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer exclusively for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual;

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information;

(4) establish standards for timeliness for sharing the derogatory information;

(5) specify the methods by which covered derogatory information will be shared with the contractor employer of the contractor employee;

(6) allow the contractor employee, within a specified timeframe, the right—

(A) to contest the accuracy and reliability of covered derogatory information;

(B) to address or remedy any concerns raised by the covered derogatory information; and

(C) to provide documentation pertinent to subparagraph (A) or (B) for an agency to place in relevant security clearance databases;

(7) establish a procedure by which the contractor employer of the contractor employee may consult with the Federal Government prior to taking any remedial action under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information the Federal agency has provided;

(8) stipulate that the chief security officer of the contractor employer is prohibited from sharing or discussing covered derogatory information with other parties, including nonsecurity professionals at the contractor employer; and

(9) require companies in the National Industrial Security Program to comply with the policy.

(d) CONSIDERATION OF LESSONS LEARNED FROM INFORMATION-SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.—In developing the policy issued under subsection (a), the Director shall consider, to the extent available, lessons learned from actions taken to carry out section 6611(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

TITLE V—REPORTS AND OTHER MATTERS

SEC. 501. REPORT ON ATTEMPTS BY FOREIGN ADVERSARIES TO BUILD TELECOMMUNICATIONS AND CYBERSECURITY EQUIPMENT AND SERVICES FOR, OR TO PROVIDE SUCH EQUIPMENT AND SERVICES TO, CERTAIN ALLIES OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FIVE EYES COUNTRY.—The term ''Five Eyes country'' means any of the following:

(A) Australia.

(B) Canada.

(C) New Zealand.

(D) The United Kingdom.

(E) The United States.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency, the Director of the National Security Agency, and the Director of the Defense Intelligence Agency shall jointly submit to the appropriate committees of Congress a report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, Five Eyes countries.

(c) ELEMENTS.—The report submitted under subsection (b) shall include the following:

(1) An assessment of United States intelligence sharing and intelligence and military force posture in any Five Eyes country that currently uses or intends to use telecommunications or cybersecurity equipment or services provided by a foreign adversary of the United States, including China and Russia.

(2) A description and assessment of mitigation of any potential compromises or risks for any circumstance described in paragraph (1).

(d) FORM.—The report required by subsection (b) shall include an unclassified executive summary, and may include a classified annex.

SEC. 502. REPORT ON THREATS POSED BY USE BY FOREIGN GOVERNMENTS AND ENTITIES OF COMMERCIALLY AVAILABLE CYBER INTRUSION AND SURVEILLANCE TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats posed by the use by foreign governments and entities of commercially available cyber intrusion and other surveillance technology.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) Matters relating to threats described in subsection (a) as they pertain to the following:

(A) The threat posed to United States persons and persons inside the United States.

(B) The threat posed to United States personnel overseas.

(C) The threat posed to employees of the Federal Government, including through both official and personal accounts and devices.

(2) A description of which foreign governments and entities pose the greatest threats from the use of technology described in subsection (a) and the nature of those threats.

(3) An assessment of the source of the commercially available cyber intrusion and other surveillance technology that poses the threats described in subsection (a), including whether such technology is made by United States companies or companies in the United States or by foreign companies.

(4) An assessment of actions taken, as of the date of the enactment of this Act, by the Federal Government and foreign governments to limit the export of technology described in subsection (a) from the United States or foreign countries to foreign governments and entities in ways that pose the threats described in such subsection.

(5) Matters relating to how the Federal Government, Congress, and foreign governments can most effectively mitigate the threats described in subsection (a), including matters relating to the following:

(A) Working with the technology and telecommunications industry to identify and improve the security of consumer software and hardware used by United States persons and persons inside the United States that is targeted by commercial cyber intrusion and surveillance software.

(B) Export controls.

(C) Diplomatic pressure.

(D) Trade agreements.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 503. REPORTS ON RECOMMENDATIONS OF THE CYBERSPACE SOLARIUM COMMISSION.

(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Homeland Security, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representatives.

(b) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each head of an agency described in subsection (c) shall submit to the appropriate committees of Congress a report on the recommendations included in the report issued

by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(c) AGENCIES DESCRIBED.—The agencies described in this subsection are the following:

(1) The Office of the Director of National Intelligence.

(2) The Department of Homeland Security.

(3) The Department of Energy.

(4) The Department of Commerce.

(5) The Department of Defense.

(d) CONTENTS.—Each report submitted under subsection (b) by the head of an agency described in subsection (c) shall include the following:

(1) An evaluation of the recommendations in the report described in subsection (b) that the agency identifies as pertaining directly to the agency.

(2) A description of the actions taken, or the actions that the head of the agency may consider taking, to implement any of the recommendations (including a comprehensive estimate of requirements for appropriations to take such actions).

SEC. 504. ASSESSMENT OF CRITICAL TECHNOLOGY TRENDS RELATING TO ARTIFICIAL INTELLIGENCE, MICROCHIPS, AND SEMICONDUCTORS AND RELATED SUPPLY CHAINS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a detailed assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) EXPORT CONTROLS.—

(A) IN GENERAL.—An assessment of efforts by partner countries to enact and implement export controls and other technology transfer measures with respect to artificial intelligence, microchips, advanced manufacturing equipment, and other artificial intelligence enabled technologies critical to United States supply chains.

(B) IDENTIFICATION OF OPPORTUNITIES FOR COOPERATION.—The assessment under subparagraph (A) shall identify opportunities for further cooperation with international partners on a multilateral and bilateral basis to strengthen export control regimes and address technology transfer threats.

(2) SEMICONDUCTOR SUPPLY CHAINS.—

(A) IN GENERAL.—An assessment of global semiconductor supply chains, including areas to reduce United States vulnerabilities and maximize points of leverage.

(B) ANALYSIS OF POTENTIAL EFFECTS.—The assessment under subparagraph (A) shall include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.

(C) IDENTIFICATION OF OPPORTUNITIES FOR DIVERSIFICATION.—The assessment under subparagraph (A) shall also identify opportunities for diversification of United States supply chains, including an assessment of cost, challenges, and opportunities to diversify manufacturing capabilities on a multinational basis.

(3) COMPUTING POWER.—An assessment of trends relating to computing power and the effect of such trends on global artificial intelligence development and implementation, in consultation with the Director of the Intelligence Advanced Research Projects Activity, the Director of the Defense Advanced Research Projects Agency, and the Director of the National Institute of Standards and Technology, including forward-looking assessments of how computing resources may affect United States national security, innovation, and implementation relating to artificial intelligence.

(c) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the assessment completed under subsection (a).

(3) FORM.—The report submitted under paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

SEC. 505. COMBATING CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES AND STRENGTHENING CIVIL LIBERTIES PROTECTIONS.

(a) UPDATES TO ANNUAL REPORTS ON INFLUENCE OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY THE CHINESE COMMUNIST PARTY.—Section 1107(b) of the National Security Act of 1947 (50 U.S.C. 3237(b)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

''(8) An identification of influence activities and operations employed by the Chinese Communist Party against the United States science and technology sectors, specifically employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States.''.

(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION TO INCREASE PUBLIC AWARENESS AND DETECTION OF INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a plan—

(A) to increase public awareness of influence activities by the Government of the People's Republic of China; and

(B) to publicize mechanisms that members of the public can use—

(i) to detect such activities; and

(ii) to report such activities to the Bureau.

(2) CONSULTATION.—In carrying out paragraph (1), the Director shall consult with the following:

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

(B) Such other stakeholders outside the intelligence community, including professional associations, institutions of higher education, businesses, and civil rights and multicultural organizations, as the Director determines relevant.

(c) RECOMMENDATIONS OF THE FEDERAL BUREAU OF INVESTIGATION TO STRENGTHEN RELATIONSHIPS AND BUILD TRUST WITH COMMUNITIES OF INTEREST.—

(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in consultation with the Assistant Attorney General for the Civil Rights Division and the Chief Privacy and Civil Liberties Officer of the Department of Justice, shall develop recommendations to strengthen relationships with communities targeted by influence activities of the Government of the People's Republic of China and build trust with such communities through local and regional grassroots outreach.

(2) SUBMITTAL TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to Congress the recommendations developed under paragraph (1).

(d) TECHNICAL CORRECTIONS.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) in section 1107 (50 U.S.C. 3237)—

(A) in the section heading, by striking ''**COMMUNIST PARTY OF CHINA**'' and inserting ''**CHINESE COMMUNIST PARTY**''; and

(B) by striking ''Communist Party of China'' both places it appears and inserting ''Chinese Communist Party''; and

(2) in the table of contents before section 2 (50 U.S.C. 3002), by striking the item relating to section 1107 and inserting the following new item:

''Sec. 1107. Annual reports on influence operations and campaigns in the United States by the Chinese Communist Party.''.

SEC. 506. ANNUAL REPORT ON CORRUPT ACTIVITIES OF SENIOR OFFICIALS OF THE CHINESE COMMUNIST PARTY.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter through 2025, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on the corruption and corrupt activities of senior officials of the Chinese Communist Party.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report under paragraph (1) shall include the following:

(i) A description of the wealth of, and corruption and corrupt activities among, senior officials of the Chinese Communist Party.

(ii) A description of any recent actions of the officials described in clause (i) that could be considered a violation, or potential violation, of United States law.

(iii) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) for the corruption and corrupt activities described in that clause and for the actions described in clause (ii).

(B) SCOPE OF REPORTS.—The first report under paragraph (1) shall include comprehensive information on the matters described in subparagraph (A). Any succeeding report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(3) COORDINATION.—In preparing each report, update, or supplement under this subsection, the Director of the Central Intelligence Agency shall coordinate as follows:

(A) In preparing the description required by clause (i) of paragraph (2)(A), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(B) In preparing the descriptions required by clauses (ii) and (iii) of such paragraph, the

Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(4) FORM.—Each report under paragraph (1) shall include an unclassified executive summary, and may include a classified annex.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake every effort and pursue every opportunity to expose the corruption and illicit practices of senior officials of the Chinese Communist Party, including President Xi Jinping.

SEC. 507. REPORT ON CORRUPT ACTIVITIES OF RUSSIAN AND OTHER EASTERN EUROPEAN OLIGARCHS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress and the Undersecretary of State for Public Diplomacy and Public Affairs a report on the corruption and corrupt activities of Russian and other Eastern European oligarchs.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report under subsection (b) shall include the following:

(A) A description of corruption and corrupt activities among Russian and other Eastern European oligarchs who support the Government of the Russian Federation, including estimates of the total assets of such oligarchs.

(B) An assessment of the impact of the corruption and corrupt activities described pursuant to subparagraph (A) on the economy and citizens of Russia.

(C) A description of any connections to, or support of, organized crime, drug smuggling, or human trafficking by an oligarch covered by subparagraph (A).

(D) A description of any information that reveals corruption and corrupt activities in Russia among oligarchs covered by subparagraph (A).

(E) A description and assessment of potential sanctions actions that could be imposed upon oligarchs covered by subparagraph (A) who support the leadership of the Government of Russia, including President Vladimir Putin.

(2) SCOPE OF REPORTS.—The first report under subsection (a) shall include comprehensive information on the matters described in paragraph (1). Any succeeding report under subsection (a) may consist of an update or supplement to the preceding report under that subsection.

(d) COORDINATION.—In preparing each report, update, or supplement under this section, the Director of the Central Intelligence Agency shall coordinate as follows:

(1) In preparing the assessment and descriptions required by subparagraphs (A) through (D) of subsection (c)(1), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(2) In preparing the description and assessment required by subparagraph (E) of such subsection, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(e) FORM.—

(1) IN GENERAL.—Subject to paragraph (2), each report under subsection (b) shall include an unclassified executive summary, and may include a classified annex.

(2) UNCLASSIFIED FORM OF CERTAIN INFORMATION.—The information described in subsection (c)(1)(D) in each report under subsection (b) shall be submitted in unclassified form.

SEC. 508. REPORT ON BIOSECURITY RISK AND DISINFORMATION BY THE CHINESE COMMUNIST PARTY AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

(2) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e)).

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report identifying whether and how officials of the Chinese Communist Party and the Government of the People's Republic of China may have sought—

(1) to suppress information about—

(A) the outbreak of the novel coronavirus in Wuhan;

(B) the spread of the virus through China; and

(C) the transmission of the virus to other countries;

(2) to spread disinformation relating to the pandemic; or

(3) to exploit the pandemic to advance their national security interests.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments of reported actions and the effect of those actions on efforts to contain the novel coronavirus pandemic, including each of the following:

(1) The origins of the novel coronavirus outbreak, the time and location of initial infections, and the mode and speed of early viral spread.

(2) Actions taken by the Government of China to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(3) The effect of disinformation or the failure of the Government of China to fully disclose details of the outbreak on response efforts of local governments in China and other countries.

(4) Diplomatic, political, economic, intelligence, or other pressure on other countries and international organizations to conceal information about the spread of the novel coronavirus and the response of the Government of China to the contagion, as well as to influence or coerce early responses to the pandemic by other countries.

(5) Efforts by officials of the Government of China to deny access to health experts and international health organizations to afflicted individuals in Wuhan, pertinent areas of the city, or laboratories of interest in China, including the Wuhan Institute of Virology.

(6) Efforts by the Government of China, or those acting at its direction or with its assistance, to conduct cyber operations against international, national, or private health organizations conducting research relating to the novel coronavirus or operating in response to the pandemic.

(7) Efforts to control, restrict, or manipulate relevant segments of global supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(8) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(9) Efforts to exploit the disruption of the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in order to advance the economic and political objectives of the Government of China following the pandemic.

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 509. REPORT ON EFFECT OF LIFTING OF UNITED NATIONS ARMS EMBARGO ON ISLAMIC REPUBLIC OF IRAN.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency, in consultation with such heads of other elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on—

(1) the plans of the Government of the Islamic Republic of Iran to acquire military arms if the ban on arms transfers to or from such government under United Nations Security Council resolutions are lifted; and

(2) the effect such arms acquisitions may have on regional security and stability.

(c) CONTENTS.—The report submitted under subsection (b) shall include assessments relating to plans of the Government of the Islamic Republic of Iran to acquire additional weapons, the intention of other countries to provide such weapons, and the effect such acquisition and provision would have on regional stability, including with respect to each of the following:

(1) The type and quantity of weapon systems under consideration for acquisition.

(2) The countries of origin of such systems.

(3) Likely reactions of other countries in the region to such acquisition, including the potential for proliferation by other countries in response.

(4) The threat that such acquisition could present to international commerce and energy supplies in the region, and the potential

implications for the national security of the United States.

(5) The threat that such acquisition could present to the Armed Forces of the United States, of countries allied with the United States, and of countries partnered with the United States stationed in or deployed in the region.

(6) The potential that such acquisition could be used to deliver chemical, biological, or nuclear weapons.

(7) The potential for the Government of the Islamic Republic of Iran to proliferate weapons acquired in the absence of an arms embargo to regional groups, including Shi'a militia groups backed by such government.

(d) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 510. REPORT ON IRANIAN ACTIVITIES RELATING TO NUCLEAR NONPROLIFERATION.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing—

(1) any relevant activities potentially relating to nuclear weapons research and development by the Islamic Republic of Iran; and

(2) any relevant efforts to afford or deny international access in accordance with international nonproliferation agreements.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments, for the period beginning on January 1, 2018, and ending on the date of the submittal of the report, of the following:

(1) Activities to research, develop, or enrich uranium or reprocess plutonium with the intent or capability of creating weapons-grade nuclear material.

(2) Research, development, testing, or design activities that could contribute to or inform construction of a device intended to initiate or capable of initiating a nuclear explosion.

(3) Efforts to receive, transmit, store, destroy, relocate, archive, or otherwise preserve research, processes, products, or enabling materials relevant or relating to any efforts assessed under paragraph (1) or (2).

(4) Efforts to afford or deny international access, in accordance with international nonproliferation agreements, to locations, individuals, and materials relating to activities described in paragraph (1), (2), or (3).

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 511. SENSE OF CONGRESS ON THIRD OPTION FOUNDATION.

It is the sense of the Congress that—

(1) the work of the Third Option Foundation to heal, help, and honor members of the special operations community of the Central Intelligence Agency and their families is invaluable; and

(2) the Director of the Central Intelligence Agency should work closely with the Third Option Foundation in implementing section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b), as added by section 6412 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92).

SA 1816. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ___—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2021''.

(b) TABLE OF CONTENTS.—The table of contents for this division is as follows:

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2021 the sum of $731,200,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2021 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2021.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. CLARIFICATION OF AUTHORITIES AND RESPONSIBILITIES OF NATIONAL MANAGER FOR NATIONAL SECURITY TELECOMMUNICATIONS AND INFORMATION SYSTEMS SECURITY.

In carrying out the authorities and responsibilities of the National Manager for National Security Telecommunications and Information Systems Security under National Security Directive 42 (signed by the President on July 5, 1990), the National Manager shall not supervise, oversee, or execute, either directly or indirectly, any aspect of the National Intelligence Program.

SEC. 304. CONTINUITY OF OPERATIONS PLANS FOR CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY IN THE CASE OF A NATIONAL EMERGENCY.

(a) DEFINITION OF COVERED NATIONAL EMERGENCY.—In this section, the term ''covered national emergency'' means the following:

(1) A major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(2) An emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191).

(3) A national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(4) A public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).

(b) IN GENERAL.—The Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each establish continuity of operations plans for use in the case of covered national emergencies for the element of the intelligence community concerned.

(c) SUBMISSION TO CONGRESS.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE AND DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of National Intelligence and the Director of the Central Intelligence Agency shall each submit to the congressional intelligence committees the plan established under subsection (b) for that emergency for the element of the intelligence community concerned.

(2) DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE, DIRECTOR OF DEFENSE INTELLIGENCE AGENCY, DIRECTOR OF NATIONAL SECURITY AGENCY, AND DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit the plan established under subsection (b) for that emergency for the element of the intelligence community concerned to the following:

(A) The congressional intelligence committees.

(B) The Committee on Armed Services of the Senate.

(C) The Committee on Armed Services of the House of Representatives.

(d) UPDATES.—During a covered national emergency, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit any updates to the plans submitted under subsection (c)—

(1) in accordance with that subsection; and

(2) in a timely manner consistent with section 501 of the National Security Act of 1947 (50 U.S.C. 3091).

SEC. 305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL III TO POSITION OF DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.

Section 5314 of title 5, United States Code, is amended by adding at the end the following:

''Director of the National Reconnaissance Office.''.

SEC. 306. NATIONAL INTELLIGENCE UNIVERSITY.

(a) IN GENERAL.—Title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) is amended by adding at the end the following:

''Subtitle D—National Intelligence University

''SEC. 1031. TRANSFER DATE.

''In this subtitle, the term 'transfer date' means the date on which the National Intelligence University is transferred from the Defense Intelligence Agency to the Director of National Intelligence under section 5324(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

''SEC. 1032. DEGREE-GRANTING AUTHORITY.

''(a) IN GENERAL.—Beginning on the transfer date, under regulations prescribed by the Director of National Intelligence, the President of the National Intelligence University may, upon the recommendation of the faculty of the University, confer appropriate degrees upon graduates who meet the degree requirements.

''(b) LIMITATION.—A degree may not be conferred under this section unless—

''(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

''(2) the University is accredited by the appropriate academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

''(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

''(1) ACTIONS ON NONACCREDITATION.—Beginning on the transfer date, the Director shall promptly—

''(A) notify the congressional intelligence committees of any action by the Middle States Commission on Higher Education, or other appropriate academic accrediting agency or organization, to not accredit the University to award any new or existing degree; and

''(B) submit to such committees a report containing an explanation of any such action.

''(2) MODIFICATION OR REDESIGNATION OF DEGREE-GRANTING AUTHORITY.—Beginning on the transfer date, upon any modification or redesignation of existing degree-granting authority, the Director shall submit to the congressional intelligence committees a report containing—

''(A) the rationale for the proposed modification or redesignation; and

''(B) any subsequent recommendation of the Secretary of Education with respect to the proposed modification or redesignation.

''SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.

''(a) AUTHORITY OF DIRECTOR.—Beginning on the transfer date, the Director of National Intelligence may employ as many professors, instructors, and lecturers at the National Intelligence University as the Director considers necessary.

''(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be as prescribed by the Director.

''(c) COMPENSATION PLAN.—The Director shall provide each person employed as a professor, instructor, or lecturer at the University on the transfer date an opportunity to elect to be paid under the compensation plan in effect on the day before the transfer date (with no reduction in pay) or under the authority of this section.

''SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.

''The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of title 10, United States Code.

''SEC. 1035. CONTINUED APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT TO THE BOARD OF VISITORS.

''The Federal Advisory Committee Act (5 U.S.C. App.) shall continue to apply to the Board of Visitors of the National Intelligence University on and after the transfer date.''.

(b) CONFORMING AMENDMENTS.—Section 5324 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (b)(1)(C), by striking ''subsection (e)(2)'' and inserting ''section 1032(b) of the National Security Act of 1947'';

(2) by striking subsections (e) and (f); and

(3) by redesignating subsections (g) and (h) as subsections (e) and (f), respectively.

(c) CLERICAL AMENDMENT.—The table of contents of the National Security Act of 1947 is amended by inserting after the item relating to section 1024 the following:

''Subtitle D—National Intelligence University

''Sec. 1031. Transfer date.
''Sec. 1032. Degree-granting authority.
''Sec. 1033. Faculty members; employment and compensation.
''Sec. 1034. Acceptance of faculty research grants.
''Sec. 1035. Continued applicability of the Federal Advisory Committee Act to the Board of Visitors.''.

SEC. 307. REQUIRING FACILITATION OF ESTABLISHMENT OF SOCIAL MEDIA DATA AND THREAT ANALYSIS CENTER.

(a) REQUIREMENT TO FACILITATE ESTABLISHMENT.—Subsection (c)(1) of section 5323 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, by striking ''may'' and inserting ''shall''.

(b) DEADLINE TO FACILITATE ESTABLISHMENT.—Such subsection is further amended by striking ''The Director'' and inserting ''Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director''.

(c) CONFORMING AMENDMENTS.—

(1) REPORTING.—Subsection (d) of such section is amended—

(A) in the matter before paragraph (1), by striking ''If the Director'' and all that follows through ''the Center, the'' and inserting ''The''; and

(B) in paragraph (1), by striking ''180 days after the date of the enactment of this Act'' and inserting ''180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021''.

(2) FUNDING.—Subsection (f) of such section is amended by striking ''fiscal year 2020 and 2021'' and inserting ''fiscal year 2021 and 2022''.

(3) CLERICAL.—Subsection (c) of such section is amended—

(A) in the subsection heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''; and

(B) in paragraph (1), in the paragraph heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''.

SEC. 308. DATA COLLECTION ON ATTRITION IN INTELLIGENCE COMMUNITY.

(a) STANDARDS FOR DATA COLLECTION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish standards for collecting data relating to attrition in the intelligence community workforce across demographics, specialities, and length of service.

(2) INCLUSION OF CERTAIN CANDIDATES.—The Director shall include, in the standards established under paragraph (1), standards for collecting data from candidates who accepted conditional offers of employment but chose to withdraw from the hiring process before entering into service, including data with respect to the reasons such candidates chose to withdraw.

(b) COLLECTION OF DATA.—Not later than 120 days after the date of the enactment of this Act, each element of the intelligence community shall begin collecting data on workforce and candidate attrition in accordance with the standards established under subsection (a).

(c) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director shall submit to the congressional intelligence committees a report on workforce and candidate attrition in the intelligence community that includes—

(1) the findings of the Director based on the data collected under subsection (b);

(2) recommendations for addressing any issues identified in those findings; and

(3) an assessment of timeliness in processing hiring applications of individuals previously employed by an element of the intelligence community, consistent with the Trusted Workforce 2.0 initiative sponsored by the Security Clearance, Suitability, and Credentialing Performance Accountability Council.

SEC. 309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING ENVIRONMENT.

(a) IN GENERAL.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)), as amended by section 6402(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in paragraph (1), in the matter before subparagraph (A), by striking ''Director of National Intelligence'' and inserting ''President'';

(2) in paragraph (2), by striking ''Director of National Intelligence'' both places it appears and inserting ''President''; and

(3) by adding at the end the following:

''(3) DELEGATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the President may delegate responsibility for carrying out this subsection.

''(B) LIMITATION.—The President may not delegate responsibility for carrying out this subsection to the Director of National Intelligence.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2020.

SEC. 310. IMPROVEMENTS TO PROVISIONS RELATING TO INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

Section 6312 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking subsections (e) through (i) and inserting the following:

''(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a long-term roadmap for the intelligence community information technology environment.

''(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a business plan to implement the long-term roadmap required by subsection (e).''.

SEC. 311. REQUIREMENTS AND AUTHORITIES FOR DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY TO IMPROVE EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by adding the following:

''SEC. 24. IMPROVEMENT OF EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' includes a department or agency of the Federal Government, a State, a political subdivision of a State, an individual, and a not-for-profit or other organization in the private sector.

''(2) EDUCATIONAL INSTITUTION.—The term 'educational institution' includes any public or private elementary school or secondary school, institution of higher education, college, university, or any other profit or nonprofit institution that is dedicated to improving science, technology, engineering, the arts, mathematics, business, law, medicine, or other fields that promote development and education relating to science, technology, engineering, the arts, or mathematics.

''(3) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

''(b) REQUIREMENTS.—The Director shall, on a continuing basis—

''(1) identify actions that the Director may take to improve education in the scientific, technology, engineering, arts, and mathematics (known as 'STEAM') skills necessary to meet the long-term national security needs of the United States for personnel proficient in such skills; and

''(2) establish and conduct programs to carry out such actions.

''(c) AUTHORITIES.—

''(1) IN GENERAL.—The Director, in support of educational programs in science, technology, engineering, the arts, and mathematics, may—

''(A) award grants to eligible entities;

''(B) provide cash awards and other items to eligible entities;

''(C) accept voluntary services from eligible entities;

''(D) support national competition judging, other educational event activities, and associated award ceremonies in connection with such educational programs; and

''(E) enter into one or more education partnership agreements with educational institutions in the United States for the purpose of encouraging and enhancing study in science, technology, engineering, the arts, and mathematics disciplines at all levels of education.

''(2) EDUCATION PARTNERSHIP AGREEMENTS.—

''(A) NATURE OF ASSISTANCE PROVIDED.—Under an education partnership agreement entered into with an educational institution under paragraph (1)(E), the Director may provide assistance to the educational institution by—

''(i) loaning equipment to the educational institution for any purpose and duration in support of such agreement that the Director considers appropriate;

''(ii) making personnel available to teach science courses or to assist in the development of science courses and materials for the educational institution;

''(iii) providing sabbatical opportunities for faculty and internship opportunities for students;

''(iv) involving faculty and students of the educational institution in Agency projects, including research and technology transfer or transition projects;

''(v) cooperating with the educational institution in developing a program under which students may be given academic credit for work on Agency projects, including research and technology transfer for transition projects; and

''(vi) providing academic and career advice and assistance to students of the educational institution.

''(B) PRIORITIES.—In entering into education partnership agreements under paragraph (1)(E), the Director shall prioritize entering into education partnership agreements with the following:

''(i) Historically Black colleges and universities and other minority-serving institutions, as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(ii) Educational institutions serving women, members of minority groups, and other groups of individuals who traditionally are involved in the science, technology, engineering, arts, and mathematics professions in disproportionately low numbers.

''(d) DESIGNATION OF ADVISOR.—The Director shall designate one or more individuals within the Agency to advise and assist the Director regarding matters relating to science, technology, engineering, the arts, and mathematics education and training.''.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

SEC. 321. ASSESSMENT BY THE COMPTROLLER GENERAL OF THE UNITED STATES ON EFFORTS OF THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT OF DEFENSE TO IDENTIFY AND MITIGATE RISKS POSED TO THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT BY THE USE OF DIRECT-TO-CONSUMER GENETIC TESTING BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess the efforts of the intelligence community and the Department of Defense to identify and mitigate the risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

(b) REPORT REQUIRED.—

(1) DEFINITION OF UNITED STATES DIRECT-TO-CONSUMER GENETIC TESTING COMPANY.—In this subsection, the term ''United States direct-to-consumer genetic testing company'' means a private entity that—

(A) carries out direct-to-consumer genetic testing; and

(B) is organized under the laws of the United States or any jurisdiction within the United States.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress, including the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, a report on the assessment required by subsection (a).

(3) ELEMENTS.—The report required by paragraph (2) shall include the following:

(A) A description of key national security risks and vulnerabilities associated with direct-to-consumer genetic testing, including—

(i) how the Government of the People's Republic of China may be using data provided by personnel of the intelligence community and the Department through direct-to-consumer genetic tests; and

(ii) how ubiquitous technical surveillance may amplify those risks.

(B) An assessment of the extent to which the intelligence community and the Department have identified risks and vulnerabilities posed by direct-to-consumer genetic testing and have sought to mitigate such risks and vulnerabilities, or have plans for such mitigation, including the extent to which the intelligence community has determined—

(i) in which United States direct-to-consumer genetic testing companies the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China have an ownership interest; and

(ii) which United States direct-to-consumer genetic testing companies may have sold data to the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China.

(C) Such recommendations as the Comptroller General may have for action by the intelligence community and the Department to improve the identification and mitigation of risks and vulnerabilities posed by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

(4) FORM.—The report required by paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

(c) COOPERATION.—The heads of relevant elements of the intelligence community and components of the Department shall—

(1) fully cooperate with the Comptroller General in conducting the assessment required by subsection (a); and

(2) provide any information and data required by the Comptroller General to conduct the assessment.

SEC. 322. REPORT ON USE BY INTELLIGENCE COMMUNITY OF HIRING FLEXIBILITIES AND EXPEDITED HUMAN RESOURCES PRACTICES TO ASSURE QUALITY AND DIVERSITY IN THE WORKFORCE OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on how elements of the intelligence community are exercising hiring flexibilities and expedited human resources practices afforded under section 3326 of title 5, United States Code, and subpart D of part 315 of title 5, Code of Federal Regulations, or successor regulation, to assure quality and diversity in the workforce of the intelligence community.

(b) OBSTACLES.—The report submitted under subsection (a) shall include identification of any obstacles encountered by the intelligence community in exercising the authorities described in such subsection.

SEC. 323. REPORT ON SIGNALS INTELLIGENCE PRIORITIES AND REQUIREMENTS.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on signals intelligence priorities and requirements subject to Presidential Policy Directive 28.

(b) ELEMENTS.—The report required by subsection (a) shall cover the following:

(1) The implementation of the annual process for advising the Director on signals intelligence priorities and requirements described in section 3 of Presidential Policy Directive 28.

(2) The signals intelligence priorities and requirements as of the most recent annual process.

(3) The application of such priorities and requirements to the signals intelligence collection efforts of the intelligence community.

(4) The contents of the classified annex referenced in section 3 of Presidential Policy Directive 28.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 324. ASSESSMENT OF DEMAND FOR STUDENT LOAN REPAYMENT PROGRAM BENEFIT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall—

(1) calculate the number of personnel of that element who qualify for a student loan repayment program benefit;

(2) compare the number calculated under paragraph (1) to the number of personnel who apply for such a benefit;

(3) provide recommendations for how to structure such a program to optimize participation and enhance the effectiveness of the benefit as a retention tool, including with respect to the amount of the benefit offered and the length of time an employee receiving a benefit is required to serve under a continuing service agreement; and

(4) identify any shortfall in funds or authorities needed to provide such a benefit.

(b) INCLUSION IN FISCAL YEAR 2022 BUDGET SUBMISSION.—The Director of National Intelligence shall include in the budget justification materials submitted to Congress in support of the budget for the intelligence community for fiscal year 2022 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the findings of the elements of the intelligence community under subsection (a).

SEC. 325. ASSESSMENT OF INTELLIGENCE COMMUNITY DEMAND FOR CHILD CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community specified in subsection (b), shall submit to the congressional intelligence committees a report that includes—

(1) a calculation of the total annual demand for child care by employees of such elements, at or near the workplaces of such employees, including a calculation of the demand for early morning and evening child care;

(2) an identification of any shortfall between the demand calculated under paragraph (1) and the child care supported by such elements as of the date of the report;

(3) an assessment of options for addressing any such shortfall, including options for providing child care at or near the workplaces of employees of such elements;

(4) an identification of the advantages, disadvantages, security requirements, and costs associated with each such option;

(5) a plan to meet, by the date that is 5 years after the date of the report—

(A) the demand calculated under paragraph (1); or

(B) an alternative standard established by the Director for child care available to employees of such elements; and

(6) an assessment of needs of specific elements of the intelligence community, including any Government-provided child care that could be collocated with a workplace of employees of such an element and any available child care providers in the proximity of such a workplace.

(b) ELEMENTS SPECIFIED.—The elements of the intelligence community specified in this subsection are the following:

(1) The Central Intelligence Agency.

(2) The National Security Agency.

(3) The Defense Intelligence Agency.

(4) The National Geospatial-Intelligence Agency.

(5) The National Reconnaissance Office.

(6) The Office of the Director of National Intelligence.

SEC. 326. OPEN SOURCE INTELLIGENCE STRATEGIES AND PLANS FOR THE INTELLIGENCE COMMUNITY.

(a) REQUIREMENT FOR SURVEY AND EVALUATION OF CUSTOMER FEEDBACK.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the head of each element of the intelligence community, shall—

(1) conduct a survey of the open source intelligence requirements, goals, monetary and property investments, and capabilities for each element of the intelligence community; and

(2) evaluate the usability and utility of the Open Source Enterprise by soliciting customer feedback and evaluating such feedback.

(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK ANALYSIS OF CREATING OPEN SOURCE CENTER.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community and using the findings of the Director with respect to the survey conducted under subsection (a), shall—

(1) develop a strategy for open source intelligence collection, analysis, and production that defines the overarching goals, roles, responsibilities, and processes for such collection, analysis, and production for the intelligence community;

(2) develop a plan for improving usability and utility of the Open Source Enterprise based on the customer feedback solicited under subsection (a)(2); and

(3) conduct a risk and benefit analysis of creating an open source center independent of any current intelligence community element.

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA REPOSITORY.—Not later than 270 days after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under such subsection, the Director shall develop a plan for a centralized data repository of open source intelligence that enables all elements of the intelligence community—

(1) to use such repository for their specific requirements; and

(2) to derive open source intelligence advantages.

(d) REQUIREMENT FOR COST-SHARING MODEL.—Not later than 1 year after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), the risk and benefit analysis conducted under such subsection, and the plan developed under subsection (c), the Director shall develop a cost-sharing model that leverages the open source intelligence investments of each element of the intelligence community for the beneficial use of the entire intelligence community.

(e) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall jointly brief the congressional intelligence committees on—

(1) the strategy developed under paragraph (1) of subsection (b);

(2) the plan developed under paragraph (2) of such subsection;

(3) the plan developed under subsection (c); and

(4) the cost-sharing model developed under subsection (d).

TITLE IV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

SEC. 401. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES, AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

''(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (a) and promulgated and set forth under subpart A of title 32, Code of Federal Regulations, or successor regulations, shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.''.

(b) TRANSPARENCY.—Such section is further amended by adding at the end the following:

''(d) PUBLICATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

''(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

''(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a)—

''(i) are published in the Federal Register; and

''(ii) comply with the requirements of subsection (a).

''(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective.''.

(c) CONSISTENCY.—

(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

''SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(b) IN GENERAL.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the head of the agency—

''(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

''(2) does not discriminate for or against an individual on the basis of race, ethnicity, color, religion, sex, national origin, age, or handicap;

''(3) is not carrying out—

''(A) retaliation for political activities or beliefs; or

''(B) a coercion or reprisal described in section 2302(b)(3) of title 5, United States Code; and

''(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following:

''Sec. 801A. Decisions relating to access to classified information.''.

(d) RIGHT TO APPEAL.—

(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

''SEC. 801B. RIGHT TO APPEAL.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) COVERED PERSON.—The term 'covered person' means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned

to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

''(A) A member of the Armed Forces.

''(B) A civilian.

''(C) An expert or consultant with a contractual or personnel obligation to an agency.

''(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(4) NEED FOR ACCESS.—The term 'need for access' has such meaning as the President may define in the procedures established pursuant to section 801(a).

''(5) RECIPROCITY OF CLEARANCE.—The term 'reciprocity of clearance', with respect to a denial by an agency, means that the agency, with respect to a covered person—

''(A) failed to accept a security clearance background investigation as required by paragraph (1) of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(d));

''(B) failed to accept a transferred security clearance background investigation required by paragraph (2) of such section;

''(C) subjected the covered person to an additional investigative or adjudicative requirement in violation of paragraph (3) of such section; or

''(D) conducted an investigation in violation of paragraph (4) of such section.

''(6) SECURITY EXECUTIVE AGENT.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

''(b) AGENCY REVIEW.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency or for whom reciprocity of clearance was denied by the agency can appeal that denial or revocation within the agency.

''(2) ELEMENTS.—The process required by paragraph (1) shall include the following:

''(A) In the case of a covered person to whom eligibility for access to classified information or reciprocity of clearance is denied or revoked by an agency, the following:

''(i) The head of the agency shall provide the covered person with a written—

''(I) detailed explanation of the basis for the denial or revocation as the head of the agency determines is consistent with the interests of national security and as permitted by other applicable provisions of law; and

''(II) notice of the right of the covered person to a hearing and appeal under this subsection.

''(ii) Not later than 30 days after receiving a request from the covered person for copies of the documents that formed the basis of the agency's decision to revoke or deny, including the investigative file, the head of the agency shall provide to the covered person copies of such documents as—

''(I) the head of the agency determines is consistent with the interests of national security; and

''(II) permitted by other applicable provisions of law, including—

''(aa) section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(bb) section 552a of such title (commonly known as the 'Privacy Act of 1974'); and

''(cc) such other provisions of law relating to the protection of confidential sources and privacy of individuals.

''(iii)(I) The covered person shall have the opportunity to retain counsel or other representation at the covered person's expense.

''(II) Upon the request of the covered person, and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

''(iv)(I) The head of the agency shall provide the covered person an opportunity, at a point in the process determined by the agency head—

''(aa) to appear personally before an adjudicative or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

''(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses is not consistent with the interests of national security.

''(II) The head of the agency shall make, as part of the security record of the covered person, a written summary, transcript, or recording of any appearance under item (aa) of subclause (I) or of any calling or cross-examining of witnesses under item (bb) of such subclause.

''(v) On or before the date that is 30 days after the date on which the covered person receives copies of documents under clause (ii), the covered person may request a hearing of the decision to deny or revoke by filing a written appeal with the head of the agency.

''(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

''(3) AGENCY REVIEW PANELS.—

''(A) IN GENERAL.—Each head of an agency shall establish a panel to hear and review appeals under this subsection.

''(B) MEMBERSHIP.—

''(i) COMPOSITION.—Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.

''(ii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

''(C) DECISIONS.—

''(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

''(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head personally exercises the authority granted by this clause to overturn such decision.

''(iv) FINALITY.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final.

''(D) ACCESS TO CLASSIFIED INFORMATION.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the agency head determines—

''(i) necessary for the panel to hear and review an appeal under this subsection; and

''(ii) consistent with the interests of national security.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head's agency under this subsection has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—Each head of an agency shall publish each final decision on an appeal under this subsection.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(c) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeals process under this section.

''(2) WAIVER OF RIGHTS.—

''(A) PERSONS.—Any covered person may voluntarily waive the covered person's right to appeal under this section and such waiver shall be conclusive.

''(B) AGENCIES.—The head of an agency may not require a covered person to waive the covered person's right to appeal under this section for any reason.

''(d) WAIVER OF AVAILABILITY OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

''(1) IN GENERAL.—If the head of an agency determines that a procedure established under subsection (b) cannot be made available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

''(2) FINALITY.—A determination under paragraph (1) shall be final and conclusive

and may not be reviewed by any other official or by any court.

''(3) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under subsection (b) cannot be made available to a covered person, the agency head shall, not later than 30 days after the date on which the agency head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(e) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.—

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance in the interest of national security.

''(2) DENIALS AND REVOCATION.—The power and responsibility to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance pursuant to any other provision of law or Executive order may be exercised only when the head of an agency determines that an applicable process established under this section cannot be invoked in a manner that is consistent with national security.

''(3) FINALITY.—A determination under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(4) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that a determination relating to a denial or revocation of eligibility for access to classified information or denial of reciprocity of clearance could not be made pursuant to a process established under this section, the agency head shall, not later than 30 days after the date on which the agency head makes such a determination under paragraph (2), submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(f) RELATIONSHIP TO SUITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purpose of denying a covered person the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information or a denial of reciprocity of clearance.

''(g) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DEFENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in this section shall be construed to diminish or otherwise affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

''(h) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed to apply to paragraphs (6) and (7) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

''Sec. 801B. Right to appeal.''.

SEC. 402. ESTABLISHING PROCESS PARITY FOR SECURITY CLEARANCE REVOCATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) BURDENS OF PROOF.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 403. FEDERAL POLICY ON SHARING OF DEROGATORY INFORMATION PERTAINING TO CONTRACTOR EMPLOYEES IN THE TRUSTED WORKFORCE.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the principal members of the Performance Accountability Council and the Attorney General, shall issue a policy for the Federal Government on sharing of derogatory information pertaining to contractor employees engaged by the Federal Government.

(b) CONSENT REQUIREMENT.—

(1) IN GENERAL.—The policy issued under subsection (a) shall require, as a condition of accepting a security clearance with the Federal Government, that a contractor employee provide prior written consent for the Federal Government to share covered derogatory information with the chief security officer of the contractor employer that employs the contractor employee.

(2) COVERED DEROGATORY INFORMATION.—For purposes of this section, covered derogatory information—

(A) is information that—

(i) contravenes National Security Adjudicative Guidelines as specified in Security Executive Agent Directive 4 (10 C.F.R. 710 app. A), or any successor Federal policy;

(ii) a Federal Government agency certifies is accurate and reliable;

(iii) is relevant to a contractor's ability to protect against insider threats as required by section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(iv) may have a bearing on the contractor employee's suitability for a position of public trust or to receive credentials to access certain facilities of the Federal Government; and

(B) shall include any negative information considered in the adjudicative process, including information provided by the contractor employee on forms submitted for the processing of the contractor employee's security clearance.

(c) ELEMENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of a contractor employee engaged with the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guideline it falls under, with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer exclusively for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual;

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information;

(4) establish standards for timeliness for sharing the derogatory information;

(5) specify the methods by which covered derogatory information will be shared with the contractor employer of the contractor employee;

(6) allow the contractor employee, within a specified timeframe, the right—

(A) to contest the accuracy and reliability of covered derogatory information;

(B) to address or remedy any concerns raised by the covered derogatory information; and

(C) to provide documentation pertinent to subparagraph (A) or (B) for an agency to place in relevant security clearance databases;

(7) establish a procedure by which the contractor employer of the contractor employee may consult with the Federal Government

prior to taking any remedial action under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information the Federal agency has provided;

(8) stipulate that the chief security officer of the contractor employer is prohibited from sharing or discussing covered derogatory information with other parties, including nonsecurity professionals at the contractor employer; and

(9) require companies in the National Industrial Security Program to comply with the policy.

(d) CONSIDERATION OF LESSONS LEARNED FROM INFORMATION-SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.—In developing the policy issued under subsection (a), the Director shall consider, to the extent available, lessons learned from actions taken to carry out section 6611(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

TITLE V—REPORTS AND OTHER MATTERS

SEC. 501. SECURE AND TRUSTED TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence of the Senate;

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

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

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

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

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

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(2) FIFTH-GENERATION WIRELESS NETWORK.—The term ''fifth-generation wireless network'' means a radio network as described by the 3rd Generation Partnership Project (3GPP) Release 15 or higher.

(b) SUPPORTING THE DEVELOPMENT AND ADOPTION OF SECURE AND TRUSTED TECHNOLOGIES AMONG INTELLIGENCE ALLIES AND PARTNERS.—

(1) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—

(A) ESTABLISHMENT OF FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ''Communications Technology Security and Innovation Fund'' (referred to in this paragraph as the ''Security Fund'').

(ii) ADMINISTRATION.—The Director of the Intelligence Advanced Research Projects Activity shall administer the Security Fund.

(iii) CONTENTS OF FUND.—

(I) IN GENERAL.—The fund shall consist of—

(aa) amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(A); and

(bb) such other amounts as may be appropriated or otherwise made available to the Director of the Intelligence Advanced Research Projects Activity to be deposited in the Security Fund.

(II) AVAILABILITY.—

(aa) IN GENERAL.—Amounts deposited in the Security Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Security Fund after the end of the tenth fiscal year beginning after the date of the enactment of this Act shall be deposited in the general fund of the Treasury.

(iv) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available to the Director of the Intelligence Advanced Research Projects Activity to award grants under subparagraph (B).

(B) GRANTS.—

(i) IN GENERAL.—The Director of the Intelligence Advanced Research Projects Activity shall award grants to support research and the commercial application of such research, including in the following areas:

(I) Promoting the development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in fifth-generation (commonly known as ''5G'') and successor wireless technology supply chains.

(II) Accelerating development and deployment of open interface, standards-based compatible interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O–RAN Alliance, the Telecom Infra Project, 3GPP, the O–RAN Software Community, or any successor organizations.

(III) Promoting compatibility of new fifth-generation wireless network equipment with future open standards-based interoperable equipment.

(IV) Managing integration of multivendor network environments.

(V) Objective criteria to define equipment as compliant with open standards for multivendor network equipment interoperability.

(VI) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multivendor networks.

(VII) Promoting the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor market.

(ii) AMOUNT.—

(I) IN GENERAL.—Subject to subclause (II), a grant awarded under clause (i) shall be in such amount as the Director of the Intelligence Advanced Research Projects Activity consider appropriate.

(II) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this paragraph to a recipient for a specific research focus area may not exceed $100,000,000.

(iii) CRITERIA.—The Director of the Intelligence Advanced Research Projects Activity, in consultation with the Secretary of Defense, the Assistant Secretary of Commerce for Communications and Information, the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall establish criteria for grants awarded under clause (i).

(iv) TIMING.—Not later than 1 year after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall begin awarding grants under clause (i).

(C) FEDERAL ADVISORY BODY.—

(i) ESTABLISHMENT.—The Director of the Intelligence Advanced Research Projects Activity shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the Director of the Intelligence Advanced Research Projects Activity on the administration of the Security Fund.

(ii) COMPOSITION.—The advisory committee established under clause (i) shall be composed of—

(I) representatives from—

(aa) the Federal Communications Commission;

(bb) the National Institute of Standards and Technology;

(cc) the Department of Defense;

(dd) the Department of State;

(ee) the National Science Foundation; and

(ff) the Department of Homeland Security; and

(II) other representatives from the private and public sectors, at the discretion of the Security Fund.

(iii) DUTIES.—The advisory committee established under clause (i) shall advise the Director of the Intelligence Advanced Research Projects Activity on technology developments to help inform—

(I) the strategic direction of the Security Fund; and

(II) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.

(D) REPORTS TO CONGRESS.—

(i) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall submit to the appropriate committees of Congress a report with—

(I) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and

(II) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of designated funds.

(ii) ANNUAL REPORT.—For each fiscal year for which amounts in the Security Fund are available under this paragraph, the Director of the Intelligence Advanced Research Projects Activity shall submit to Congress a report that—

(I) describes how, and to whom, grants have been awarded under subparagraph (B);

(II) details the progress of the Director of the Intelligence Advanced Research Projects Activity in meeting the objectives described in subparagraph (B)(i); and

(III) includes such other information as the Director of the Intelligence Advanced Research Projects Activity determine appropriate.

(2) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(A) ESTABLISHMENT OF FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ''Multilateral Telecommunications Security Fund'' (in this section referred to as the ''Multilateral Fund'').

(ii) ADMINISTRATION.—The Director of National Intelligence and the Secretary of Defense shall jointly administer the Multilateral Fund.

(iii) USE OF AMOUNTS.—Amounts in the Multilateral Fund shall be used to establish the common funding mechanism required by subparagraph (B).

(iv) CONTENTS OF FUND.—

(I) IN GENERAL.—The Multilateral Fund shall consist of amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(B) and such other amounts as may be appropriated or otherwise made available to the Director and the Secretary to be deposited in the Multilateral Fund.

(II) AVAILABILITY.—

(aa) IN GENERAL.—Amounts deposited in the Multilateral Fund shall remain available through fiscal year 2031.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after fiscal year 2031 shall be deposited in the General Fund of the Treasury.

(B) MULTILATERAL COMMON FUNDING MECHANISM.—

(i) IN GENERAL.—The Director and the Secretary shall jointly, in coordination with foreign partners, establish a common funding mechanism that uses amounts from the Multilateral Fund to support the development and adoption of secure and trusted telecommunications technologies in key markets globally.

(ii) CONSULTATION REQUIRED.—The Director and the Secretary shall carry out clause (i) in consultation with the following:

(I) The Federal Communications Commission.

(II) The Secretary of State.

(III) The Assistant Secretary of Commerce for Communications and Information.

(IV) The Director of the Intelligence Advanced Research Projects Activity.

(V) The Under Secretary of Commerce for Standards and Technology.

(C) ANNUAL REPORT TO CONGRESS.—

(i) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and not less frequently than once each fiscal year thereafter until fiscal year 2031, the Director and the Secretary shall jointly submit to the appropriate committees of Congress an annual report on the Multilateral Fund and the use of amounts under subparagraph (B).

(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the fiscal year covered by the report, the following:

(I) Any funding commitments from foreign partners, including each specific amount committed.

(II) Governing criteria for use of the amounts in the Multilateral Fund.

(III) An account of—

(aa) how, and to whom, funds have been deployed;

(bb) amounts remaining in the Multilateral Fund; and

(cc) the progress of the Director and the Secretary in meeting the objective described in subparagraph (B)(i).

(IV) Such recommendations for legislative or administrative action as the Director and the Secretary may have to enhance the effectiveness of the Multilateral Fund in achieving the security goals of the United States.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—There is authorized to be appropriated to carry out paragraph (1) $750,000,000 for the period of fiscal years 2021 through 2031.

(B) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—There is authorized to be appropriated to carry out paragraph (2) $750,000,000 for the period of fiscal years 2021 through 2031.

(c) EXPOSING POLITICAL PRESSURE IN INTERNATIONAL STANDARDS-SETTING BODIES THAT SET STANDARDS FOR FIFTH-GENERATION WIRELESS NETWORKS.—

(1) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on political pressure within international forums that set standards for fifth-generation wireless networks and for future generations of wireless networks, including—

(i) the International Telecommunication Union (ITU);

(ii) the International Organization for Standardization (ISO);

(iii) the Inter-American Telecommunication Commission (CITEL); and

(iv) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3rd Generation Partnership Project (3GPP) and the Institute of Electrical and Electronics Engineers (IEEE).

(B) FORM.—The report submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) CONSULTATION REQUIRED.—The Director and the Secretary shall carry out paragraph (1) in consultation with the following:

(A) The Federal Communications Commission.

(B) The Secretary of State.

(C) The Assistant Secretary of Commerce for Communications and Information.

(D) The Secretary of Defense.

(E) The Director of National Intelligence.

(F) The Under Secretary of Commerce for Standards and Technology.

SEC. 502. REPORT ON ATTEMPTS BY FOREIGN ADVERSARIES TO BUILD TELECOMMUNICATIONS AND CYBERSECURITY EQUIPMENT AND SERVICES FOR, OR TO PROVIDE SUCH EQUIPMENT AND SERVICES TO, CERTAIN ALLIES OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FIVE EYES COUNTRY.—The term ''Five Eyes country'' means any of the following:

(A) Australia.

(B) Canada.

(C) New Zealand.

(D) The United Kingdom.

(E) The United States.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency, the Director of the National Security Agency, and the Director of the Defense Intelligence Agency shall jointly submit to the appropriate committees of Congress a report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, Five Eyes countries.

(c) ELEMENTS.—The report submitted under subsection (b) shall include the following:

(1) An assessment of United States intelligence sharing and intelligence and military force posture in any Five Eyes country that currently uses or intends to use telecommunications or cybersecurity equipment or services provided by a foreign adversary of the United States, including China and Russia.

(2) A description and assessment of mitigation of any potential compromises or risks for any circumstance described in paragraph (1).

(d) FORM.—The report required by subsection (b) shall include an unclassified executive summary, and may include a classified annex.

SEC. 503. REPORT ON THREATS POSED BY USE BY FOREIGN GOVERNMENTS AND ENTITIES OF COMMERCIALLY AVAILABLE CYBER INTRUSION AND SURVEILLANCE TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats posed by the use by foreign governments and entities of commercially available cyber intrusion and other surveillance technology.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) Matters relating to threats described in subsection (a) as they pertain to the following:

(A) The threat posed to United States persons and persons inside the United States.

(B) The threat posed to United States personnel overseas.

(C) The threat posed to employees of the Federal Government, including through both official and personal accounts and devices.

(2) A description of which foreign governments and entities pose the greatest threats from the use of technology described in subsection (a) and the nature of those threats.

(3) An assessment of the source of the commercially available cyber intrusion and other surveillance technology that poses the threats described in subsection (a), including whether such technology is made by United States companies or companies in the United States or by foreign companies.

(4) An assessment of actions taken, as of the date of the enactment of this Act, by the Federal Government and foreign governments to limit the export of technology described in subsection (a) from the United States or foreign countries to foreign governments and entities in ways that pose the threats described in such subsection.

(5) Matters relating to how the Federal Government, Congress, and foreign governments can most effectively mitigate the threats described in subsection (a), including matters relating to the following:

(A) Working with the technology and telecommunications industry to identify and improve the security of consumer software and hardware used by United States persons and persons inside the United States that is targeted by commercial cyber intrusion and surveillance software.

(B) Export controls.

(C) Diplomatic pressure.

(D) Trade agreements.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 504. REPORTS ON RECOMMENDATIONS OF THE CYBERSPACE SOLARIUM COMMISSION.

(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Homeland Security, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representatives.

(b) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each head of an agency described in subsection (c) shall submit to the appropriate committees of Congress a report on the recommendations included in the report issued by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(c) AGENCIES DESCRIBED.—The agencies described in this subsection are the following:

(1) The Office of the Director of National Intelligence.

(2) The Department of Homeland Security.

(3) The Department of Energy.

(4) The Department of Commerce.

(5) The Department of Defense.

(d) CONTENTS.—Each report submitted under subsection (b) by the head of an agency described in subsection (c) shall include the following:

(1) An evaluation of the recommendations in the report described in subsection (b) that the agency identifies as pertaining directly to the agency.

(2) A description of the actions taken, or the actions that the head of the agency may consider taking, to implement any of the recommendations (including a comprehensive estimate of requirements for appropriations to take such actions).

SEC. 505. ASSESSMENT OF CRITICAL TECHNOLOGY TRENDS RELATING TO ARTIFICIAL INTELLIGENCE, MICROCHIPS, AND SEMICONDUCTORS AND RELATED SUPPLY CHAINS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a detailed assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.

(b) ELEMENTS.—The assessment required by subsection (a) shall include the following:

(1) EXPORT CONTROLS.—

(A) IN GENERAL.—An assessment of efforts by partner countries to enact and implement export controls and other technology transfer measures with respect to artificial intelligence, microchips, advanced manufacturing equipment, and other artificial intelligence enabled technologies critical to United States supply chains.

(B) IDENTIFICATION OF OPPORTUNITIES FOR COOPERATION.—The assessment under subparagraph (A) shall identify opportunities for further cooperation with international partners on a multilateral and bilateral basis to strengthen export control regimes and address technology transfer threats.

(2) SEMICONDUCTOR SUPPLY CHAINS.—

(A) IN GENERAL.—An assessment of global semiconductor supply chains, including areas to reduce United States vulnerabilities and maximize points of leverage.

(B) ANALYSIS OF POTENTIAL EFFECTS.—The assessment under subparagraph (A) shall include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.

(C) IDENTIFICATION OF OPPORTUNITIES FOR DIVERSIFICATION.—The assessment under subparagraph (A) shall also identify opportunities for diversification of United States supply chains, including an assessment of cost, challenges, and opportunities to diversify manufacturing capabilities on a multinational basis.

(3) COMPUTING POWER.—An assessment of trends relating to computing power and the effect of such trends on global artificial intelligence development and implementation, in consultation with the Director of the Intelligence Advanced Research Projects Activity, the Director of the Defense Advanced Research Projects Agency, and the Director of the National Institute of Standards and Technology, including forward-looking assessments of how computing resources may affect United States national security, innovation, and implementation relating to artificial intelligence.

(c) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the assessment completed under subsection (a).

(3) FORM.—The report submitted under paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

SEC. 506. COMBATING CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES AND STRENGTHENING CIVIL LIBERTIES PROTECTIONS.

(a) UPDATES TO ANNUAL REPORTS ON INFLUENCE OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY THE CHINESE COMMUNIST PARTY.—Section 1107(b) of the National Security Act of 1947 (50 U.S.C. 3237(b)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

''(8) An identification of influence activities and operations employed by the Chinese Communist Party against the United States science and technology sectors, specifically employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States.''.

(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION TO INCREASE PUBLIC AWARENESS AND DETECTION OF INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a plan—

(A) to increase public awareness of influence activities by the Government of the People's Republic of China; and

(B) to publicize mechanisms that members of the public can use—

(i) to detect such activities; and

(ii) to report such activities to the Bureau.

(2) CONSULTATION.—In carrying out paragraph (1), the Director shall consult with the following:

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

(B) Such other stakeholders outside the intelligence community, including professional associations, institutions of higher education, businesses, and civil rights and multicultural organizations, as the Director determines relevant.

(c) RECOMMENDATIONS OF THE FEDERAL BUREAU OF INVESTIGATION TO STRENGTHEN RELATIONSHIPS AND BUILD TRUST WITH COMMUNITIES OF INTEREST.—

(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in consultation with the Assistant Attorney General for the Civil Rights Division and the Chief Privacy and Civil Liberties Officer of the Department of Justice, shall develop recommendations to strengthen relationships with communities targeted by influence activities of the Government of the People's Republic of China and build trust with such communities through local and regional grassroots outreach.

(2) SUBMITTAL TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to Congress the recommendations developed under paragraph (1).

(d) TECHNICAL CORRECTIONS.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) in section 1107 (50 U.S.C. 3237)—

(A) in the section heading, by striking ''**COMMUNIST PARTY OF CHINA**'' and inserting ''**CHINESE COMMUNIST PARTY**''; and

(B) by striking ''Communist Party of China'' both places it appears and inserting ''Chinese Communist Party''; and

(2) in the table of contents before section 2 (50 U.S.C. 3002), by striking the item relating to section 1107 and inserting the following new item:

''Sec. 1107. Annual reports on influence operations and campaigns in the United States by the Chinese Communist Party.''.

SEC. 507. ANNUAL REPORT ON CORRUPT ACTIVITIES OF SENIOR OFFICIALS OF THE CHINESE COMMUNIST PARTY.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter through 2025, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on the corruption and corrupt activities of senior officials of the Chinese Communist Party.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report under paragraph (1) shall include the following:

(i) A description of the wealth of, and corruption and corrupt activities among, senior officials of the Chinese Communist Party.

(ii) A description of any recent actions of the officials described in clause (i) that could be considered a violation, or potential violation, of United States law.

(iii) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) for the corruption and corrupt activities described in that clause and for the actions described in clause (ii).

(B) SCOPE OF REPORTS.—The first report under paragraph (1) shall include comprehensive information on the matters described in subparagraph (A). Any succeeding report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(3) COORDINATION.—In preparing each report, update, or supplement under this subsection, the Director of the Central Intelligence Agency shall coordinate as follows:

(A) In preparing the description required by clause (i) of paragraph (2)(A), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(B) In preparing the descriptions required by clauses (ii) and (iii) of such paragraph, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(4) FORM.—Each report under paragraph (1) shall include an unclassified executive summary, and may include a classified annex.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake every effort and pursue every opportunity to expose the corruption and illicit

practices of senior officials of the Chinese Communist Party, including President Xi Jinping.

SEC. 508. REPORT ON CORRUPT ACTIVITIES OF RUSSIAN AND OTHER EASTERN EUROPEAN OLIGARCHS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress and the Undersecretary of State for Public Diplomacy and Public Affairs a report on the corruption and corrupt activities of Russian and other Eastern European oligarchs.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report under subsection (b) shall include the following:

(A) A description of corruption and corrupt activities among Russian and other Eastern European oligarchs who support the Government of the Russian Federation, including estimates of the total assets of such oligarchs.

(B) An assessment of the impact of the corruption and corrupt activities described pursuant to subparagraph (A) on the economy and citizens of Russia.

(C) A description of any connections to, or support of, organized crime, drug smuggling, or human trafficking by an oligarch covered by subparagraph (A).

(D) A description of any information that reveals corruption and corrupt activities in Russia among oligarchs covered by subparagraph (A).

(E) A description and assessment of potential sanctions actions that could be imposed upon oligarchs covered by subparagraph (A) who support the leadership of the Government of Russia, including President Vladimir Putin.

(2) SCOPE OF REPORTS.—The first report under subsection (a) shall include comprehensive information on the matters described in paragraph (1). Any succeeding report under subsection (a) may consist of an update or supplement to the preceding report under that subsection.

(d) COORDINATION.—In preparing each report, update, or supplement under this section, the Director of the Central Intelligence Agency shall coordinate as follows:

(1) In preparing the assessment and descriptions required by subparagraphs (A) through (D) of subsection (c)(1), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(2) In preparing the description and assessment required by subparagraph (E) of such subsection, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(e) FORM.—

(1) IN GENERAL.—Subject to paragraph (2), each report under subsection (b) shall include an unclassified executive summary, and may include a classified annex.

(2) UNCLASSIFIED FORM OF CERTAIN INFORMATION.—The information described in subsection (c)(1)(D) in each report under subsection (b) shall be submitted in unclassified form.

SEC. 509. REPORT ON BIOSECURITY RISK AND DISINFORMATION BY THE CHINESE COMMUNIST PARTY AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

(2) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e)).

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report identifying whether and how officials of the Chinese Communist Party and the Government of the People's Republic of China may have sought—

(1) to suppress information about—

(A) the outbreak of the novel coronavirus in Wuhan;

(B) the spread of the virus through China; and

(C) the transmission of the virus to other countries;

(2) to spread disinformation relating to the pandemic; or

(3) to exploit the pandemic to advance their national security interests.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments of reported actions and the effect of those actions on efforts to contain the novel coronavirus pandemic, including each of the following:

(1) The origins of the novel coronavirus outbreak, the time and location of initial infections, and the mode and speed of early viral spread.

(2) Actions taken by the Government of China to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(3) The effect of disinformation or the failure of the Government of China to fully disclose details of the outbreak on response efforts of local governments in China and other countries.

(4) Diplomatic, political, economic, intelligence, or other pressure on other countries and international organizations to conceal information about the spread of the novel coronavirus and the response of the Government of China to the contagion, as well as to influence or coerce early responses to the pandemic by other countries.

(5) Efforts by officials of the Government of China to deny access to health experts and international health organizations to afflicted individuals in Wuhan, pertinent areas of the city, or laboratories of interest in China, including the Wuhan Institute of Virology.

(6) Efforts by the Government of China, or those acting at its direction or with its assistance, to conduct cyber operations against international, national, or private health organizations conducting research relating to the novel coronavirus or operating in response to the pandemic.

(7) Efforts to control, restrict, or manipulate relevant segments of global supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(8) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(9) Efforts to exploit the disruption of the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in order to advance the economic and political objectives of the Government of China following the pandemic.

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 510. REPORT ON EFFECT OF LIFTING OF UNITED NATIONS ARMS EMBARGO ON ISLAMIC REPUBLIC OF IRAN.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency, in consultation with such heads of other elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on—

(1) the plans of the Government of the Islamic Republic of Iran to acquire military arms if the ban on arms transfers to or from such government under United Nations Security Council resolutions are lifted; and

(2) the effect such arms acquisitions may have on regional security and stability.

(c) CONTENTS.—The report submitted under subsection (b) shall include assessments relating to plans of the Government of the Islamic Republic of Iran to acquire additional weapons, the intention of other countries to provide such weapons, and the effect such acquisition and provision would have on regional stability, including with respect to each of the following:

(1) The type and quantity of weapon systems under consideration for acquisition.

(2) The countries of origin of such systems.

(3) Likely reactions of other countries in the region to such acquisition, including the potential for proliferation by other countries in response.

(4) The threat that such acquisition could present to international commerce and energy supplies in the region, and the potential implications for the national security of the United States.

(5) The threat that such acquisition could present to the Armed Forces of the United States, of countries allied with the United States, and of countries partnered with the United States stationed in or deployed in the region.

(6) The potential that such acquisition could be used to deliver chemical, biological, or nuclear weapons.

(7) The potential for the Government of the Islamic Republic of Iran to proliferate weapons acquired in the absence of an arms embargo to regional groups, including Shi'a militia groups backed by such government.

(d) FORM.—The report submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 511. REPORT ON IRANIAN ACTIVITIES RELATING TO NUCLEAR NONPROLIFERATION.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing—

(1) any relevant activities potentially relating to nuclear weapons research and development by the Islamic Republic of Iran; and

(2) any relevant efforts to afford or deny international access in accordance with international nonproliferation agreements.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments, for the period beginning on January 1, 2018, and ending on the date of the submittal of the report, of the following:

(1) Activities to research, develop, or enrich uranium or reprocess plutonium with the intent or capability of creating weapons-grade nuclear material.

(2) Research, development, testing, or design activities that could contribute to or inform construction of a device intended to initiate or capable of initiating a nuclear explosion.

(3) Efforts to receive, transmit, store, destroy, relocate, archive, or otherwise preserve research, processes, products, or enabling materials relevant or relating to any efforts assessed under paragraph (1) or (2).

(4) Efforts to afford or deny international access, in accordance with international nonproliferation agreements, to locations, individuals, and materials relating to activities described in paragraph (1), (2), or (3).

(d) FORM.—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 512. SENSE OF CONGRESS ON THIRD OPTION FOUNDATION.

It is the sense of the Congress that—

(1) the work of the Third Option Foundation to heal, help, and honor members of the special operations community of the Central Intelligence Agency and their families is invaluable; and

(2) the Director of the Central Intelligence Agency should work closely with the Third Option Foundation in implementing section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b), as added by section 6412 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92).

SA 1817. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 549. REPORT ON PERFORMANCE AT THE MILITARY SERVICE ACADEMIES OF CADETS AND MIDSHIPMEN WITH PREVIOUS FAMILIAL AFFILIATION WITH THE MILITARY.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a study, conducted by the Secretary for purposes of the report, of the performance at the military service academies of cadets and midshipmen who have a familial affiliation with the military before their time at the military service academies.

(b) SCOPE OF STUDY.—The study required for purposes of the report under subsection (a) shall cover the incoming classes at the military service academies for the last 10 academic years beginning before the date of the enactment of this Act.

(c) ELEMENTS.—The report shall include a comprehensive description, assessment, and comparison of recruitment, admission, and performance at, and graduation from, the military service academies, and of post-graduate career achievement, within and among each population as follows:

(1) Children of a general and flag officer.

(2) Children of an alumnus of a military service academy.

(3) Children of a veteran.

(4) Children of parents without military service.

SA 1818. Mr. COTTON (for himself and Mr. KAINE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1046 and insert the following:

SEC. 1046. CONDITIONS FOR PERMANENTLY BASING UNITED STATES EQUIPMENT OR ADDITIONAL MILITARY UNITS IN HOST COUNTRIES WITH AT-RISK VENDORS IN 5G OR 6G NETWORKS.

(a) IN GENERAL.—Prior to a decision for basing a major weapon system or an additional military unit comparable to or larger than a battalion, squadron, or naval combatant for permanent basing to a host nation with at-risk 5th generation (5G) or sixth generation (6G) wireless network equipment, software, and services, including the use of telecommunications equipment, software, and services provided by vendors such as Huawei and ZTE, where United States military personnel and their families will be directly connected or subscribers to networks that include such at-risk equipment, software, and services in their official duties or in the conduct of personal affairs, the Secretary of Defense shall provide a certification to Congress that includes—

(1) an acknowledgment by the host nation of the risk posed by the network architecture;

(2) a description of steps being taken by the host nation to mitigate any potential risks to the weapon systems, military units, or personnel, and the Department of Defense's assessment of those efforts;

(3) a description of steps being taken by the United States Government to mitigate any potential risks to the weapon systems, military units, or personnel; and

(4) a description of any defense mutual agreements between the host nation and the United States intended to allay the costs of risk mitigation posed by the at-risk infrastructure.

(b) APPLICABILITY.—The conditions in subsection (a) apply to the permanent long-term stationing of equipment and personnel, and do not apply to short-term deployments or rotational presence to military installations outside the United States in connection with exercises, dynamic force employment, contingency operations, or combat operations.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains an assessment of—

(1) the risk to personnel, equipment, and operations of the Department of Defense in host countries posed by the current or intended use by such countries of 5G or 6G telecommunications architecture provided by at-risk vendors; and

(2) measures required to mitigate the risk described in paragraph (1), including the merit and feasibility of the relocation of certain personnel or equipment of the Department to another location without the presence of 5G or 6G telecommunications architecture provided by at-risk vendors.

(d) FORM.—The report required by subsection (c) shall be submitted in a classified form with an unclassified summary.

Strike section 1273.

SA 1819. Mr. RISCH (for himself, Ms. CORTEZ MASTO, Mr. KENNEDY, Ms. ROSEN, Mrs. CAPITO, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle E of title VIII, insert the following:

SEC. ___. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

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

''(11) UNDERPERFORMING STATE.—The term 'underperforming State' means a State participating in the SBIR or STTR program that has been calculated by the Administrator to be one of 18 States receiving the fewest SBIR and STTR Phase I awards.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) in clause (iii), by striking ''and'' at the end;

(II) in clause (iv), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(v) to prioritize applicants located in an underperforming State.'';

(B) in paragraph (2)—

(i) in subparagraph (B)(vi), by amending subclause (III) to read as follows:

''(III) located in an underperforming State;'';

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

(iii) by adding at the end the following:

''(D) shall give first priority and special consideration to an applicant that is located in an underperforming State.'';

(C) in paragraph (3), by striking ''Not more than one proposal'' and inserting ''There is no limit on the number of proposals that''; and

(D) by adding at the end the following:

''(6) ADDITIONAL ASSISTANCE FOR UNDERPERFORMING STATES.—Upon application by a recipient that is located in an underperforming State, the Administrator may—

''(A) provide additional assistance to the recipient; and

''(B) waive the matching requirements under subsection (e)(2).'';

(3) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ''and STTR'' before ''first phase'' each place that term appears;

(II) in clause (i), by striking ''50'' and inserting ''25'';

(III) in clause (ii), by striking ''1 dollar'' and inserting ''75 cents''; and

(IV) in clause (iii), by striking ''75'' and inserting ''50''; and

(ii) in subparagraph (D), by striking '', beginning with fiscal year 2001'' and inserting ''and make publicly available on the website of the Administration, beginning with fiscal year 2021''; and

(B) by adding at the end the following:

''(4) AMOUNT OF AWARD.—In carrying out the FAST program under this section—

''(A) the Administrator shall make and enter into not less than 12 awards or cooperative agreements;

''(B) each award or cooperative agreement described in subparagraph (A) shall be for not more than $500,000, which shall be provided over 2 fiscal years; and

''(C) any amounts left unused in the third quarter of the second fiscal year may be retained by the Administrator for future FAST program awards.

''(5) REPORTING.—Not later than 6 months after receiving an award or entering into a cooperative agreement under this section, a recipient shall report to the Administrator—

''(A) the number of awards made under the SBIR or STTR program;

''(B) the number of applications submitted for the SBIR or STTR program;

''(C) the number of consulting hours spent;

''(D) the number of training events conducted; and

''(E) any issues encountered in the management and application of the FAST program.'';

(4) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking ''Not later than 120 days after the date of the enactment of the Small Business Innovation Research Program Reauthorization Act of 2000'' and inserting ''December 31, 2020''; and

(II) by inserting ''and Entrepreneurship'' before ''of the Senate'';

(ii) in subparagraph (B), by striking ''and'' at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) a description of the process used to ensure that underperforming States are given priority application status under the FAST program.''; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking ''ANNUAL'' and inserting ''BIENNIAL'';

(ii) in the matter preceding subparagraph (A), by striking ''annual'' and inserting ''biennial'';

(iii) in subparagraph (B), by striking ''and'' at the end;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(D) the proportion of awards provided to and cooperative agreements entered into with underperforming States; and

''(E) a list of the States that were determined by the Administrator to be underperforming States, and a description of any changes in the list compared to previously submitted reports.'';

(5) in subsection (g)(2)—

(A) by striking ''2004'' and inserting ''2021''; and

(B) by inserting ''and Entrepreneurship'' before ''of the Senate''; and

(6) in subsection (h)(1), by striking ''$10,000,000 for each of fiscal years 2001 through 2005'' and inserting ''$20,000,000 for every 2 fiscal years between fiscal years 2021 through 2025, to be obligated before the end of the second fiscal year''.

SA 1820. Mr. RISCH (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle E of title VIII, insert the following:

SEC. ___. DISASTER DECLARATION IN RURAL AREAS.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after paragraph (15) the following:

''(16) DISASTER DECLARATION IN RURAL AREAS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'rural area' means an area with a population of less than 200,000 outside an urbanized area; and

''(ii) the term 'significant damage' means, with respect to property, uninsured losses of not less than 40 percent of the estimated fair replacement value or pre-disaster fair market value of the damaged property, whichever is lower.

''(B) DISASTER DECLARATION.—Notwithstanding section 123.3(a) of title 13, Code of Federal Regulations, or any successor regulation, the Administrator may declare a disaster in a rural area for which a major disaster was declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) if—

''(i) the Governor of the State in which the rural area is located requests such a declaration; and

''(ii) any home, small business concern, private nonprofit organization, or small agricultural cooperative has incurred significant damage in the rural area.

''(C) SBA REPORT.—Not later than 120 days after the date of enactment of this Act, and every year thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on, with respect to the 1-year period preceding submission of the report—

''(i) any economic injury that resulted from a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) in a rural area;

''(ii) each request for assistance made by the Governor of a State under subparagraph (B)(i) and the response of the Administrator, including the timeline for each response; and

''(iii) any regulatory changes that will impact the ability of communities in rural areas to obtain disaster assistance under this subsection.''.

(b) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations to carry out the amendment made by subsection (a).

(c) GAO REPORT.—

(1) DEFINITION OF RURAL AREA.—In this subsection, the term ''rural area'' means an area with a population of less than 200,000 outside an urbanized area.

(2) REPORT.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on—

(A) any unique challenges that communities in rural areas face compared to communities in metropolitan areas when seeking to obtain disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

(B) legislative recommendations for improving access to disaster assistance for communities in rural areas.

SA 1821. Mr. VAN HOLLEN (for Mr. TOOMEY (for himself and Mr. VAN HOLLEN)) proposed an amendment to the bill S. 3798, to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Hong Kong Autonomy Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms ''alien'', ''national'', and ''national of the United States''

have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate; and

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives.

(3) BASIC LAW.—The term ''Basic Law'' means the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

(4) CHINA.—The term ''China'' means the People's Republic of China.

(5) ENTITY.—The term ''entity'' means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any other form of business collaboration.

(6) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in section 5312(a)(2) of title 31, United States Code.

(7) HONG KONG.—The term ''Hong Kong'' means the Hong Kong Special Administrative Region of the People's Republic of China.

(8) JOINT DECLARATION.—The term ''Joint Declaration'' means the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing on December 19, 1984.

(9) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the conduct, the circumstance, or the result.

(10) PERSON.—The term ''person'' means an individual or entity.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) The Joint Declaration and the Basic Law clarify certain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were codified in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originate from the Joint Declaration, were passed into the domestic law of China by the National People's Congress, and are widely considered by citizens of Hong Kong as part of the de facto legal constitution of Hong Kong.

(4) Foremost among the obligations of the Government of China to Hong Kong is the promise that, pursuant to Paragraph 3b of the Joint Declaration, ''the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government''.

(5) The obligation specified in Paragraph 3b of the Joint Declaration is referenced, reinforced, and extrapolated on in several portions of the Basic Law, including Articles 2, 12, 13, 14, and 22.

(6) Article 22 of the Basic Law establishes that ''No department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law.''.

(7) The Joint Declaration and the Basic Law make clear that additional obligations shall be undertaken by China to ensure the ''high degree of autonomy'' of Hong Kong.

(8) Paragraph 3c of the Joint Declaration states, as reinforced by Articles 2, 16, 17, 18, 19, and 22 of the Basic Law, that Hong Kong ''will be vested with executive, legislative and independent judicial power, including that of final adjudication''.

(9) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People's Congress overruled a decision by the Hong Kong Court of Final Appeal on the right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, is suspected to have not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite restrictions on interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law—

(i) openly expressed support for candidates in Hong Kong for Chief Executive and Legislative Council;

(ii) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong; and

(iii) on April 17, 2020, asserted that both the Liaison Office of China in Hong Kong and the Hong Kong and Macau Affairs Office of the State Council ''have the right to exercise supervision . . . on affairs regarding Hong Kong and the mainland, in order to ensure correct implementation of the Basic Law''.

(D) The National People's Congress has passed laws requiring Hong Kong to pass laws banning disrespectful treatment of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 10, 2014, that stressed the ''comprehensive jurisdiction'' of the Government of China over Hong Kong and indicated that Hong Kong must be governed by ''patriots''.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnapping of, residents of Hong Kong, including businessman Xiao Jianhua and bookseller Gui Minhai.

(G) The Government of Hong Kong, acting with the support of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests for any individual present in Hong Kong, regardless of the legality of the request or the degree to which it compromised the judicial independence of Hong Kong.

(H) The spokesman for the Standing Committee of the National People's Congress said, ''Whether Hong Kong's laws are consistent with the Basic Law can only be judged and decided by the National People's Congress Standing Committee. No other authority has the right to make judgments and decisions.''.

(10) Paragraph 3e of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the ''current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.''.

(11) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (10) of this section, including the following:

(A) In 2002, the Government of China pressured the Government of Hong Kong to introduce ''patriotic'' curriculum in primary and secondary schools.

(B) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which infringes on freedom of speech.

(C) The Government of Hong Kong mandated that Mandarin, and not the native language of Cantonese, be the language of instruction in Hong Kong schools.

(D) The governments of China and Hong Kong agreed to a daily quota of mainland immigrants to Hong Kong, which is widely believed by citizens of Hong Kong to be part of an effort to ''mainlandize'' Hong Kong.

(12) Paragraph 3e of the Joint Declaration states, as reinforced by Articles 4, 26, 27, 28, 29, 30, 31, 32 33, 34, and 39 of the Basic Law, that the ''rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law'' in Hong Kong.

(13) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (12) of this section, including the following:

(A) On February 26, 2003, the Government of Hong Kong introduced a national security bill that would have placed restrictions on freedom of speech and other protected rights.

(B) The Liaison Office of China in Hong Kong has pressured businesses in Hong Kong not to advertise in newspapers and magazines critical of the governments of China and Hong Kong.

(C) The Hong Kong Police Force selectively blocked demonstrations and protests expressing opposition to the governments of China and Hong Kong or the policies of those governments.

(D) The Government of Hong Kong refused to renew work visa for a foreign journalist, allegedly for hosting a speaker from the banned Hong Kong National Party.

(E) The Justice Department of Hong Kong selectively prosecuted cases against leaders of the Umbrella Movement, while failing to prosecute police officers accused of using excessive force during the protests in 2014.

(F) On April 18, 2020, the Hong Kong Police Force arrested 14 high-profile democracy activists and campaigners for their role in organizing a protest march that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(14) Articles 45 and 68 of the Basic Law assert that the selection of Chief Executive and all members of the Legislative Council of Hong Kong should be by ''universal suffrage.''.

(15) On multiple occasions, the Government of China has undertaken actions that

have contravened the letter or intent of the obligation described in paragraph (14) of this section, including the following:

(A) In 2004, the National People's Congress created new, antidemocratic procedures restricting the adoption of universal suffrage for the election of the Chief Executive of Hong Kong.

(B) The decision by the National People's Congress on December 29, 2007, which ruled out universal suffrage in 2012 elections and set restrictions on when and if universal suffrage will be implemented.

(C) The decision by the National People's Congress on August 31, 2014, which placed limits on the nomination process for the Chief Executive of Hong Kong as a condition for adoption of universal suffrage.

(D) On November 7, 2016, the National People's Congress interpreted Article 104 of the Basic Law in such a way to disqualify 6 elected members of the Legislative Council.

(E) In 2018, the Government of Hong Kong banned the Hong Kong National Party and blocked the candidacy of pro-democracy candidates.

(16) The ways in which the Government of China, at times with the support of a subservient Government of Hong Kong, has acted in contravention of its obligations under the Joint Declaration and the Basic Law, as set forth in this section, are deeply concerning to the people of Hong Kong, the United States, and members of the international community who support the autonomy of Hong Kong.

SEC. 4. SENSE OF CONGRESS REGARDING HONG KONG.

It is the sense of Congress that—

(1) the United States continues to uphold the principles and policy established in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116–76; 22 U.S.C. 5701 note), which remain consistent with China's obligations under the Joint Declaration and certain promulgated objectives under the Basic Law, including that—

(A) as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5711(1)), ''The United States should play an active role, before, on, and after July 1, 1997, in maintaining Hong Kong's confidence and prosperity, Hong Kong's role as an international financial center, and the mutually beneficial ties between the people of the United States and the people of Hong Kong.''; and

(B) as set forth in section 2(5) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), ''Support for democratization is a fundamental principle of United States foreign policy. As such, it naturally applies to United States policy toward Hong Kong. This will remain equally true after June 30, 1997.'';

(2) although the United States recognizes that, under the Joint Declaration, the Government of China ''resumed the exercise of sovereignty over Hong Kong with effect on 1 July 1997'', the United States supports the autonomy of Hong Kong in furtherance of the United States-Hong Kong Policy Act of 1992 and the Hong Kong Human Rights and Democracy Act of 2019 and advances the desire of the people of Hong Kong to continue the ''one country, two systems'' regime, in addition to other obligations promulgated by China under the Joint Declaration and the Basic Law;

(3) in order to support the benefits and protections that Hong Kong has been afforded by the Government of China under the Joint Declaration and the Basic Law, the United States should establish a clear and unambiguous set of penalties with respect to foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, to be involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law and the financial institutions transacting with those foreign persons;

(4) the Secretary of State should provide an unclassified assessment of the reason for imposition of certain economic penalties on entities, so as to permit a clear path for the removal of economic penalties if the sanctioned behavior is reversed and verified by the Secretary of State;

(5) relevant Federal agencies should establish a multilateral sanctions regime with respect to foreign persons involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law; and

(6) in addition to the penalties on foreign persons, and financial institutions transacting with those foreign persons, for the contravention of the obligations of China under the Joint Declaration and the Basic Law, the United States should take steps, in a time of crisis, to assist permanent residents of Hong Kong who are persecuted or fear persecution as a result of the contravention by China of its obligations under the Joint Declaration and the Basic Law to become eligible to obtain lawful entry into the United States.

SEC. 5. IDENTIFICATION OF FOREIGN PERSONS INVOLVED IN THE EROSION OF THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW AND FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH THOSE PERSONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that a foreign person is materially contributing to, has materially contributed to, or attempts to materially contribute to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law, the Secretary of State shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an identification of the foreign person; and

(2) a clear explanation for why the foreign person was identified and a description of the activity that resulted in the identification.

(b) IDENTIFYING FOREIGN FINANCIAL INSTITUTIONS.—Not earlier than 30 days and not later than 60 days after the Secretary of State submits to the appropriate congressional committees and leadership the report under subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the appropriate congressional committees and leadership a report that identifies any foreign financial institution that knowingly conducts a significant transaction with a foreign person identified in the report under subsection (a).

(c) EXCLUSION OF CERTAIN INFORMATION.—

(1) INTELLIGENCE.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Director of National Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the head of any other appropriate Federal law enforcement agency, and the Secretary of the Treasury, determines that such disclosure could reasonably be expected—

(A) to compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) to endanger the life or physical safety of any person; or

(D) to cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(d) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—

(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (e), or remove a foreign person from the report or update prior to the imposition of sanctions under section 6(a) if the material contribution (as described in subsection (g)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 7(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.

(3) NOTIFICATION REQUIRED.—If the President makes a determination under paragraph (1) or (2) to exclude or remove a foreign person or foreign financial institution from a report under subsection (a) or (b), as the case may be, the President shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(e) UPDATE OF REPORTS.—

(1) IN GENERAL.—Each report submitted under subsections (a) and (b) shall be updated in an ongoing manner and, to the extent practicable, updated reports shall be resubmitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) upon the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(f) FORM OF REPORTS.—

(1) IN GENERAL.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted in unclassified form and made available to the public.

(2) CLASSIFIED ANNEX.—The explanations and descriptions included in the report under subsection (a)(2) (including updates under subsection (e)) may be expanded on in a classified annex.

(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGATIONS OF CHINA DESCRIBED.—For purposes of this section, a foreign person materially contributes to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law if the person—

(1) took action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or independent rule of law; or

(B) to participate in democratic outcomes; or

(2) otherwise took action that reduces the high degree of autonomy of Hong Kong.

SEC. 6. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date on which a foreign person is included in the report under section 5(a) or an update to that report under section 5(e), the President may impose sanctions described in subsection (b) with respect to that foreign person.

(2) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 5(a) or an update to that report under section 5(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person are the following:

(1) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 7. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) INITIAL SANCTIONS.—Not later than one year after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose not fewer than 5 of the sanctions described in subsection (b) with respect to that foreign financial institution.

(2) EXPANDED SANCTIONS.—Not later than two years after the date on which a foreign financial institution is included in the report under section 5(b) or an update to that report under section 5(e), the President shall impose each of the sanctions described in subsection (b).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign financial institution are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making loans or providing credits to the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the foreign financial institution as a primary dealer in United States Government debt instruments.

(3) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The foreign financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(6) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign financial institution has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSFERS.—The President, in consultation with the Secretary of Commerce, may restrict or prohibit exports, reexports, and transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(8) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(9) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Homeland Security, to exclude from the United States any alien that is determined to be a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign financial institution, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign financial institution, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (1) through (8) that are applicable.

(c) TIMING OF SANCTIONS.—The President may impose sanctions required under subsection (a) with respect to a financial institution included in the report under section 5(b) or an update to that report under section 5(e) beginning on the day on which the financial institution is included in that report or update.

SEC. 8. WAIVER, TERMINATION, EXCEPTIONS, AND CONGRESSIONAL REVIEW PROCESS.

(a) NATIONAL SECURITY WAIVER.—Unless a disapproval resolution is enacted under subsection (e), the President may waive the application of sanctions under section 6 or 7 with respect to a foreign person or foreign financial institution if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees and leadership a report on the determination and the reasons for the determination.

(b) TERMINATION OF SANCTIONS AND REMOVAL FROM REPORT.—Unless a disapproval resolution is enacted under subsection (e), the President may terminate the application of sanctions under section 6 or 7 with respect to a foreign person or foreign financial institution and remove the foreign person from the report required under section 5(a) or the foreign financial institution from the report required under section 5(b), as the case may be, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that the actions taken by the foreign person or foreign financial institution that led to the imposition of sanctions—

(1) do not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(2) are not likely to be repeated in the future; and

(3) have been reversed or otherwise mitigated through positive countermeasures taken by that foreign person or foreign financial institution.

(c) TERMINATION OF ACT.—

(1) REPORT.—

(A) IN GENERAL.—Not later than July 1, 2046, the President, in consultation with the Secretary of State, the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall submit to Congress a report evaluating the implementation of this Act and sanctions imposed pursuant to this Act.

(B) ELEMENTS.—The President shall include in the report submitted under subparagraph (A) an assessment of whether this Act and the sanctions imposed pursuant to this Act should be terminated.

(2) TERMINATION.—This Act and the sanctions imposed pursuant to this Act shall remain in effect unless a termination resolution is enacted under subsection (e) after July 1, 2047.

(d) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions under sections 6 and 7 shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(e) CONGRESSIONAL REVIEW.—

(1) RESOLUTIONS.—

(A) DISAPPROVAL RESOLUTION.—In this section, the term ''disapproval resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution disapproving the waiver or termination of sanctions with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person.''; and

(ii) the sole matter after the resolving clause of which is the following: ''Congress disapproves of the action under section 8 of the Hong Kong Autonomy Act relating to the application of sanctions imposed with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong, or a foreign financial institution that conducts a significant transaction with that person, on _____ relating to _____.'', with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) TERMINATION RESOLUTION.—In this section, the term ''termination resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution terminating sanctions with respect to foreign persons that contravene the obligations of China with respect to Hong Kong and foreign financial institutions that conduct significant transactions with those persons.''; and

(ii) the sole matter after the resolving clause of which is the following: ''The Hong Kong Autonomy Act and any sanctions imposed pursuant to that Act shall terminate on _____.'', with the blank space being filled with the termination date.

(C) COVERED RESOLUTION.—In this subsection, the term ''covered resolution'' means a disapproval resolution or a termination resolution.

(2) INTRODUCTION.—A covered resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a covered resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—

(i) DISAPPROVAL RESOLUTION.—A disapproval resolution introduced in the Senate shall be—

(I) referred to the Committee on Banking, Housing, and Urban Affairs if the resolution relates to an action that is not intended to significantly alter United States foreign policy with regard to China; and

(II) referred to the Committee on Foreign Relations if the resolution relates to an action that is intended to significantly alter United States foreign policy with regard to China.

(ii) TERMINATION RESOLUTION.—A termination resolution introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If a committee to which a covered resolution was referred has not reported the resolution within 10 calendar days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a covered resolution to the Senate or has been discharged from consideration of such a resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a covered resolution shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a covered resolution, including all debatable motions and appeals in connection with the resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House has already passed a resolution relating to the same proposed action):

(i) The resolution shall be referred to the appropriate committees.

(ii) If a committee to which a resolution has been referred has not reported the resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) Beginning on the third legislative day after each committee to which a resolution has been referred reports the resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The resolution shall be considered as read. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the resolution shall not be in order.

(B) TREATMENT OF HOUSE RESOLUTION IN SENATE.—

(i) RECEIVED BEFORE PASSAGE OF SENATE RESOLUTION.—If, before the passage by the Senate of a covered resolution, the Senate receives an identical resolution from the House of Representatives, the following procedures shall apply:

(I) That resolution shall not be referred to a committee.

(II) With respect to that resolution—

(aa) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the resolution from the House of Representatives.

(ii) RECEIVED AFTER PASSAGE OF SENATE RESOLUTION.—If, following passage of a covered resolution in the Senate, the Senate receives an identical resolution from the House of Representatives, that resolution shall be placed on the appropriate Senate calendar.

(iii) NO SENATE COMPANION.—If a covered resolution is received from the House of Representatives, and no companion resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the resolution from the House of Representatives.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) 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.

SEC. 9. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this Act.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 6 or 7 or any regulation, license, or order issued to carry out that section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 10. RULE OF CONSTRUCTION.

Nothing in this Act shall be construed as an authorization of military force against China.

SA 1822. Mr. LANKFORD (for himself, Mr. PERDUE, Mrs. LOEFFLER, Mr. LEE, and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction,

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

Strike section 1108 and insert the following:

SEC. 1108. EXPANSION OF AUTHORITY FOR APPOINTMENT OF RECENTLY RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Subsection (b) of section 3326 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) the proposed appointment is to a position classified at or below GS–13 under the General Schedule under subchapter III of chapter 53 (or an equivalent level under another wage system) in the competitive service that is a position—

''(A) to which appointments are authorized using Direct Hire Authority or Expedited Hiring Authority; and

''(B) that has been certified by the Secretary concerned as lacking sufficient numbers of potential applicants who are not retired members of the armed forces.''.

(b) LIMITATION ON DELEGATION OF CERTIFICATION AUTHORITY.—Such section is further amended by adding at the end the following new subsection:

''(d) The authority to make a certification described in subsection (b)(3) of this section may not be delegated to an individual with a grade lower than colonel, or captain in the Navy, or an individual with an equivalent civilian grade.''.

SA 1823. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. INAPPLICABILITY OF CERTIFICATION OF EXECUTIVE QUALIFICATION REVIEW BOARDS.

(a) IN GENERAL.—Section 3393 of title 5, United States Code, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively.

(b) UPDATES.—

(1) DEFINITIONS.—In this subsection, the terms ''agency'' and ''career appointee'' have the meanings given those terms in section 3132(a) of title 5, United States Code.

(2) REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act—

(A) in order to account for the amendments made by subsection (a), the head of each agency shall revise the executive qualifications with respect to appointment to career appointee positions at the agency, as are required to be determined in writing under section 3393(d) of title 5, United States Code, as so redesignated by subsection (a)(2) of this section; and

(B) the Director of the Office of Personnel Management shall make any amendments to the rules of the Office that are necessary as a result of the amendments made by subsection (a).

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) JOHN S. MCCAIN NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019.—Section 1109(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (5 U.S.C. 3393 note) is amended—

(A) by striking ''Notwithstanding section 3393(c) of title 5, United States Code, or any regulations implementing that section, and subject to'' and inserting ''Subject to''; and

(B) by striking ''otherwise required by that section''.

(2) TITLE 5.—Title 5, United States Code, is amended—

(A) in section 3592(a)(1), by striking ''section 3393(d)'' and inserting ''section 3393(c)'';

(B) in section 3593—

(i) in subsection (a)—

(I) in the matter preceding paragraph (1), by striking ''section 3393(b) and (c)'' and inserting ''section 3393(b)''; and

(II) in paragraph (1), by striking ''section 3393(d)'' and inserting ''section 3393(c)''; and

(ii) in subsection (c)(1)—

(I) in the matter preceding subparagraph (A), by striking ''section 3393(b) and (c)'' and inserting ''section 3393(b)''; and

(II) in subparagraph (C), by striking ''section 3393(d)'' and inserting ''section 3393(c)'';

(C) in section 3594—

(i) in subsection (a), by striking ''section 3393(d)'' and inserting ''section 3393(c)''; and

(ii) in subsection (b), in the matter preceding paragraph (1), by striking ''section 3393(d)'' and inserting ''section 3393(c)'';

(D) in section 3595(b)(1), by striking ''section 3393(d)'' and inserting ''section 3393(c)''; and

(E) in section 7541(1)(A), by striking ''section 3393(d)'' and inserting ''section 3393(c)''.

(3) TITLE 10.—Section 1599e(a) of title 10, United States Code, is amended by striking ''sections 3321 and 3393(d) of title 5'' and inserting ''sections 3321 and 3393(c) of title 5''.

SA 1824. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. EXPANSION OF FEDERAL EMPLOYEE COVERAGE.

(a) PAID PARENTAL LEAVE FOR EMPLOYEES OF DISTRICT OF COLUMBIA COURTS AND DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—

(1) DISTRICT OF COLUMBIA COURTS.—Section 11–1726, District of Columbia Official Code, is amended by adding at the end the following new subsection:

''(d) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to nonjudicial employees of the District of Columbia courts, the Joint Committee on Judicial Administration shall, notwithstanding any provision of such Act, establish a paid parental leave program for the leave described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)) (relating to leave provided in connection with the birth of a child or a placement of a child for adoption or foster care). In developing the terms and conditions for this program, the Joint Committee may be guided by the terms and conditions applicable to the provision of paid parental leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(2) DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—Section 305 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (section 2–1605, D.C. Official Code) is amended by adding at the end the following new subsection:

''(d) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to employees of the Service, the Director shall, notwithstanding any provision of such Act, establish a paid parental leave program for the leave described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)) (relating to leave provided in connection with the birth of a child or the placement of a child for adoption or foster care). In developing the terms and conditions for this program, the Director may be guided by the terms and conditions applicable to the provision of paid parental leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(b) FAA AND TSA.—

(1) APPLICATION OF TITLE 5 FAMILY AND MEDICAL LEAVE.—

(A) IN GENERAL.—Section 40122(g)(2) of title 49, United States Code, is amended—

(i) in subparagraph (I)(iii), by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(K) subchapter V of chapter 63, relating to family and medical leave.''.

(B) APPLICABILITY.—The amendments made by subparagraph (A) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(2) CLARIFICATION FOR TSA SCREENERS.—

(A) IN GENERAL.—Section 111(d)(2)(B) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note) is amended to read as follows:

''(B) LEAVE.—Any individual appointed under paragraph (1) who otherwise qualifies as an employee under the requirements in section 6381(1) of title 5, United States Code, shall be subject to subchapter V of chapter 63 of such title.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(c) TITLE 38 EMPLOYEES.—

(1) IN GENERAL.—Section 7425 of title 38, United States Code, is amended—

(A) in subsection (b), by striking ''Notwithstanding'' and inserting ''Except as provided in subsection (c), and notwithstanding''; and

(B) by adding at the end the following:

''(c) Notwithstanding any other provision of this subchapter, the Administration shall provide to individuals appointed to any position described in section 7421(b) who are employed for compensation by the Administration, family and medical leave in the same manner and subject to the same limitations to the maximum extent practicable, as family and medical leave is provided under subchapter V of chapter 63 of title 5 to employees, as defined in section 6381(1) of such title.''.

(2) APPLICABILITY.—The amendments made by paragraph (1) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(d) ARTICLE I JUDGES.—

(1) BANKRUPTCY JUDGES.—Section 153(d) of title 28, United States Code, is amended—

(A) by inserting ''(1)'' before ''A bankruptcy judge''; and

(B) by adding at the end the following:

''(2) The provisions of subchapter V of chapter 63 of title 5 shall apply to a bankruptcy judge as if the bankruptcy judge were an employee (within the meaning of subparagraph (A) of section 6381(1) of such title).''.

(2) MAGISTRATE JUDGES.—Section 631(k) of title 28, United States Code, is amended—

(A) by inserting ''(1)'' before ''A United States magistrate judge''; and

(B) by adding at the end the following:

''(2) The provisions of subchapter V of chapter 63 of title 5 shall apply to a United States magistrate judge as if the United States magistrate judge were an employee (within the meaning of subparagraph (A) of section 6381(1) of such title).''.

(3) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(e) EMPLOYEES OF EXECUTIVE OFFICE OF THE PRESIDENT.—

(1) IN GENERAL.—Section 412 of title 3, United States Code, is amended—

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

''(3) EXCEPTION.—Notwithstanding section 401(b)(2), the requirements of paragraph (2)(B) shall not apply with respect to leave under subparagraph (A) or (B) of section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)).'';

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(C) by inserting after subsection (b) the following:

''(c) SPECIAL RULES FOR SUBSTITUTION OF PAID LEAVE.—

''(1) SUBSTITUTION OF PAID LEAVE.—A covered employee may elect to substitute for any leave without pay under subparagraph (A) or (B) of section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) any paid leave which is available to such employee for that purpose.

''(2) AVAILABLE LEAVE.—The paid leave that is available to a covered employee for purposes of paragraph (1) is leave of the type and in the amount available to an employee under section 6382(d)(2)(B) of title 5, United States Code, for substitution for leave without pay under subparagraph (A) or (B) of section 6382(a)(1) of such title.

''(3) CONSISTENCY WITH TITLE 5.—Paid leave shall be substituted under this subsection in a manner that is consistent with the requirements in section 6382(d)(2) of title 5, United States Code, except that a reference in that section to an employing agency shall be considered to be a reference to an employing office, and subparagraph (E) of that section shall not apply.'';

(D) in paragraph (2) of subsection (d), as redesignated by subparagraph (B)—

(i) in subparagraph (A), by striking ''and'' at the end of the subparagraph;

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

(iii) by adding at the end the following:

''(C) except that the President or designee shall issue regulations to implement subsection (c) in accordance with the requirements of that subsection.''; and

(E) in paragraph (1) of subsection (e), as redesignated by subparagraph (B), by inserting after ''subsection (c)'' the following: ''(as in effect on the date of enactment of the Presidential and Executive Office Accountability Act)''.

(2) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(f) AMENDMENTS TO TITLE 5 FAMILY AND MEDICAL LEAVE ACT PROVISIONS.—Chapter 63 of title 5, United States Code, is amended—

(1) in section 6301(2), by amending clause (v) to read as follows:

''(v) an employee of the Veterans Health Administration who is covered by a leave system established under section 7421 of title 38;'';

(2) in section 6381(1)—

(A) in subparagraph (A), by striking ''(v) or''; and

(B) by amending subparagraph (B) to read as follows:

''(B) has completed at least 12 months of service as an employee (as defined in section 2105) of the Government of the United States, including service with the United States Postal Service, the Postal Regulatory Commission, and a nonappropriated fund instrumentality as described in section 2105(c);''; and

(3) in section 6382(d)—

(A) in paragraph (1), by striking ''under subchapter I'' in each place it appears; and

(B) in paragraph (2)—

(i) in subparagraph (B)(ii), by striking ''under subchapter I''; and

(ii) by adding at the end the following:

''(H) Notwithstanding subparagraph (B)(i), an employee's entitlement to 12 administrative workweeks of paid parental leave described in such subparagraph in connection with a particular birth or placement shall be reduced by the period for which the employee received paid parental leave under an authority applicable to Federal employees other than this paragraph for the same birth or placement event.''.

(g) PARALLEL BENEFITS.—Notwithstanding any other provision of law, a Federal agency shall reduce an employee's otherwise applicable paid parental leave benefit to account for any parallel Federal employee leave benefit provided to the employee during a leave eligibility period connected to the birth or placement of the same son or daughter.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted immediately after the enactment of the National Defense Authorization Act for Fiscal Year 2020.

SA 1825. Mr. LANKFORD (for himself, Mr. PETERS, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. REQUIREMENT TO POST A 100 WORD SUMMARY TO REGULATIONS.GOV.

Section 553(b) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (3) the following:

''(4) the Internet address of a summary of not more than 100 words in length of the proposed rule, in plain language, that shall be posted on the Internet website under section 206(d) of the E-Government Act of 2002 (44 U.S.C. 3501 note) (commonly known as regulations.gov).''.

SA 1826. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 appropriate place, insert the following:

SECTION _____. EXPEDITED HIRING AUTHORITY.

(a) EXPEDITED HIRING AUTHORITY FOR COLLEGE GRADUATES.—Section 3115(e)(1) of title 5, United States Code, is amended by striking ''15 percent'' and inserting ''25 percent''.

(b) EXPEDITED HIRING AUTHORITY FOR POSTSECONDARY STUDENTS.—Section 3116(d)(1) of title 5, United States Code, is amended by striking ''15 percent'' and inserting ''25 percent''.

SA 1827. Mr. WARNER (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SECURE AND TRUSTED TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence of the Senate;

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

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

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

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

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

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

(2) FIFTH-GENERATION WIRELESS NETWORK.—The term ''fifth-generation wireless network'' means a radio network as described by the 3rd Generation Partnership Project (3GPP) Release 15 or higher.

(b) SUPPORTING THE DEVELOPMENT AND ADOPTION OF SECURE AND TRUSTED TECHNOLOGIES AMONG INTELLIGENCE ALLIES AND PARTNERS.—

(1) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—

(A) ESTABLISHMENT OF FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be

known as the ''Communications Technology Security and Innovation Fund'' (referred to in this paragraph as the ''Security Fund'').

(ii) ADMINISTRATION.—The Director of the Intelligence Advanced Research Projects Activity shall administer the Security Fund.

(iii) CONTENTS OF FUND.—

(I) IN GENERAL.—The fund shall consist of—

(aa) amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(A); and

(bb) such other amounts as may be appropriated or otherwise made available to the Director of the Intelligence Advanced Research Projects Activity to be deposited in the Security Fund.

(II) AVAILABILITY.—

(aa) IN GENERAL.—Amounts deposited in the Security Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Security Fund after the end of the tenth fiscal year beginning after the date of the enactment of this Act shall be deposited in the general fund of the Treasury.

(iv) USE OF AMOUNTS.—Amounts deposited in the Security Fund shall be available to the Director of the Intelligence Advanced Research Projects Activity to award grants under subparagraph (B).

(B) GRANTS.—

(i) IN GENERAL.—The Director of the Intelligence Advanced Research Projects Activity shall award grants to support research and the commercial application of such research, including in the following areas:

(I) Promoting the development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in fifth-generation (commonly known as ''5G'') and successor wireless technology supply chains.

(II) Accelerating development and deployment of open interface, standards-based compatible interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O–RAN Alliance, the Telecom Infra Project, 3GPP, the O–RAN Software Community, or any successor organizations.

(III) Promoting compatibility of new fifth-generation wireless network equipment with future open standards-based interoperable equipment.

(IV) Managing integration of multivendor network environments.

(V) Objective criteria to define equipment as compliant with open standards for multivendor network equipment interoperability.

(VI) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multivendor networks.

(VII) Promoting the application of network function virtualization to facilitate multivendor interoperability and a more diverse vendor market.

(ii) AMOUNT.—

(I) IN GENERAL.—Subject to subclause (II), a grant awarded under clause (i) shall be in such amount as the Director of the Intelligence Advanced Research Projects Activity consider appropriate.

(II) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this paragraph to a recipient for a specific research focus area may not exceed $100,000,000.

(iii) CRITERIA.—The Director of the Intelligence Advanced Research Projects Activity, in consultation with the Secretary of Defense, the Assistant Secretary of Commerce for Communications and Information, the Director of the National Institute of Standards and Technology, and the Secretary of Homeland Security, shall establish criteria for grants awarded under clause (i).

(iv) TIMING.—Not later than 1 year after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall begin awarding grants under clause (i).

(C) FEDERAL ADVISORY BODY.—

(i) ESTABLISHMENT.—The Director of the Intelligence Advanced Research Projects Activity shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the Director of the Intelligence Advanced Research Projects Activity on the administration of the Security Fund.

(ii) COMPOSITION.—The advisory committee established under clause (i) shall be composed of—

(I) representatives from—

(aa) the Federal Communications Commission;

(bb) the National Institute of Standards and Technology;

(cc) the Department of Defense;

(dd) the Department of State;

(ee) the National Science Foundation; and

(ff) the Department of Homeland Security; and

(II) other representatives from the private and public sectors, at the discretion of the Security Fund.

(iii) DUTIES.—The advisory committee established under clause (i) shall advise the Director of the Intelligence Advanced Research Projects Activity on technology developments to help inform—

(I) the strategic direction of the Security Fund; and

(II) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.

(D) REPORTS TO CONGRESS.—

(i) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Intelligence Advanced Research Projects Activity shall submit to the appropriate committees of Congress a report with—

(I) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and

(II) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of designated funds.

(ii) ANNUAL REPORT.—For each fiscal year for which amounts in the Security Fund are available under this paragraph, the Director of the Intelligence Advanced Research Projects Activity shall submit to Congress a report that—

(I) describes how, and to whom, grants have been awarded under subparagraph (B);

(II) details the progress of the Director of the Intelligence Advanced Research Projects Activity in meeting the objectives described in subparagraph (B)(i); and

(III) includes such other information as the Director of the Intelligence Advanced Research Projects Activity determine appropriate.

(2) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(A) ESTABLISHMENT OF FUND.—

(i) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the ''Multilateral Telecommunications Security Fund'' (in this section referred to as the ''Multilateral Fund'').

(ii) ADMINISTRATION.—The Director of National Intelligence and the Secretary of Defense shall jointly administer the Multilateral Fund.

(iii) USE OF AMOUNTS.—Amounts in the Multilateral Fund shall be used to establish the common funding mechanism required by subparagraph (B).

(iv) CONTENTS OF FUND.—

(I) IN GENERAL.—The Multilateral Fund shall consist of amounts appropriated pursuant to the authorization of appropriations under paragraph (3)(B) and such other amounts as may be appropriated or otherwise made available to the Director and the Secretary to be deposited in the Multilateral Fund.

(II) AVAILABILITY.—

(aa) IN GENERAL.—Amounts deposited in the Multilateral Fund shall remain available through fiscal year 2031.

(bb) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after fiscal year 2031 shall be deposited in the General Fund of the Treasury.

(B) MULTILATERAL COMMON FUNDING MECHANISM.—

(i) IN GENERAL.—The Director and the Secretary shall jointly, in coordination with foreign partners, establish a common funding mechanism that uses amounts from the Multilateral Fund to support the development and adoption of secure and trusted telecommunications technologies in key markets globally.

(ii) CONSULTATION REQUIRED.—The Director and the Secretary shall carry out clause (i) in consultation with the following:

(I) The Federal Communications Commission.

(II) The Secretary of State.

(III) The Assistant Secretary of Commerce for Communications and Information.

(IV) The Director of the Intelligence Advanced Research Projects Activity.

(V) The Under Secretary of Commerce for Standards and Technology.

(C) ANNUAL REPORT TO CONGRESS.—

(i) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act and not less frequently than once each fiscal year thereafter until fiscal year 2031, the Director and the Secretary shall jointly submit to the appropriate committees of Congress an annual report on the Multilateral Fund and the use of amounts under subparagraph (B).

(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the fiscal year covered by the report, the following:

(I) Any funding commitments from foreign partners, including each specific amount committed.

(II) Governing criteria for use of the amounts in the Multilateral Fund.

(III) An account of—

(aa) how, and to whom, funds have been deployed;

(bb) amounts remaining in the Multilateral Fund; and

(cc) the progress of the Director and the Secretary in meeting the objective described in subparagraph (B)(i).

(IV) Such recommendations for legislative or administrative action as the Director and the Secretary may have to enhance the effectiveness of the Multilateral Fund in achieving the security goals of the United States.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) COMMUNICATIONS TECHNOLOGY SECURITY AND INNOVATION FUND.—There is authorized to be appropriated to carry out paragraph (1) $750,000,000 for the period of fiscal years 2021 through 2031.

(B) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—There is authorized to be appropriated to carry out paragraph (2) $750,000,000 for the period of fiscal years 2021 through 2031.

(c) EXPOSING POLITICAL PRESSURE IN INTERNATIONAL STANDARDS-SETTING BODIES THAT SET STANDARDS FOR FIFTH-GENERATION WIRELESS NETWORKS.—

(1) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report on political pressure within international forums that set standards for fifth-generation wireless networks and for future generations of wireless networks, including—

(i) the International Telecommunication Union (ITU);

(ii) the International Organization for Standardization (ISO);

(iii) the Inter-American Telecommunication Commission (CITEL); and

(iv) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3rd Generation Partnership Project (3GPP) and the Institute of Electrical and Electronics Engineers (IEEE).

(B) FORM.—The report submitted under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) CONSULTATION REQUIRED.—The Director and the Secretary shall carry out paragraph (1) in consultation with the following:

(A) The Federal Communications Commission.

(B) The Secretary of State.

(C) The Assistant Secretary of Commerce for Communications and Information.

(D) The Secretary of Defense.

(E) The Director of National Intelligence.

(F) The Under Secretary of Commerce for Standards and Technology.

SA 1828. Mr. CARPER (for himself, Mr. BARRASSO, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. CRAMER, Mr. VAN HOLLEN, Mr. SULLIVAN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. CARDIN, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. DIESEL EMISSIONS REDUCTION.

(a) REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.—Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking ''2016'' and inserting ''2024''.

(b) RECOGNIZING DIFFERENCES IN DIESEL VEHICLE, ENGINE, EQUIPMENT, AND FLEET USE.—

(1) NATIONAL GRANT, REBATE, AND LOAN PROGRAMS.—Section 792(c)(4)(D) of the Energy Policy Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended by inserting '', recognizing differences in typical vehicle, engine, equipment, and fleet use throughout the United States'' before the semicolon.

(2) STATE GRANT, REBATE, AND LOAN PROGRAMS.—Section 793(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16133(b)(1)) is amended—

(A) in subparagraph (B), by striking ''; and'' and inserting a semicolon; and

(B) by adding at the end the following:

''(D) the recognition, for purposes of implementing this section, of differences in typical vehicle, engine, equipment, and fleet use throughout the United States, including expected useful life; and''.

(c) REALLOCATION OF UNUSED STATE FUNDS.—Section 793(c)(2)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16133(c)(2)(C)) is amended beginning in the matter preceding clause (i) by striking ''to each remaining'' and all that follows through ''this paragraph'' in clause (ii) and inserting ''to carry out section 792''.

SA 1829. Mr. COONS (for himself, Mr. TILLIS, Mr. MARKEY, Mr. YOUNG, Mr. DURBIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. SENATE HUMAN RIGHTS COMMISSION.

(a) COMMISSION ESTABLISHMENT.—

(1) IN GENERAL.—There is established in the Senate the Senate Human Rights Commission (in this section referred to as the ''Commission'').

(2) DUTIES.—The Commission shall—

(A) serve as a forum for bipartisan discussion of international human rights issues and promotion of internationally recognized human rights as enshrined in the Universal Declaration of Human Rights;

(B) raise awareness of international human rights violations through regular briefings and hearings; and

(C) collaborate with the executive branch, human rights entities, and nongovernmental organizations to promote human rights initiatives within the Senate.

(3) MEMBERSHIP.—Any Senator may become a member of the Commission by submitting a written statement to that effect to the Commission.

(4) CO-CHAIRPERSONS OF THE COMMISSION.—

(A) IN GENERAL.—Two members of the Commission shall be appointed to serve as co-chairpersons of the Commission, as follows:

(i) One co-chairperson shall be appointed, and may be removed, by the majority leader of the Senate.

(ii) One co-chairperson shall be appointed, and may be removed, by the minority leader of the Senate.

(B) TERM.—The term of a member as a co-chairperson of the Commission shall end on the last day of the Congress during which the member is appointed as a co-chairperson, unless the member ceases being a member of the Senate, leaves the Commission, resigns from the position of co-chairperson, or is removed.

(C) PUBLICATION.—Appointments under this paragraph shall be printed in the Congressional Record.

(D) VACANCIES.—Any vacancy in the position of co-chairperson of the Commission shall be filled in the same manner in which the original appointment was made.

(b) COMMISSION STAFF.—

(1) COMPENSATION AND EXPENSES.—

(A) IN GENERAL.—The Commission is authorized, from funds made available under subsection (c), to—

(i) employ such staff in the manner and at a rate not to exceed that allowed for employees of a committee of the Senate under section 105(e)(3) of the Legislative Branch Appropriation Act, 1968 (2 U.S.C. 4575(e)(3)); and

(ii) incur such expenses as may be necessary or appropriate to carry out its duties and functions.

(B) EXPENSES.—

(i) IN GENERAL.—Payments made under this subsection for receptions, meals, and food-related expenses shall be authorized only for actual expenses incurred by the Commission in the course of conducting its official duties and functions.

(ii) TREATMENT OF PAYMENTS.—Amounts received as reimbursement for expenses described in clause (i) shall not be reported as income, and the expenses so reimbursed shall not be allowed as a deduction under the Internal Revenue Code of 1986.

(2) DESIGNATION OF PROFESSIONAL STAFF.—

(A) IN GENERAL.—Each co-chairperson of the Commission may designate 1 professional staff member.

(B) COMPENSATION OF SENATE EMPLOYEES.—In the case of the compensation of any professional staff member designated under subparagraph (A) who is an employee of a Member of the Senate or of a committee of the Senate and who has been designated to perform services for the Commission, the professional staff member shall continue to be paid by the Member or committee, as the case may be, but the account from which the professional staff member is paid shall be reimbursed for the services of the professional staff member (including agency contributions when appropriate) out of funds made available under subsection (c).

(C) DUTIES.—Each professional staff member designated under subparagraph (A) shall—

(i) serve all members of the Commission; and

(ii) carry out such other functions as the co-chairperson designating the professional staff member may specify.

(c) PAYMENT OF EXPENSES.—

(1) IN GENERAL.—The expenses of the Commission shall be paid from the Contingent Fund of the Senate, out of the account of Miscellaneous Items, upon vouchers approved jointly by the co-chairpersons (except that vouchers shall not be required for the disbursement of salaries of employees who are paid at an annual rate of pay).

(2) AMOUNTS AVAILABLE.—For any fiscal year, not more than $200,000 shall be expended for employees and expenses.

SA 1830. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. LIMITATION OF AUTHORITY.

Section 508(a)(5) of the Controlled Substances Act (21 U.S.C. 878(a)(5)) is amended by inserting before the period at the end the following: '', except that such authority does not include authority to conduct covert surveillance within the United States on an individual engaging in a protest, civil disobedience, or similar act''.

SA 1831. Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mr. BLUMENTHAL, and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy,

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

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

SEC. 752. DATABASE ON MILITARY AVIATORS AND STUDY ON THE INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG MILITARY AVIATORS.

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

(1) It has been reported that the prevalence of cancer is particularly high among military aviators, particularly among fighter pilots in the Air Force, Navy, and Marine Corps.

(2) There have been several alarming clusters of cancer diagnoses at military installations, including at Naval Air Weapons Station China Lake in California and Seymour Johnson Air Force Base in North Carolina.

(3) Four commanding officers who served at Naval Air Weapons Station China Lake have died of cancer. Each officer had completed thousands of flight hours in advanced jets.

(4) According to a study by the Air Force in 2008 titled ''Cancer in Fighters'', six pilots and weapons systems officers for the F-15E Strike Eagle at Seymour Johnson Air Force Base, aged 33 to 43, were diagnosed with forms of urogenital cancers between 2002 and 2005. Each officer had completed at least 2,100 flight hours.

(5) A study by the Air Force in 2010 reported on a cluster of seven members of the Air Force Special Operations Command diagnosed with brain cancer among crew members of the C-130 between 2006 and 2009. The individuals affected were three C-130 pilots, two flight engineers, one loadmaster, and one navigator assigned to different installations around the world. Overall, brain cancer affects approximately 6.5 out of 100,000 people in the United States annually.

(6) There has been no comprehensive study conducted of cancer rates among military aviators.

(7) One challenge of extracting findings from previous studies by the Navy or the Air Force on cancer rates is that each study focused on pilots who are active duty members of the Armed Forces and did not include the medical records of former pilots who are veterans, which is the population in which cancer is surfacing.

(8) Members of the Armed Forces who serve full military careers are not likely to be counted in data captured by the Department of Veterans Affairs. Members who serve 20 years or more are eligible for health care under the TRICARE program, which is managed by the Department of Defense. Also, many members pursue private sector jobs after separating from the Armed Forces and receive health care outside of the Federal Government. Those factors have made it difficult to find statistics to back up the health issues that families of military aviators are experiencing.

(b) DATABASE.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with the National Institutes of Health, the National Cancer Institute, and the Department of Veterans Affairs, under which the Secretary of Defense shall develop a comprehensive database and repository—

(A) identifying each military aviator; and

(B) documenting the cancers, date of diagnosis, and mortality of all such military aviators.

(2) DATA.—The Secretary of Defense shall format all data included in the database and repository under paragraph (1) in accordance with the Surveillance, Epidemiology, and End Results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(c) STUDY.—

(1) IN GENERAL.—The Secretary of Defense, in conjunction with the National Institutes of Health and the National Cancer Institute, shall conduct a study on cancer among military aviators in two phases as provided in this subsection.

(2) PHASE 1.—

(A) IN GENERAL.—Under the initial phase of the study conducted under paragraph (1), the Secretary of Defense shall determine if there is a higher incidence of cancers occurring for military aviators as compared to similar age groups in the general population through the use of the database of the Surveillance, Epidemiology, and End Results program of the National Cancer Institute.

(B) REPORT.—Not later than one year after the date on which the Secretary of Defense enters into the agreement under subsection (b)(1), the Secretary shall submit to the appropriate committees of Congress a report on the findings of the initial phase of the study under subparagraph (A).

(3) PHASE 2.—

(A) IN GENERAL.—If, pursuant to the initial phase of the study under paragraph (2), the Secretary concludes that there is an increased rate of cancers among military aviators, the Secretary shall conduct a second phase of the study under which the Secretary shall do the following:

(i) Identify the carcinogenic toxins or hazardous materials associated with military flight operations from shipboard or land bases or facilities, such as fuels, fumes, and other liquids.

(ii) Identify the operating environments, including frequencies or electromagnetic fields, where exposure to ionizing radiation (associated with high altitude flight) and nonionizing radiation (associated with airborne, ground, and shipboard radars) occurred in which military aviators could have received increased radiation amounts.

(iii) Identify, for each military aviator, duty stations, dates of service, aircraft flown, and additional duties (such as Landing Safety Officer, Catapult and Arresting Gear Officer, Air Liaison Officer, or Tactical Air Control Party) that could have increased the risk of cancer for such military aviator.

(iv) Determine locations where a military aviator served or additional duties of a military aviator that are associated with higher incidences of cancers.

(v) Identify potential exposures due to service in the Armed Forces that are not related to aviation, such as exposure to burn pits or toxins in contaminated water, embedded in the soil, or inside bases or housing.

(vi) Determine the appropriate age to begin screening military aviators for cancer based on race, gender, flying hours, Armed Force, type of aircraft, and mission.

(B) DATA.—The Secretary shall format all data included in the study conducted under this paragraph in accordance with the Surveillance, Epidemiology, and End Results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(C) REPORT.—Not later than one year after the submittal of the report under paragraph (2)(B), if the Secretary conducts the second phase of the study under this paragraph, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the study conducted under this paragraph.

(4) USE OF DATA FROM PREVIOUS STUDIES.—In conducting the study under this subsection, the Secretary of Defense shall incorporate data from previous studies conducted by the Air Force, the Navy, or the Marine Corps that are relevant to the study under this subsection, including data from the comprehensive study conducted by the Air Force identifying each military aviator and documenting the cancers, dates of diagnoses, and mortality of each military aviator.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) ARMED FORCES.—The term ''Armed Forces''—

(A) has the meaning given the term ''armed forces'' in section 101 of title 10, United States Code; and

(B) includes the reserve components named in section 10101 of such title.

(3) MILITARY AVIATOR.—The term ''military aviator''—

(A) means an aviator who served in the Armed Forces on or after February 28, 1961; and

(B) includes any air crew member of fixed-wing aircraft, including pilots, navigators, weapons systems operators, aircraft system operators, and any other crew member who regularly flies in an aircraft or is required to complete the mission of the aircraft.

SA 1832. Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, and Mr. SCHATZ) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—CANNABIDIOL AND MARIHUANA RESEARCH EXPANSION

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Cannabidiol and Marihuana Research Expansion Act''.

SEC. ___02. DEFINITIONS.

In this title—

(1) the term ''appropriately registered'' means that an individual or entity is registered under the Controlled Substances Act (21 U.S.C. 801 et seq.) to engage in the type of activity that is carried out by the individual or entity with respect to with a controlled substance on the schedule that is applicable to cannabidiol or marihuana, as applicable;

(2) the term ''cannabidiol'' means—

(A) the substance, cannabidiol, as derived from marihuana that has a delta–9 tetrahydrocannabinol level that is greater than 0.3 percent; and

(B) the synthetic equivalent of the substance described in subparagraph (A);

(3) the terms ''controlled substance'', ''dispense'', ''distribute'', ''manufacture'', ''marihuana'', and ''practitioner'' have the meanings given such terms in section 102 of the Controlled Substances Act (21 U.S.C. 802), as amended by this title;

(4) the term ''covered institution of higher education'' means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that—

(A)(i) has highest or higher research activity, as defined by the Carnegie Classification of Institutions of Higher Education; or

(ii) is an accredited medical school or an accredited school of osteopathic medicine; and

(B) is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.);

(5) the term ''drug'' has the meaning given the term in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1));

(6) the term ''medical research for drug development'' means medical research that is—

(A) a preclinical study or clinical investigation conducted in accordance with section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)) or otherwise permitted by the Department of Health and Human Services to determine the potential medical benefits of marihuana or cannabidiol as a drug; and

(B) conducted by a covered institution of higher education, practitioner, or manufacturer that is appropriately registered under the Controlled Substances Act (21 U.S.C. 801 et seq.); and

(7) the term ''State'' means any State of the United States, the District of Columbia, and any territory of the United States.

Subtitle A—Registrations for Marihuana Research

SEC. ___11. MARIHUANA RESEARCH APPLICATIONS.

Section 303(f) of the Controlled Substances Act (21 U.S.C. 823(f)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) by striking ''(f) The Attorney General'' and inserting ''(f)(1) The Attorney General'';

(3) by striking ''Registration applications'' and inserting the following:

''(2)(A) Registration applications'';

(4) by striking ''Article 7'' and inserting the following:

''(3) Article 7''; and

(5) by inserting after paragraph (2)(A), as so designated, the following:

''(B)(i) The Attorney General shall register a practitioner to conduct research with marihuana if—

''(I) the applicant's research protocol—

''(aa) has been reviewed and allowed—

''(AA) by the Secretary of Health and Human Services under section 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i));

''(BB) by the National Institutes of Health or another Federal agency that funds scientific research; or

''(CC) pursuant to sections 1301.18 and 1301.32 of title 21, Code of Federal Regulations, or any successors thereto; and

''(II) the applicant has demonstrated to the Attorney General that there are effective procedures in place to adequately safeguard against diversion of the controlled substance for legitimate medical or scientific use pursuant to section ___15 of the Cannabidiol and Marihuana Research Expansion Act, including demonstrating that the security measures are adequate for storing the quantity of marihuana the applicant would be authorized to possess.

''(ii) The Attorney General may deny an application for registration under this subparagraph only if the Attorney General determines that the issuance of the registration would be inconsistent with the public interest. In determining the public interest, the Attorney General shall consider the factors listed in—

''(I) subparagraphs (B) through (E) of paragraph (1); and

''(II) subparagraph (A) of paragraph (1), if the applicable State requires practitioners conducting research to register with a board or authority described in such subparagraph (A).

''(iii)(I) Not later than 60 days after the date on which the Attorney General receives a complete application for registration under this subparagraph, the Attorney General shall—

''(aa) approve the application; or

''(bb) request supplemental information.

''(II) For purposes of subclause (I), an application shall be deemed complete when the applicant has submitted documentation showing that the requirements under clause (i) are satisfied.

''(iv) Not later than 30 days after the date on which the Attorney General receives supplemental information as described in clause (iii)(I)(bb) in connection with an application described in this subparagraph, the Attorney General shall approve or deny the application.

''(v) If an application described in this subparagraph is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.''.

SEC. ___12. RESEARCH PROTOCOLS.

(a) IN GENERAL.—Paragraph (2)(B) of section 303 of the Controlled Substances Act (21 U.S.C. 823(f), as amended by section ___11 of this title, is further amended by adding at the end the following:

''(vi)(I) If the Attorney General grants an application for registration under clause (i), the registrant may amend or supplement the research protocol without reapplying if the registrant does not change—

''(aa) the quantity or type of drug;

''(bb) the source of the drug; or

''(cc) the conditions under which the drug is stored, tracked, or administered.

''(II)(aa) If a registrant under clause (i) seeks to change the type of drug, the source of the drug, or conditions under which the drug is stored, tracked, or administered, the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(bb) A registrant may proceed with an amended or supplemental research protocol described in item (aa) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (aa).

''(cc) The Attorney General may only object to an amended or supplemental research protocol under this subclause if additional security measures are needed to safeguard against diversion or abuse.

''(dd) If a registrant under clause (i) seeks to address additional security measures identified by the Attorney General under item (cc), the registrant shall notify the Attorney General via registered mail, or an electronic means permitted by the Attorney General, not later than 30 days before implementing an amended or supplemental research protocol.

''(ee) A registrant may proceed with an amended or supplemental research protocol described in item (dd) if the Attorney General does not explicitly object during the 30-day period beginning on the date on which the Attorney General receives the notice under item (dd).

''(III) If a registrant under clause (i) seeks to change the quantity of marihuana needed for research and the change in quantity does not impact the factors described in item (bb) or (cc) of subclause (I) of this clause, the change shall be deemed approved by the Attorney General on the date on which the registered mail return receipt is returned to the registrant, or the date on which the electronic notification, as permitted by the Attorney General, is received, if the registrant submits to the Attorney General—

''(aa) the Drug Enforcement Administration registration number of the registrant;

''(bb) the quantity of marihuana already obtained;

''(cc) the quantity of additional marihuana needed to complete the research; and

''(dd) an attestation that the change in quantity does not impact the source of the drug or the conditions under which the drug is stored, tracked, or administered.

''(IV) Nothing in this clause shall limit the authority of the Secretary of Health and Human Services over requirements related to research protocols, including changes in—

''(aa) the method of administration of marihuana;

''(bb) the dosing of marihuana; and

''(cc) the number of individuals or patients involved in research.''.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall promulgate regulations to carry out the amendment made by this section.

SEC. ___13. APPLICATIONS TO MANUFACTURE MARIHUANA FOR RESEARCH.

(a) IN GENERAL.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsections (c) through (k) as subsections (d) through (l), respectively;

(2) by inserting after subsection (b) the following:

''(c)(1)(A) As it relates to applications to manufacture marihuana for research purposes, if the Attorney General places a notice in the Federal Register to increase the number of entities registered under this Act to manufacture marihuana to supply appropriately registered researchers in the United States, the Attorney General shall, not later than 60 days after the date on which the Attorney General receives a completed application—

''(i) approve the application; or

''(ii) request supplemental information.

''(B) For purposes of subparagraph (A), an application shall be deemed complete when the applicant has submitted documentation showing each of the following:

''(i) The requirements designated in the notice in the Federal Register are satisfied.

''(ii) The requirements under this Act are satisfied.

''(iii) The applicant will limit the transfer and sale of any marihuana manufactured under this subsection—

''(I) to researchers who are registered under this Act to conduct research with controlled substances in schedule I; and

''(II) for purposes of use in preclinical research or in a clinical investigation pursuant to an investigational new drug exemption under 505(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(i)).

''(iv) The applicant will transfer or sell any marihuana manufactured under this subsection only with prior, written consent for the transfer or sale by the Attorney General.

''(v) The applicant has completed the application and review process under subsection (a) for the bulk manufacture of controlled substances in schedule I.

''(vi) The applicant has established and begun operation of a process for storage and handling of controlled substances in schedule I, including for inventory control and monitoring security in accordance with section ___15 of the Cannabidiol and Marihuana Research Expansion Act.

''(vii) The applicant is licensed by each State in which the applicant will conduct operations under this subsection, to manufacture marihuana, if that State requires such a license.

''(C) Not later than 30 days after the date on which the Attorney General receives supplemental information requested under subparagraph (A)(ii) with respect to an application, the Attorney General shall approve or deny the application.

''(2) If an application described in this subsection is denied, the Attorney General shall provide a written explanation of the basis of denial to the applicant.'';

(3) in subsection (h)(2), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)'';

(4) in subsection (j)(1), as so redesignated, by striking ''subsection (d)'' and inserting ''subsection (e)''; and

(5) in subsection (k), as so redesignated, by striking ''subsection (f)'' each place it appears and inserting ''subsection (g)''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(A) in section 102 (21 U.S.C. 802)—

(i) in paragraph (16)(B)—

(I) in clause (i), by striking ''or'' at the end;

(II) by redesignating clause (ii) as (iii); and

(III) by inserting after clause (i) the following:

''(ii) the synthetic equivalent of hemp-derived cannabidiol that contains less than 0.3 percent tetrahydrocannabinol; or'';

(ii) in paragraph (52)(B)—

(I) by striking ''303(f)'' each place it appears and inserting ''303(g)''; and

(II) in clause (i), by striking ''(d), or (e)'' and inserting ''(e), or (f)''; and

(iii) in paragraph (54), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(B) in section 304 (21 U.S.C. 824), by striking ''303(g)(1)'' each place it appears and inserting ''303(h)(1)'';

(C) in section 307(d)(2) (21 U.S.C. 827(d)(2)), by striking ''303(f)'' and inserting ''303(g)'';

(D) in section 311(h) (21 U.S.C. 831(h)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(E) in section 401(h)(2) (21 U.S.C. 841(h)(2)), by striking ''303(f)'' each place it appears and inserting ''303(g)'';

(F) in section 403(c)(2)(B) (21 U.S.C. 843(c)(2)(B)), by striking ''303(f)'' and inserting ''303(g)''; and

(G) in section 512(c)(1) (21 U.S.C. 882(c)(1)) by striking ''303(f)'' and inserting ''303(g)''.

(2) Section 1008(c) of the Controlled Substances Import and Export Act (21 U.S.C. 958(c)) is amended—

(A) in paragraph (1), by striking ''303(d)'' and inserting ''303(e)''; and

(B) in paragraph (2)(B), by striking ''303(h)'' and inserting ''303(i)''.

(3) Title V of the Public Health Service Act (42 U.S.C. 290aa et seq.) is amended—

(A) in section 520E–4(c) (42 U.S.C. 290bb–36d(c)), by striking ''303(g)(2)(B)'' and inserting ''303(h)(2)(B)''; and

(B) in section 544(a)(3) (42 U.S.C. 290dd–3(a)(3)), by striking ''303(g)'' and inserting ''303(h)''.

SEC. ___14. ADEQUATE AND UNINTERRUPTED SUPPLY.

On an annual basis, the Attorney General shall assess whether there is an adequate and uninterrupted supply of marihuana, including of specific strains, for research purposes.

SEC. ___15. SECURITY REQUIREMENTS.

(a) IN GENERAL.—An individual or entity engaged in researching marihuana or its components shall store it in a securely locked, substantially constructed cabinet.

(b) REQUIREMENTS FOR OTHER MEASURES.—Any other security measures required by the Attorney General to safeguard against diversion shall be consistent with those required for practitioners conducting research on other controlled substances in schedules I and II in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)) that have a similar risk of diversion and abuse.

SEC. ___16. PROHIBITION AGAINST REINSTATING INTERDISCIPLINARY REVIEW PROCESS FOR NON-NIH FUNDED RESEARCHERS.

The Secretary of Health and Human Services may not—

(1) reinstate the Public Health Service interdisciplinary review process described in the guidance entitled ''Guidance on Procedures for the Provision of Marijuana for Medical Research'' (issued on May 21, 1999); or

(2) require another review of scientific protocols that is applicable only to research on marihuana or its components.

Subtitle B—Development of FDA-approved Drugs Using Cannabidiol and Marihuana

SEC. ___21. MEDICAL RESEARCH ON CANNABIDIOL.

Notwithstanding any provision of the Controlled Substances Act (21 U.S.C. 801 et seq.), the Safe and Drug-Free Schools and Communities Act (20 U.S.C. 7101 et seq.), chapter 81 of title 41, United States Code, or any other Federal law, an appropriately registered covered institution of higher education, a practitioner, or a manufacturer may manufacture, distribute, dispense, or possess marihuana or cannabidiol if the marihuana or cannabidiol is manufactured, distributed, dispensed, or possessed, respectively, for purposes of medical research for drug development or subsequent commercial production in accordance with section ___22.

SEC. ___22. REGISTRATION FOR THE COMMERCIAL PRODUCTION AND DISTRIBUTION OF FOOD AND DRUG ADMINISTRATION APPROVED DRUGS.

The Attorney General shall register an applicant to manufacture or distribute cannabidiol or marihuana for the purpose of commercial production of a drug containing or derived from marihuana that is approved by the Secretary of Health and Human Services under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), in accordance with the applicable requirements under subsection (a) or (b) of section 303 of the Controlled Substances Act (21 U.S.C. 823).

SEC. ___23. IMPORTATION OF CANNABIDIOL FOR RESEARCH PURPOSES.

The Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.) is amended—

(1) in section 1002(a) (21 U.S.C. 952(a))—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2)(C), by inserting ''and'' after ''uses,''; and

(C) inserting before the undesignated matter following paragraph (2)(C) the following:

''(3) such amounts of marihuana or cannabidiol (as defined in section ___02 of the Cannabidiol and Marihuana Research Expansion Act) as are—

''(A) approved for medical research for drug development (as such terms are defined in section ___02 of the Cannabidiol and Marihuana Research Expansion Act), or

''(B) necessary for registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.),''; and

(2) in section 1007 (21 U.S.C. 957), by amending subsection (a) to read as follows:

''(a)(1) Except as provided in paragraph (2), no person may—

''(A) import into the customs territory of the United States from any place outside thereof (but within the United States), or import into the United States from any place outside thereof, any controlled substance or list I chemical, or

''(B) export from the United States any controlled substance or list I chemical,

unless there is in effect with respect to such person a registration issued by the Attorney General under section 1008, or unless such person is exempt from registration under subsection (b).

''(2) Paragraph (1) shall not apply to the import or export of marihuana or cannabidiol (as defined in section ___02 of the Cannabidiol and Marihuana Research Expansion Act) that has been approved for—

''(A) medical research for drug development authorized under section ___21 of the Cannabidiol and Marihuana Research Expansion Act; or

''(B) use by registered manufacturers to manufacture drugs containing marihuana or cannabidiol that have been approved for use by the Commissioner of Food and Drugs under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).''.

Subtitle C—Doctor-patient Relationship

SEC. ___31. DOCTOR-PATIENT RELATIONSHIP.

It shall not be a violation of the Controlled Substances Act (21 U.S.C. 801 et seq.) for a State-licensed physician to discuss—

(1) the currently known potential harms and benefits of marihuana derivatives, including cannabidiol, as a treatment with the legal guardian of the patient of the physician if the patient is a child; or

(2) the currently known potential harms and benefits of marihuana and marihuana derivatives, including cannabidiol, as a treatment with the patient or the legal guardian of the patient of the physician if the patient is a legal adult.

Subtitle D—Federal Research

SEC. ___41. FEDERAL RESEARCH.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in coordination with the Director of the National Institutes of Health and the heads of other relevant Federal agencies, shall submit to the Caucus on International Narcotics Control, the Committee on the Judiciary, and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on the Judiciary of the House of Representatives a report on—

(1) the potential therapeutic effects of cannabidiol or marihuana on serious medical conditions, including intractable epilepsy;

(2) the potential effects of marihuana, including—

(A) the effect of increasing delta-9-tetrahydrocannabinol levels on the human body and developing adolescent brains; and

(B) the effect of various delta-9-tetrahydrocannabinol levels on cognitive abilities, such as those that are required to operate motor vehicles or other heavy equipment; and

(3) the barriers associated with researching marihuana or cannabidiol in States that have legalized the use of such substances, which shall include—

(A) recommendations as to how such barriers might be overcome, including whether public-private partnerships or Federal-State research partnerships may or should be implemented to provide researchers with access to additional strains of marihuana and cannabidiol; and

(B) recommendations as to what safeguards must be in place to verify—

(i) the levels of tetrahydrocannabinol, cannabidiol, or other cannabinoids contained

in products obtained from such States is accurate; and

(ii) that such products do not contain harmful or toxic components.

(b) ACTIVITIES.—To the extent practicable, the Secretary of Health and Human Services, either directly or through awarding grants, contacts, or cooperative agreements, shall expand and coordinate the activities of the National Institutes of Health and other relevant Federal agencies to better determine the effects of cannabidiol and marihuana, as outlined in the report submitted under paragraphs (1) and (2) of subsection (a).

SA 1833. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 952. LIMITATION ON CONSOLIDATION OR TRANSITION TO ALTERNATIVE CONTENT DELIVERY METHODS WITHIN THE DEFENSE MEDIA ACTIVITY.

(a) IN GENERAL.—No consolidation or transition to alternative content delivery methods may occur within the Defense Media Activity until 180 days after the Secretary of Defense submits to the congressional defense committees the report that includes a certification, in detail, that such consolidation or transition to alternative content delivery methods within shall not—

(1) compromise safety and security of members of the Armed Forces and their families;

(2) compromise the cybersecurity or security of content delivery to members of the Armed Forces, whether through—

(A) inherent vulnerabilities in the content delivery method concerned;

(B) vulnerabilities in the personal devices used by members; or

(C) vulnerabilities in the receivers or streaming devices necessary to accommodate the alternative content delivery method;

(3) increase monetary costs or personal financial liabilities to members of the Armed Forces or their families, whether through monthly subscription fees or other tolls required to access digital content; and

(4) impede access to content due to bandwidth or other technical limitations where members of the Armed Forces receive content.

(b) DEFINITIONS.—In this section:

(1) ALTERNATIVE CONTENT DELIVERY.—The term ''alternative content delivery'' means any method of the Defense Media Activity for the delivery of digital content that is different from a method used by the Activity at a cost as of the date of the enactment of this Act.

(2) CONSOLIDATION.—The term ''consolidation'', in the case of the Defense Media Activity, means any action to reduce or limit the functions, personnel, facilities, or capabilities of the Activity, including entering into contracts or developing plans for such reduction or limitation.

SA 1834. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. LAND EXCHANGE, SAN BERNARDINO COUNTY, CALIFORNIA.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means the County of San Bernardino, California.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 73 acres of Federal land generally depicted as ''Federal Land Proposed for Exchange'' on the map entitled ''Big Bear Land Exchange'' and dated August 6, 2018.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the approximately 71 acres of land owned by the County generally depicted as ''Non-Federal Land Proposed for Exchange'' on the map referred to in paragraph (2).

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

(b) EXCHANGE AUTHORIZED.—Subject to valid existing rights and this section, not later than 1 year after the date on which the portion of the Pacific Crest National Scenic Trail is relocated in accordance with subsection (i), if the County offers to convey the non-Federal land to the United States, the Secretary shall—

(1) convey to the County all right, title, and interest of the United States in and to the Federal land; and

(2) accept from the County a conveyance of all right, title, and interest of the County in and to the non-Federal land.

(c) EQUAL VALUE AND CASH EQUALIZATION.—

(1) EQUAL VALUE EXCHANGE.—

(A) IN GENERAL.—The land exchange under this section shall be for equal value, or the values of the land exchanged under this section shall be equalized by—

(i) a cash payment in accordance with this subsection; or

(ii) an adjustment in acreage.

(B) GIFT.—At the option of the County, any amount by which the value of the non-Federal land exceeds the value of the Federal land may be considered a gift to the United States.

(2) CASH EQUALIZATION PAYMENT.—The County may equalize the values of the land to be exchanged under this section by cash payment without regard to any statutory limitation on the amount of such a cash equalization payment.

(3) DEPOSIT AND USE OF FUNDS RECEIVED FROM COUNTY.—Any cash equalization payment received by the Secretary under this subsection shall—

(A) be deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a); and

(B) remain available to the Secretary, until expended, for the acquisition of land, water, and interests in land for the San Bernardino National Forest.

(d) APPRAISAL.—The Secretary shall complete an appraisal of the land to be exchanged under this section in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(2) the Uniform Standards of Professional Appraisal Practice.

(e) TITLE APPROVAL.—Title to the land to be exchanged under this section shall be in a format acceptable to the Secretary and the County.

(f) SURVEY OF NON-FEDERAL LAND.—Before completing the exchange under this section, the Secretary shall inspect the non-Federal land to ensure that the land meets Federal standards, including with respect to hazardous materials and land line surveys.

(g) COSTS OF CONVEYANCE.—As a condition of the conveyance of the Federal land under this section, any costs related to the exchange under this section shall be paid by the County.

(h) MANAGEMENT OF ACQUIRED LANDS.—The Secretary shall manage the non-Federal land acquired under this section in accordance with—

(1) the Act of March 1, 1911 (commonly known as the ''Weeks Law'') (36 Stat. 961, chapter 186; 16 U.S.C. 552 et seq.); and

(2) other laws and regulations applicable to National Forest System land.

(i) PACIFIC CREST NATIONAL SCENIC TRAIL RELOCATION.—Not later than 3 years after the date of enactment of this Act, the Secretary, in accordance with applicable laws, shall relocate the portion of the Pacific Crest National Scenic Trail located on the Federal land—

(1) to adjacent National Forest System land;

(2) to land owned by the County, subject to County approval;

(3) to land within the Federal land, subject to County approval; or

(4) in a manner that combines 2 or more of the options described in paragraphs (1), (2), and (3).

(j) MAP AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a map and legal descriptions of all land to be conveyed under this section.

(2) CORRECTIONS.—The Secretary may correct any minor errors in the map or in the legal descriptions prepared under paragraph (1).

(3) PUBLIC AVAILABILITY.—The map and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in appropriate offices of the Forest Service.

SA 1835. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 1___. LAND CONVEYANCE, OVER-THE-HORIZON BACKSCATTER RADAR SYSTEM RECEIVING STATION, MODOC COUNTY, CALIFORNIA.

(a) CONVEYANCE REQUIRED.—Subject to subsections (c), (d), and (e), the Secretary of Agriculture (referred to in this section as the ''Secretary'') shall offer to convey to Modoc County, California (referred to in this section as the ''County''), all right, title, and interest of the United States in and to a parcel of National Forest System land, including improvements thereon, consisting of approximately 927 acres in Modoc National Forest in the State of California and containing an obsolete Over-the-Horizon Backscatter Radar System receiving station established on the parcel pursuant to a memorandum of agreement between the Department of the Air Force and the Forest Service dated May 18 and 23, 1987.

(b) PURPOSES OF CONVEYANCE.—The purposes of the conveyance under subsection (a) are to preserve and utilize the improvements constructed on the parcel of National Forest System land described in that subsection and

to permit the County to use the conveyed property, including improvements thereon, for the development of renewable energy, including solar and biomass cogeneration.

(c) CONSIDERATION.—As consideration for the conveyance under subsection (a), the County shall provide the United States with consideration in an amount that is acceptable to the Secretary, whether by cash payment, in-kind consideration, or a combination thereof.

(d) APPRAISAL.—

(1) APPRAISAL REQUIRED.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct an appraisal to determine the fair market value of the National Forest System land to be conveyed under subsection (a).

(2) STANDARDS.—The appraisal under paragraph (1) shall be conducted in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisition; and

(B) the Uniform Standards of Professional Appraisal Practice.

(e) RESERVATION OF EASEMENT RELATED TO CONTINUED USE OF WATER WELLS.—The conveyance required by subsection (a) shall be conditioned on the reservation of an easement by the Secretary, subject to such terms and conditions as the Secretary determines to be appropriate, necessary to provide access for use authorized by the Secretary of the 4 water wells in existence on the date of enactment of this Act and associated water conveyance infrastructure on the parcel of National Forest System land to be conveyed.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—

(A) IN GENERAL.—As a condition on the conveyance required by subsection (a), the Secretary shall require the County to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for those costs incurred by the Secretary, to carry out the conveyance, including—

(i) survey costs;

(ii) costs for environmental documentation; and

(iii) any other administrative costs related to the conveyance.

(B) REFUND.—If the Secretary collects amounts from the County in advance of the Secretary incurring the actual costs described in subparagraph (A), and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be—

(A) credited to the fund or account that was used to cover the costs described in that paragraph incurred by the Secretary in carrying out the conveyance;

(B) merged with amounts in the fund or account described in subparagraph (A); and

(C) available for the same purposes, and subject to the same conditions and limitations, as amounts in the fund or account described in subparagraph (A).

(g) ENVIRONMENTAL REMEDIATION.—

(1) IN GENERAL.—To expedite the conveyance of the parcel of National Forest System land described in subsection (a), including improvements thereon, environmental remediation of the land by the Department of the Air Force shall be limited to—

(A) the removal of the perimeter wooden fence, which was treated with an arsenic-based weatherproof coating; and

(B) treatment of soil affected by leaching of the chemical described in subparagraph (A).

(2) POTENTIAL FUTURE ENVIRONMENTAL REMEDIATION RESPONSIBILITIES.—Notwithstanding the conveyance of the parcel of National Forest System land described in subsection (a), the Secretary of the Air Force shall be responsible for the remediation of any environmental contamination that is—

(A) discovered after that conveyance; and

(B) attributed to Air Force occupancy of and operations on the parcel before that conveyance.

(h) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(i) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section affects or limits the application of or obligation to comply with any environmental law, including—

(1) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.); and

(2) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

SA 1836. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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____. PROHIBITED USES OF ACQUIRED, DONATED, AND CONSERVATION LAND.

Section 714(a) of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–81c(a)) is amended by striking paragraph (3) and inserting the following:

''(3) CONSERVATION LAND.—The term 'conservation land' means—

''(A) any land within the Conservation Area that is designated to satisfy the conditions of a Federal habitat conservation plan, general conservation plan, or State natural communities conservation plan;

''(B) any national conservation land within the Conservation Area established pursuant to section 2002(b)(2)(D) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7202(b)(2)(D)); and

''(C) any area of critical environmental concern within the Conservation Area established pursuant to section 202(c)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712(c)(3)).''.

SA 1837. Ms. COLLINS (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3____. BETTER ENERGY STORAGE TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) ENERGY STORAGE SYSTEM.—The term ''energy storage system'' means any system, equipment, facility, or technology that—

(A) is capable of absorbing or converting energy, storing the energy for a period of time, and dispatching the energy; and

(B)(i) uses mechanical, electrochemical, thermal, electrolysis, or other processes to convert and store electric energy that was generated at an earlier time for use at a later time; or

(ii) stores energy in an electric, thermal, or gaseous state for direct use for heating or cooling at a later time in a manner that avoids the need to use electricity or other fuel sources at that later time, such as a grid-enabled water heater.

(3) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) ENERGY STORAGE SYSTEM RESEARCH, DEVELOPMENT, AND DEPLOYMENT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program, to be known as the ''Energy Storage System Research, Development, and Deployment Program'' (referred to in this subsection as the ''program'').

(2) INITIAL PROGRAM OBJECTIVES.—The program shall focus on research, development, and deployment of—

(A) energy storage systems designed to further the development of technologies—

(i) for large-scale commercial deployment;

(ii) for deployment at cost targets established by the Secretary;

(iii) for hourly and subhourly durations required to provide reliability services to the grid;

(iv) for daily durations, which have—

(I) the capacity to discharge energy for a minimum of 6 hours; and

(II) a system lifetime of at least 20 years under regular operation;

(v) for weekly or monthly durations, which have—

(I) the capacity to discharge energy for 10 to 100 hours, at a minimum; and

(II) a system lifetime of at least 20 years under regular operation; and

(vi) for seasonal durations, which have—

(I) the capability to address seasonal variations in supply and demand; and

(II) a system lifetime of at least 20 years under regular operation;

(B) distributed energy storage technologies and applications, including building-grid integration;

(C) transportation energy storage technologies and applications, including vehicle-grid integration;

(D) cost-effective systems and methods for—

(i) the reclamation, recycling, and disposal of energy storage materials, including lithium, cobalt, nickel, and graphite; and

(ii) the reuse and repurposing of energy storage system technologies;

(E) advanced control methods for energy storage systems;

(F) pumped hydroelectric energy storage systems to advance—

(i) adoption of innovative technologies, including—

(I) adjustable-speed, ternary, and other new pumping and generating equipment designs;

(II) modular systems;

(III) closed-loop systems, including mines and quarries; and

(IV) other critical equipment and materials for pumped hydroelectric energy storage, as determined by the Secretary; and

(ii) reductions of equipment costs, civil works costs, and construction times for pumped hydroelectric energy storage

projects, with the goal of reducing those costs by 50 percent;

(G) models and tools to demonstrate the benefits of energy storage to—

(i) power and water supply systems;

(ii) electric generation portfolio optimization; and

(iii) expanded deployment of other renewable energy technologies, including in hybrid energy storage systems; and

(H) energy storage use cases from individual and combination technology applications, including value from various-use cases and energy storage services.

(3) TESTING AND VALIDATION.—In coordination with 1 or more National Laboratories, the Secretary shall accelerate the development, standardized testing, and validation of energy storage systems under the program by developing testing and evaluation methodologies for—

(A) storage technologies, controls, and power electronics for energy storage systems under a variety of operating conditions;

(B) standardized and grid performance testing for energy storage systems, materials, and technologies during each stage of development, beginning with the research stage and ending with the deployment stage;

(C) reliability, safety, and durability testing under standard and evolving duty cycles; and

(D) accelerated life testing protocols to predict estimated lifetime metrics with accuracy.

(4) PERIODIC EVALUATION OF PROGRAM OBJECTIVES.—Not less frequently than once every calendar year, the Secretary shall evaluate and, if necessary, update the program objectives to ensure that the program continues to advance energy storage systems toward widespread commercial deployment by lowering the costs and increasing the duration of energy storage resources.

(5) ENERGY STORAGE STRATEGIC PLAN.—

(A) IN GENERAL.—The Secretary shall develop a 10-year strategic plan for the program, and update the plan, in accordance with this paragraph.

(B) CONTENTS.—The strategic plan developed under subparagraph (A) shall—

(i) be coordinated with and integrated across other relevant offices in the Department;

(ii) to the extent practicable, include metrics that can be used to evaluate storage technologies;

(iii) identify Department programs that—

(I) support the research and development activities described in paragraph (2) and the demonstration projects under subsection (c); and

(II)(aa) do not support the activities or projects described in subclause (I); but

(bb) are important to the development of energy storage systems and the mission of the Department, as determined by the Secretary;

(iv) include expected timelines for—

(I) the accomplishment of relevant objectives under current programs of the Department relating to energy storage systems; and

(II) the commencement of any new initiatives within the Department relating to energy storage systems to accomplish those objectives; and

(v) incorporate relevant activities described in the Grid Modernization Initiative Multi-Year Program Plan.

(C) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives the strategic plan developed under subparagraph (A).

(D) UPDATES TO PLAN.—The Secretary—

(i) shall annually review the strategic plan developed under subparagraph (A); and

(ii) may periodically revise the strategic plan as appropriate.

(6) LEVERAGING OF RESOURCES.—The program may be led by a specific office of the Department, but shall be cross-cutting in nature, so that in carrying out activities under the program, the Secretary (or a designee of the Secretary charged with leading the program) shall leverage existing Federal resources, including, at a minimum, the expertise and resources of—

(A) the Office of Electricity Delivery and Energy Reliability;

(B) the Office of Energy Efficiency and Renewable Energy, including the Water Power Technologies Office; and

(C) the Office of Science, including—

(i) the Basic Energy Sciences Program;

(ii) the Advanced Scientific Computing Research Program;

(iii) the Biological and Environmental Research Program; and

(D) the Electricity Storage Research Initiative established under section 975 of the Energy Policy Act of 2005 (42 U.S.C. 16315).

(7) PROTECTING PRIVACY AND SECURITY.—In carrying out this subsection, the Secretary shall identify, incorporate, and follow best practices for protecting the privacy of individuals and businesses and the respective sensitive data of the individuals and businesses, including by managing privacy risk and implementing the Fair Information Practice Principles of the Federal Trade Commission for the collection, use, disclosure, and retention of individual electric consumer information in accordance with the Office of Management and Budget Circular A–130 (or successor circulars).

(c) ENERGY STORAGE DEMONSTRATION PROJECTS; PILOT GRANT PROGRAM.—

(1) DEMONSTRATION PROJECTS.—Not later than September 30, 2023, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).

(2) ENERGY STORAGE PILOT GRANT PROGRAM.—

(A) DEFINITION OF ELIGIBLE ENTITY.—In this paragraph, the term ''eligible entity'' means—

(i) a State energy office (as defined in section 124(a) of the Energy Policy Act of 2005 (42 U.S.C. 15821(a)));

(ii) an Indian tribe (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103);

(iii) a tribal organization (as defined in section 3765 of title 38, United States Code);

(iv) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(v) an electric utility, including—

(I) an electric cooperative;

(II) a political subdivision of a State, such as a municipally owned electric utility, or any agency, authority, corporation, or instrumentality of a State political subdivision; and

(III) an investor-owned utility; and

(vi) a private energy storage company.

(B) ESTABLISHMENT.—The Secretary shall establish a competitive grant program under which the Secretary shall award grants to eligible entities to carry out demonstration projects for pilot energy storage systems.

(C) SELECTION REQUIREMENTS.—In selecting eligible entities to receive a grant under subparagraph (B), the Secretary shall, to the maximum extent practicable—

(i) ensure regional diversity among eligible entities awarded grants, including ensuring participation of eligible entities that are rural States and States with high energy costs;

(ii) ensure that grants are awarded for demonstration projects that—

(I) expand on the existing technology demonstration programs of the Department;

(II) are designed to achieve 1 or more of the objectives described in subparagraph (D); and

(III) inject or withdraw energy from the bulk power system, electric distribution system, building energy system, or microgrid (grid-connected or islanded mode) where the project is located; and

(iii) give consideration to proposals from eligible entities for securing energy storage through competitive procurement or contract for service.

(D) OBJECTIVES.—Each demonstration project carried out by a grant awarded under subparagraph (B) shall have 1 or more of the following objectives:

(i) To improve the security of critical infrastructure and emergency response systems.

(ii) To improve the reliability of transmission and distribution systems, particularly in rural areas, including high-energy-cost rural areas.

(iii) To optimize transmission or distribution system operation and power quality to defer or avoid costs of replacing or upgrading electric grid infrastructure, including transformers and substations.

(iv) To supply energy at peak periods of demand on the electric grid or during periods of significant variation of electric grid supply.

(v) To reduce peak loads of homes and businesses.

(vi) To improve and advance power conversion systems.

(vii) To provide ancillary services for grid stability and management.

(viii) To integrate renewable energy resource production.

(ix) To increase the feasibility of microgrids (grid-connected or islanded mode).

(x) To enable the use of stored energy in forms other than electricity to support the natural gas system and other industrial processes.

(xi) To integrate fast charging of electric vehicles.

(xii) To improve energy efficiency.

(3) REPORTS.—Not less frequently than once every 2 years for the duration of the programs under paragraphs (1) and (2), the Secretary shall submit to Congress and make publicly available a report describing the performance of those programs.

(4) NO PROJECT OWNERSHIP INTEREST.—The Federal Government shall not hold any equity or other ownership interest in any energy storage system that is part of a project under this subsection unless the holding is agreed to by each participant of the project.

(d) TECHNICAL AND PLANNING ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(i) an electric cooperative;

(ii) a political subdivision of a State, such as a municipally owned electric utility, or any agency, authority, corporation, or instrumentality of a State political subdivision;

(iii) a not-for-profit entity that is in a partnership with not less than 6 entities described in clause (i) or (ii); and

(iv) an investor-owned utility.

(B) PROGRAM.—The term ''program'' means the technical and planning assistance program established under paragraph (2)(A).

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a technical and planning assistance program to assist eligible entities in identifying, evaluating, planning, designing, and developing processes to procure energy storage systems.

(B) ASSISTANCE AND GRANTS.—Under the program, the Secretary shall—

(i) provide technical and planning assistance, including disseminating information, directly to eligible entities; and

(ii) award grants to eligible entities to contract to obtain technical and planning assistance from outside experts.

(C) FOCUS.—In carrying out the program, the Secretary shall focus on energy storage system projects that have the greatest potential for—

(i) strengthening the reliability and resiliency of energy infrastructure;

(ii) reducing the cost of energy storage systems;

(iii) improving the feasibility of microgrids (grid-connected or islanded mode), particularly in rural areas, including high energy cost rural areas;

(iv) reducing consumer electricity costs; or

(v) maximizing local job creation.

(3) TECHNICAL AND PLANNING ASSISTANCE.—

(A) IN GENERAL.—Technical and planning assistance provided under the program shall include assistance with 1 or more of the following activities relating to energy storage systems:

(i) Identification of opportunities to use energy storage systems.

(ii) Feasibility studies to assess the potential for development of new energy storage systems or improvement of existing energy storage systems.

(iii) Assessment of technical and economic characteristics, including a cost-benefit analysis.

(iv) Utility interconnection.

(v) Permitting and siting issues.

(vi) Business planning and financial analysis.

(vii) Engineering design.

(viii) Resource adequacy planning.

(ix) Resilience planning and valuation.

(B) EXCLUSION.—Technical and planning assistance provided under the program shall not be used to pay any person for influencing or attempting to influence an officer or employee of any Federal, State, or local agency, a Member of Congress, an employee of a Member of Congress, a State or local legislative body, or an employee of a State or local legislative body.

(4) INFORMATION DISSEMINATION.—The information disseminated under paragraph (2)(B)(i) shall include—

(A) information relating to the topics described in paragraph (3)(A), including case studies of successful examples;

(B) computational tools or software for assessment, design, and operation and maintenance of energy storage systems;

(C) public databases that track existing and planned energy storage systems;

(D) best practices for the utility and grid operator business processes associated with the topics described in paragraph (3)(A); and

(E) relevant State policies or regulations associated with the topics described in paragraph (3)(A).

(5) APPLICATIONS.—

(A) IN GENERAL.—The Secretary shall seek applications for the program—

(i) on a competitive, merit-reviewed basis; and

(ii) on a periodic basis, but not less frequently than once every 12 months.

(B) APPLICATION.—An eligible entity desiring to apply for the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including whether the eligible entity is applying for—

(i) direct technical or planning assistance under paragraph (2)(B)(i); or

(ii) a grant under paragraph (2)(B)(ii).

(C) PRIORITIES.—In selecting eligible entities for technical and planning assistance under the program, the Secretary shall give priority to eligible entities described in clauses (i) and (ii) of paragraph (1)(A).

(6) REPORTS.—The Secretary shall submit to Congress and make available to the public—

(A) not less frequently than once every 2 years, a report describing the performance of the program, including a synthesis and analysis of any information the Secretary requires grant recipients to provide to the Secretary as a condition of receiving a grant; and

(B) on termination of the program, an assessment of the success of, and education provided by, the measures carried out by eligible entities under the program.

(7) COST-SHARING.—Activities under this subsection shall be subject to the cost-sharing requirements under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(e) ENERGY STORAGE MATERIALS RECYCLING PRIZE COMPETITION.—Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by adding at the end the following:

''(g) ENERGY STORAGE MATERIALS RECYCLING PRIZE COMPETITION.—

''(1) DEFINITION OF CRITICAL ENERGY STORAGE MATERIALS.—In this subsection, the term 'critical energy storage materials' includes—

''(A) lithium;

''(B) cobalt;

''(C) nickel;

''(D) graphite; and

''(E) any other material determined by the Secretary to be critical to the continued growing supply of energy storage resources.

''(2) PRIZE AUTHORITY.—

''(A) IN GENERAL.—As part of the program established under subsection (a), the Secretary shall establish an award program, to be known as the 'Energy Storage Materials Recycling Prize Competition' (referred to in this subsection as the 'program'), under which the Secretary shall carry out prize competitions and make awards to advance the recycling of critical energy storage materials.

''(B) FREQUENCY.—To the maximum extent practicable, the Secretary shall carry out a competition under the program not less frequently than once every calendar year.

''(3) ELIGIBILITY.—

''(A) IN GENERAL.—To be eligible to win a prize under the program, an individual or entity—

''(i) shall have complied with the requirements of the competition as described in the announcement for that competition published in the Federal Register by the Secretary under paragraph (6);

''(ii) in the case of a private entity, shall be incorporated in the United States and maintain a primary place of business in the United States;

''(iii) in the case of an individual, whether participating singly or in a group, shall be a citizen of, or an alien lawfully admitted for permanent residence in, the United States.

''(B) EXCLUSIONS.—The following entities and individuals shall not be eligible to win a prize under the program:

''(i) A Federal entity.

''(ii) A Federal employee (including an employee of a National Laboratory) acting within the scope of employment.

''(4) AWARDS.—In carrying out the program, the Secretary shall award cash prizes, in amounts to be determined by the Secretary, to each individual or entity selected through a competitive process to develop advanced methods or technologies to recycle critical energy storage materials from energy storage systems.

''(5) CRITERIA.—

''(A) IN GENERAL.—The Secretary shall establish objective, merit-based criteria for awarding the prizes in each competition carried out under the program.

''(B) REQUIREMENTS.—The criteria established under subparagraph (A) shall prioritize advancements in methods or technologies that present the greatest potential for large-scale commercial deployment.

''(C) CONSULTATION.—In establishing criteria under subparagraph (A), the Secretary shall consult with appropriate members of private industry involved in the commercial deployment of energy storage systems.

''(6) ADVERTISING AND SOLICITATION OF COMPETITORS.—

''(A) IN GENERAL.—The Secretary shall announce each prize competition under the program by publishing a notice in the Federal Register.

''(B) REQUIREMENTS.—Each notice published under subparagraph (A) shall describe the essential elements of the competition, such as—

''(i) the subject of the competition;

''(ii) the duration of the competition;

''(iii) the eligibility requirements for participation in the competition;

''(iv) the process for participants to register for the competition;

''(v) the amount of the prize; and

''(vi) the criteria for awarding the prize.

''(7) JUDGES.—

''(A) IN GENERAL.—For each prize competition under the program, the Secretary shall assemble a panel of qualified judges to select the winner or winners of the competition on the basis of the criteria established under paragraph (5).

''(B) SELECTION.—The judges for each competition shall include appropriate members of private industry involved in the commercial deployment of energy storage systems.

''(C) CONFLICTS.—An individual may not serve as a judge in a prize competition under the program if the individual, the spouse of the individual, any child of the individual, or any other member of the household of the individual—

''(i) has a personal or financial interest in, or is an employee, officer, director, or agent of, any entity that is a registered participant in the prize competition for which the individual will serve as a judge; or

''(ii) has a familial or financial relationship with a registered participant in the prize competition for which the individual will serve as a judge.

''(8) REPORT TO CONGRESS.—Not later than 60 days after the date on which the first prize is awarded under the program, and annually thereafter, the Secretary shall submit to Congress a report that—

''(A) identifies each award recipient;

''(B) describes the advanced methods or technologies developed by each award recipient; and

''(C) specifies actions being taken by the Department toward commercial application of all methods or technologies with respect to which a prize has been awarded under the program.

''(9) ANTI-DEFICIENCY ACT.—The Secretary shall carry out the program in accordance with section 1341 of title 31, United States Code (commonly referred to as the 'Anti-Deficiency Act').

''(10) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to

carry out this subsection $10,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.''.

(f) REGULATORY ACTIONS TO ENCOURAGE ENERGY STORAGE DEPLOYMENT.—

(1) DEFINITIONS.—In this subsection:

(A) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(B) ELECTRIC STORAGE RESOURCE.—The term ''electric storage resource'' means a resource capable of receiving electric energy from the grid and storing that electric energy for later injection back into the grid.

(2) REGULATORY ACTION.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall issue a regulation to identify the eligibility of, and process for, electric storage resources—

(i) to receive cost recovery through Commission-regulated rates for the transmission of electric energy in interstate commerce; and

(ii) that receive cost recovery under clause (i) to receive compensation for other services (such as the sale of energy, capacity, or ancillary services) without regard to whether those services are provided concurrently with the transmission service described in clause (i).

(B) PROHIBITION OF DUPLICATE RECOVERY.—Any regulation issued under subparagraph (A) shall preclude the receipt of unjust and unreasonable double recovery for electric storage resources providing services described in clauses (i) and (ii) of that subparagraph.

(3) ELECTRIC STORAGE RESOURCES TECHNICAL CONFERENCE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall convene a technical conference on the potential for electric storage resources to improve the operation of electric systems.

(B) REQUIREMENTS.—The technical conference under subparagraph (A) shall—

(i) identify opportunities for further consideration of electric storage resources in regional and interregional transmission planning processes within the jurisdiction of the Commission;

(ii) identify all energy, capacity, and ancillary service products, market designs, or rules that—

(I) are within the jurisdiction of the Commission; and

(II) enable and compensate for the use of electric storage resources that improve the operation of electric systems;

(iii) examine additional products, market designs, or rules that would enable and compensate for the use of electric storage resources for improving the operation of electric systems; and

(iv) examine the functional value of electric storage resources at the transmission and distribution system interface for purposes of providing electric system reliability.

(g) COORDINATION.—To the maximum extent practicable, the Secretary shall coordinate the activities under this section (including activities conducted pursuant to the amendments made by this section) among the offices and employees of the Department, other Federal agencies, and other relevant entities—

(1) to ensure appropriate collaboration; and

(2) to avoid unnecessary duplication of those activities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(1) to carry out subsection (b), $100,000,000 for each of fiscal years 2021 through 2025, to remain available until expended;

(2) to carry out subsection (c), $100,000,000 for each of fiscal years 2021 through 2025, to remain available until expended; and

(3) to carry out subsection (d), $20,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

SA 1838. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 382. INCREASE OF AMOUNTS AVAILABLE TO MARINE CORPS FOR BASE OPERATIONS AND SUPPORT.

(a) INCREASE OF BASE OPERATIONS AND SUPPORT.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Marine Corps, is hereby increased by $47,600,000, with the amount of the increase to be available for base operations and support (SAG BSS1).

(b) OFFSETS.—

(1) OPERATION AND MAINTENANCE.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Marine Corps, is hereby reduced by $4,700,000, with the amount of the reduction to be derived from SAG 1A1A.

(2) MODIFICATION KIT PROCUREMENT.—The amount authorized to be appropriated for fiscal year 2021 for procurement for the Marine Corps, is hereby reduced by $3,100,000, with the amount of the reduction to be derived from Line 7, Modification Kits.

(3) DIRECT SUPPORT MUNITION PROCUREMENT.—The amount authorized to be appropriated for fiscal year 2021 for procurement and ammunition for the Marine Corps, is hereby reduced by $39,800,000, with the amount of the reduction to be derived from Line 17, Direct Support Munitions.

SA 1839. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. MODERNIZATION OF CONGRESSIONAL REPORTS PROCESS.

(a) INCREASE IN O&M, DEFENSE-WIDE ACTIVITIES.—The amount authorized to be appropriated for fiscal year 2021 by section 301 is hereby increased by $2,000,000, with the amount of the increase to be available for operation and maintenance, Defense-wide activities, for SAG 4GTN Office of the Secretary of Defense for modernization of the congressional reports process.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2021 by section 301 is hereby decreased by $2,000,000, with the amount of the decrease to be applied against amounts available for operation and maintenance, Army, for SAG 421 for Servicewide Transportation for historical underexecution.

SA 1840. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, insert the following:

SEC. ___. WAIVERS OF CERTAIN CONDITIONS FOR PROGRESS PAYMENTS UNDER CERTAIN CONTRACTS DURING THE COVID–19 NATIONAL EMERGENCY.

During the national emergency declared under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the coronavirus disease 2019 (commonly referred to as ''COVID–19''), the Secretary of Defense may waive section 2307(e)(2) of title 10, United States Code, with respect to progress payments for any undefinitized contract.

SA 1841. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 723.

SA 1842. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3159.

SA 1843. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 602, strike subsection (e).

SA 1844. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 title appropriate place in title X, insert the following:

SEC. ___. TRANSFER OF MARE ISLAND NAVAL CEMETERY TO SECRETARY OF VETERANS AFFAIRS FOR MAINTENANCE BY NATIONAL CEMETERY ADMINISTRATION.

(a) AGREEMENT.—Beginning on the date that is 180 days after the date on which the Secretary of Veterans Affairs submits the report required by subsection (c)(1), the Secretary of Veterans Affairs shall seek to enter into an agreement with the city of Vallejo, California, under which the city of Vallejo shall transfer to the Secretary all right, title, and interest in the Mare Island Naval Cemetery in Vallejo, California, at no cost to the Secretary. The Secretary shall seek to enter into such agreement before the date that is one year after the date on which such report is submitted.

(b) MAINTENANCE BY NATIONAL CEMETERY ADMINISTRATION.—If the Mare Island Naval Cemetery is transferred to the Secretary of Veterans Affairs pursuant to subsection (a), the National Cemetery Administration shall maintain the cemetery as a national shrine.

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the feasibility and advisability of exercising the authority granted by subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include the following:

(A) An assessment of the feasibility and advisability of exercising the authority granted by subsection (a).

(B) An estimate of the costs, including both direct and indirect costs, that the Department of Veterans Affairs would incur by exercising such authority.

SA 1845. Mr. VAN HOLLEN (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ____—DETERRING FOREIGN INTERFERENCE IN ELECTIONS

SEC. ___01. SHORT TITLE.

This division may be cited as the ''Defending Elections from Threats by Establishing Redlines Act of 2020''.

SEC. ___02. DEFINITIONS.

In this division:

(1) ACCOUNT; CORRESPONDENT ACCOUNT; PAYABLE-THROUGH ACCOUNT.—The terms ''account'', ''correspondent account'', and ''payable-through account'' have the meanings given those terms in section 5318A of title 31, United States Code.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Finance, the Select Committee on Intelligence, and the Committee on Rules and Administration of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, the Permanent Select Committee on Intelligence, and the Committee on House Administration of the House of Representatives.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the appropriate congressional committees;

(B) the majority leader and minority leader of the Senate; and

(C) the Speaker, the majority leader, and the minority leader of the House of Representatives.

(4) ELECTION AND CAMPAIGN INFRASTRUCTURE.—The term ''election and campaign infrastructure'' means information and communications technology and systems used by or on behalf of—

(A) the Federal Government or a State or local government in managing the election process, including voter registration databases, voting machines, voting tabulation equipment, equipment for the secure transmission of election results, and other systems; or

(B) a principal campaign committee or national committee (as those terms are defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101)) with respect to strategy or tactics affecting the conduct of a political campaign, including electronic communications, and the information stored on, processed by, or transiting such technology and systems.

(5) FEDERAL ELECTION CYCLE.—The term ''Federal election cycle'' means the period beginning on the day after the date of the most recent election for members of the House of Representatives and ending on the date of the next election for members of the House of Representatives.

(6) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(7) GOOD.—The term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(8) INTERFERENCE IN UNITED STATES ELECTIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''interference'', with respect to a United States election, means any of the following actions of the government of a foreign country, or any person acting as an agent of or on behalf of such a government, undertaken with the intent to influence the election:

(i) Obtaining unauthorized access to election and campaign infrastructure or related systems or data and releasing such data or modifying such infrastructure, systems, or data.

(ii) Unlawfully blocking or degrading otherwise legitimate and authorized access to election and campaign infrastructure or related systems or data.

(iii) Significant unlawful contributions or expenditures for advertising, including on the internet.

(iv) Using social, other internet-based, or traditional media to spread information to individuals in the United States without disclosing that such information is being disseminated by a foreign government or a foreign person acting on behalf of a foreign government.

(B) EXCEPTIONS.—

(i) EXCEPTION FOR PUBLICLY IDENTIFIED STATEMENTS.—The term ''interference'', with respect to a United States election, does not include—

(I) any public statement by a foreign leader, official, or government agency with respect to a candidate for office, official of the United States Government, or policy of the United States, if it is clear that the statement is made by that foreign leader, government official, or government agency and no effort has been made to conceal the individual or entity making the statement; or

(II) any other statement if a foreign government is readily and publicly identifiable as the source of the statement.

(ii) EXCEPTION FOR FOREIGN GOVERNMENT BROADCASTS.—The term ''interference'', with respect to a United States election, does not include the broadcast of views of a foreign government through broadcast channels owned or controlled by that government, if that ownership or control is readily and publicly identifiable.

(9) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(10) PERSON.—The term ''person'' means individual or entity.

(11) UNITED STATES ELECTION.—The term ''United States election'' means any United States Federal election.

(12) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

TITLE ____—DETERMINATION OF FOREIGN INTERFERENCE IN UNITED STATES ELECTIONS

SEC. ___11. DETERMINATION OF FOREIGN INTERFERENCE IN UNITED STATES ELECTIONS.

(a) IN GENERAL.—Not later than 60 days after a United States election, the Director of National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, the Director of the National Security Agency, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of the Treasury, the Attorney General, and the Secretary of Homeland Security, shall—

(1) determine with a high level of confidence whether or not the government of a foreign country, or any foreign person acting as an agent of or on behalf of that government, knowingly engaged in interference in the election; and

(2) submit to the appropriate congressional committees and leadership a report on that determination, including, if the Director determines that interference did occur—

(A) an identification of the government or foreign person that engaged in such interference; and

(B) if the Government of the Russian Federation, or any foreign person acting as an agent of or on behalf of that Government, engaged in such interference, a list of any senior foreign political figures or oligarchs in the Russian Federation identified under section 241(a)(1)(A) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44; 131 Stat. 922) who directly or indirectly contributed to such interference.

(b) ADDITIONAL REPORTING.—If the Director of National Intelligence determines and reports under subsection (a) that neither the government of a foreign country nor any foreign person acting as an agent of or on behalf of that government knowingly engaged in interference in a United States election, and the Director subsequently determines that that government, or such a foreign person, did engage in such interference, the Director shall, not later than 60 days after

making that determination, submit to the appropriate congressional committees and leadership—

(1) a report on the subsequent determination; and

(2) if the Director determines that the Government of the Russian Federation, or any foreign person acting as an agent of or on behalf of that Government, engaged in such interference, a list of any senior foreign political figures or oligarchs in the Russian Federation identified under section 241(a)(1)(A) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44; 131 Stat. 922) who directly or indirectly contributed to such interference.

(c) FORM OF REPORT.—Each report required by subsection (a) or (b) shall be submitted in unclassified form but may include a classified annex.

SEC. ___12. UPDATED REPORT ON OLIGARCHS AND PARASTATAL ENTITIES OF THE RUSSIAN FEDERATION.

Section 241 of the Countering America's Adversaries Through Sanctions Act (Public Law 115–44; 131 Stat. 922) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) by inserting after subsection (a) the following:

''(b) UPDATED REPORT.—Not later than one year after the date of the enactment of the Defending Elections from Threats by Establishing Redlines Act of 2020, and annually thereafter, the Secretary of the Treasury, in consultation with the Director of National Intelligence and the Secretary of State, shall submit to the appropriate congressional committees an updated report on oligarchs and parastatal entities of the Russian Federation that builds on the report submitted under subsection (a) on January 29, 2018, and that includes the matters described in paragraphs (1) through (5) of subsection (a).''; and

(3) in subsection (c), as redesignated by paragraph (1), by striking ''The report required under subsection (a)'' and inserting ''The reports required by subsections (a) and (b)''.

TITLE ___—DETERRING INTERFERENCE IN UNITED STATES ELECTIONS BY THE RUSSIAN FEDERATION

SEC. ___21. REPORT ON ESTIMATED NET WORTH OF PRESIDENT VLADIMIR PUTIN AND OTHER SENIOR FOREIGN POLITICAL FIGURES OF THE RUSSIAN FEDERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than biannually thereafter, the President shall submit to the appropriate congressional committees a report that contains—

(1) the estimated total net worth of each individual described in subsection (b); and

(2) a description of how the funds of each such individual were acquired and how such funds have been used or employed.

(b) INDIVIDUALS DESCRIBED.—The individuals described in this subsection are the following:

(1) President Vladimir Putin.

(2) Any other senior foreign political figure of the Russian Federation identified in the report under subsection (a)(1)(A) of section 241 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (title II of Public Law 115–44; 131 Stat. 922), or any update to that report under subsection (b) of such section, as added by [section ___12].

(c) FORM OF REPORT; PUBLIC AVAILABILITY.—

(1) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

(2) PUBLIC AVAILABILITY.—The unclassified portion of the report required under subsection (a) shall be made available to the public in precompressed, easily downloadable versions that are made available in all appropriate formats.

(d) SOURCES OF INFORMATION.—In preparing the report required under subsection (a), the President may use any credible publication, database, or web-based resource, and any credible information compiled by any government agency, nongovernmental organization, or other entity provided to or made available to the President.

(e) FUNDS DEFINED.—In this section, the term ''funds'' means—

(1) cash;

(2) equity;

(3) any other intangible asset the value of which is derived from a contractual claim, including bank deposits, bonds, stocks, a security (as defined in section 2(a) of the Securities Act of 1933 (15 U.S.C. 77b(a))), or a security or an equity security (as those terms are defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))); and

(4) anything else of value that the Secretary of the Treasury determines to be appropriate.

SEC. ___22. IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—If the Director of National Intelligence determines under [section ___11] that the Government of the Russian Federation, or any foreign person acting as an agent of or on behalf of that Government, knowingly engaged in interference in a United States election, the President shall, not later than 30 days after such determination is made, impose the following sanctions:

(1) BLOCKING THE ASSETS OF CERTAIN STATE-OWNED RUSSIAN FINANCIAL INSTITUTIONS AND RESTRICTING ACCOUNTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall impose one or more of the following sanctions on 2 or more entities specified in subparagraph (B):

(i) Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), blocking and prohibiting all transactions in all property and interests in property of the entity if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(ii) Prohibiting, or imposing strict conditions on, the opening or maintaining in the United States of a correspondent account or payable-through account by the entity.

(B) ENTITIES SPECIFIED.—The entities specified in this subparagraph are the following:

(i) Sberbank.

(ii) VTB Bank.

(iii) Gazprombank.

(iv) Vnesheconombank.

(v) Rosselkhozbank.

(2) PROHIBITION ON NEW INVESTMENTS IN ENERGY SECTOR OF RUSSIA.—

(A) PROHIBITION.—The President shall prohibit any new investment made in the United States or by a United States person in the energy sector of the Russian Federation or an energy company of the Russian Federation.

(B) SANCTIONS.—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any foreign person that makes a new investment in the energy sector of the Russian Federation or an energy company of the Russian Federation if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(C) NEW INVESTMENT DEFINED.—Not later than 60 days after the date of the enactment of this Act, the President shall prescribe regulations to define, for purposes of this paragraph, the term ''new investment'' in a manner that—

(i) includes significant upgrades or expansions to projects and construction underway as of the date of the enactment of this Act; and

(ii) does not include routine maintenance of such projects and construction.

(3) BLOCKING THE ASSETS OF ENTITIES IN RUSSIAN DEFENSE AND INTELLIGENCE SECTORS.—

(A) IN GENERAL.—The Secretary of the Treasury shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of any entity described in subparagraph (B) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) ENTITIES DESCRIBED.—An entity described in this subparagraph is—

(i) an entity that the President determines pursuant to section 231 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9525) is part of, or operates for or on behalf of, the defense or intelligence sectors of the Government of the Russian Federation; or

(ii) an entity in which an entity described in clause (i) has an ownership interest of 50 percent or more.

(4) PROHIBITION ON TRANSACTIONS INVOLVING CERTAIN RUSSIAN DEBT.—The Secretary of the Treasury shall, pursuant to such regulations as the Secretary may prescribe, prohibit all transactions within the United States or by a United States person, in—

(A) sovereign debt of the Government of the Russian Federation issued on or after the date of the enactment of this Act, including governmental bonds; and

(B) debt of any entity owned or controlled by the Russian Federation issued on or after such date of enactment, including bonds.

(5) BLOCKING THE ASSETS OF SENIOR POLITICAL FIGURES AND OLIGARCHS AND EXCLUSION FROM THE UNITED STATES.—

(A) IN GENERAL.—The President shall impose with respect to any senior foreign political figure or oligarch in the Russian Federation identified under subsection (a)(2)(B) or (b)(2) of [section ___11] the following sanctions:

(i) Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the President shall block and prohibit all transactions in all property and interests in property of the individual if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(ii) The President shall deny a visa to, and exclude from the United States, the individual, and revoke in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) any visa or other documentation of the individual.

(B) PUBLIC AVAILABILITY OF INFORMATION.—Information about the denial or revocation of a visa or other documentation under subparagraph (A)(ii) shall be made available to the public.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the committees specified in paragraph (2) a report identifying the 5 largest financial institutions owned or controlled by the Government of the Russian Federation, determined by estimated net assets.

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

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

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

(c) EXCEPTIONS.—

(1) IMPORTATION OF GOODS.—The requirement to impose sanctions under subsection (a) shall not include the authority to impose sanctions with respect to the importation of goods.

(2) COMPLIANCE WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Subsection (a)(5)(A)(ii) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(3) ACTIVITIES OF NASA.—The requirement to impose sanctions under subsection (a) shall not apply with respect to activities of the National Aeronautics and Space Administration.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) EXTENSION OF PERIOD TO ALLOW CESSATION OF PROHIBITED BUSINESS.—The President may extend the 30-day period specified in subsection (a), except with respect to sanctions under paragraph (5) of that subsection, for an additional period not to exceed 180 days if the President certifies to the appropriate congressional committees that the extension—

(1) is in the national security interest of the United States; and

(2) is necessary to enable non-Russian persons impacted by sanctions under subsection (a) to wind down business prohibited as a result of those sanctions.

(f) NATIONAL SECURITY WAIVER.—The President may waive the application of sanctions under subsection (a) with respect to a person, except sanctions under paragraph (5) of that subsection, if the President submits to the appropriate congressional committees a determination in writing that—

(1) the waiver is in the vital national security interest of the United States; and

(2) failing to use the waiver will cause significant adverse harm to the vital national security interests of the United States.

(g) SUSPENSION.—

(1) IN GENERAL.—The President may suspend sanctions imposed under subsection (a) on or after the date on which the Director of National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, the Director of the National Security Agency, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of the Treasury, and the Attorney General, submits to the appropriate congressional committees and leadership a certification that the Government of the Russian Federation has not engaged in interference in United States elections for at least one Federal election cycle.

(2) REIMPOSITION.—

(A) REPORTS REQUIRED.—Not later than 90 days after a suspension of sanctions under paragraph (1) takes effect, and every 90 days thereafter, the President shall submit to the appropriate congressional committees and leadership a report on whether the Government of the Russian Federation is taking measures to—

(i) improve the oversight of and prosecutions relating to interference in United States elections; and

(ii) credibly demonstrate a significant change in behavior and credibly commit to not engaging in such interference in the future.

(B) REIMPOSITION.—If the President determines under subparagraph (A) that the Government of the Russian Federation is not taking measures described in that subparagraph, the President shall reimpose the sanctions suspended under paragraph (1).

(h) TERMINATION.—The President may terminate sanctions imposed under subsection (a) on or after the date on which the Director of National Intelligence, in consultation with the Director of the Federal Bureau of Investigation, the Director of the National Security Agency, the Director of the Central Intelligence Agency, the Secretary of State, the Secretary of the Treasury, and the Attorney General, submits to the appropriate congressional committees and leadership a certification that—

(1) the Government of the Russian Federation has not engaged in interference in United States elections for at least 2 Federal election cycles; and

(2) the President has received credible commitments from the Government of the Russian Federation that that Government will not engage in such interference in the future.

SEC. ___23. CONGRESSIONAL REVIEW OF WAIVER, SUSPENSION, AND TERMINATION OF SANCTIONS.

Section 216(a)(2) of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9511(a)(2)) is amended—

(1) in subparagraph (A)(i), by inserting ''or suspend the application of sanctions described in subparagraph (B)(i)(IV)'' after ''subparagraph (B)''; and

(2) in subparagraph (B)(i)—

(A) in subclause (II), by striking ''; or'' and inserting a semicolon;

(B) in subclause (III), by striking ''; and'' and inserting ''; or''; and

(C) by adding at the end the following:

''(IV) [section ___23] of the Defending Elections from Threats by Establishing Redlines Act of 2020; and''.

SEC. ___24. SENSE OF CONGRESS ON STRATEGY ON COORDINATION WITH EUROPEAN UNION.

It is the sense of Congress that, not later than 180 days after the date of the enactment of this Act, the President should submit to the appropriate congressional committees and leadership a strategy on how the United States will—

(1) work in concert with the European Union and member countries of the European Union to deter interference by the Government of the Russian Federation in elections; and

(2) coordinate with the European Union and member countries of the European Union to enact legislation similar to this Act.

TITLE ___—DETERRING INTERFERENCE IN UNITED STATES ELECTIONS BY OTHER FOREIGN GOVERNMENTS

SEC. ___31. BRIEFING ON INTERFERENCE IN UNITED STATES ELECTIONS.

Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President, or a designee of the President, shall brief the appropriate congressional committees and leadership on any government of a foreign country, or person acting as an agent of or on behalf of that government, that is determined by the President to have engaged in or to be likely to engage in interference in a United States election.

SEC. ___32. SENSE OF CONGRESS ON DETERRENCE STRATEGIES FOR INTERFERENCE IN UNITED STATES ELECTIONS BY FOREIGN GOVERNMENTS OF CONCERN.

It is the sense of Congress that, not later than 90 days after the date of the enactment of this Act, the President should submit to the appropriate congressional committees and leadership a report that includes—

(1) a strategy of the President to deter interference in a United States election by the Government of the People's Republic of China, the Government of the Democratic People's Republic of Korea, the Government of the Islamic Republic of Iran, and any other foreign government determined by the President to have engaged in or to be likely to engage in interference in a United States election, including any person acting as an agent of or on behalf of such a government;

(2) proposed sanctions if that government engages in such interference and any authorities the President may require from Congress to impose such sanctions;

(3) other actions undertaken by Federal agencies or in cooperation with other countries to deter such interference; and

(4) a plan for communicating such deterrence actions to those governments.

SA 1846. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, insert the following:

SEC. 2806. INCREASED AUTHORITY FOR LABORATORY REVITALIZATION PROJECTS.

Section 2805(d) of title 10, United States Code, is amended by striking ''$6,000,000'' each place it appears and inserting ''$10,000,000''.

SA 1847. Mr. VAN HOLLEN (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12____. IMPOSITION OF SANCTIONS WITH RESPECT TO THEFT OF TRADE SECRETS OF UNITED STATES PERSONS.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than every 180 days thereafter, the President shall submit to the appropriate congressional committees a report—

(A) identifying, for the 180-day period preceding submission of the report—

(i) any foreign person that has engaged in, or benefitted from, significant and serial theft of trade secrets of United States persons, if the theft of such trade secrets is reasonably likely to result in, or has materially contributed to, a significant threat to the national security, foreign policy, or economic health or financial stability of the United States;

(ii) any foreign person that has materially assisted or sponsored such theft;

(iii) any foreign person that has provided financial, material, or technological support for, or goods or services in support of or to benefit from, such theft;

(iv) any entity owned or controlled by, or that has acted or purported to act for or on behalf of, directly or indirectly, any foreign person identified under clause (i), (ii), or (iii); and

(v) any chief executive officer or member of the board of directors of any foreign entity identified under clause (i), (ii), or (iii); and

(B) describing the nature, objective, and outcome of the theft of trade secrets each foreign person described in subparagraph (A)(i) engaged in or benefitted from; and

(C) assessing whether any chief executive officer or member of the board of directors described in clause (v) of subparagraph (A) engaged in, or benefitted from, activity described in clause (i), (ii), or (iii) of that subparagraph.

(2) EXCEPTION.—The President is not required to include in a report required by paragraph (1) the name of any foreign person that is the subject of an active United States law enforcement investigation.

(3) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(b) AUTHORITY TO IMPOSE SANCTIONS.—

(1) SANCTIONS APPLICABLE TO ENTITIES.—In the case of a foreign entity identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the President shall impose one of the following:

(A) BLOCKING OF PROPERTY.—The President may, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the entity if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INCLUSION ON DENIED PERSONS LIST.—The President may include the entity on the Denied Persons List maintained by the Bureau of Industry and Security of the Department of Commerce pursuant to section 764.3(a)(2) of the Export Administration Regulations.

(2) SANCTIONS APPLICABLE TO INDIVIDUALS.—In the case of an individual identified under subparagraph (A) of subsection (a)(1) in the most recent report submitted under that subsection, the following shall apply:

(A) BLOCKING OF PROPERTY.—The President shall, pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block and prohibit all transactions in all property and interests in property of the individual if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) VISA BAN; EXCLUSION.—The Secretary of State shall deny a visa to the individual and revoke, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), any visa or other documentation of the individual, and the Secretary of Homeland Security shall exclude the individual from the United States.

(c) EXCEPTIONS.—

(1) INTELLIGENCE ACTIVITIES.—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authority to impose sanctions under paragraph (1)(A) or (2)(A) of subsection (b) shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(3) EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.—Subsection (b)(2)(B) shall not apply with respect to the admission of an individual to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(d) NATIONAL SECURITY WAIVER.—The President may waive the imposition of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) submits to the appropriate congressional committees a notification of the waiver and the reasons for the waiver.

(e) TERMINATION OF SANCTIONS.—Sanctions imposed under subsection (b) with respect to a foreign person identified in a report submitted under subsection (a) shall terminate if the President certifies to the appropriate congressional committees that the person is no longer engaged in the activity identified in the report.

(f) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or (2)(A) of subsection (b) or any regulation, license, or order issued to carry out that paragraph shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(g) DEFINITIONS.—In this section:

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

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

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

(2) EXPORT ADMINISTRATION REGULATIONS.—The term ''Export Administration Regulations'' means subchapter C of chapter VII of title 15, Code of Federal Regulations.

(3) FOREIGN ENTITY.—The term ''foreign entity'' means an entity that is not a United States person.

(4) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(5) TRADE SECRET.—The term ''trade secret'' has the meaning given that term in section 1839 of title 18, United States Code.

(6) PERSON.—The term ''person'' means an individual or entity.

(7) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

SA 1848. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, add the following:

Subtitle ____—Limitations on Explosive Nuclear Testing

SEC. ___01. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the national security interest of the United States to continue to observe the national moratorium on explosive nuclear testing;

(2) maintaining the national moratorium on nuclear testing advances United States nonproliferation and arms control objectives and bolsters efforts to constrain the nuclear arsenals of adversaries;

(3) the United States should pursue the entry into force of the Comprehensive Nuclear-Test-Ban Treaty as a means of enabling use of the treaty's on-site inspection measures and resolving compliance concerns related to the nuclear testing moratoria commitments of other countries; and

(4) the United States should continue to improve and invest in the Stockpile Stewardship Program to ensure the safety, security, and reliability of the United States stockpile in the absence of nuclear testing.

SEC. ___02. DEFINITIONS.

In this subtitle:

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

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(2) NATIONAL SECURITY LABORATORY.—The term ''national security laboratory'' has the

meaning given that term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

(3) STOCKPILE STEWARDSHIP PROGRAM.—The term ''Stockpile Stewardship Program'' means the program established under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521).

SEC. ___03. LIMITATIONS ON USE OF FUNDS TO CONDUCT A NUCLEAR TEST.

(a) LIMITATION ON USE OF FUNDS.—None of the funds authorized to be appropriated or otherwise made available by this Act for fiscal year 2021, or authorized to be appropriated or otherwise made available by any other Act for fiscal year 2021 or any fiscal year thereafter, for the Department of Energy may be obligated or expended to conduct an underground or other explosive nuclear test that produces a yield unless all of the conditions described in subsection (b) are met.

(b) CONDITIONS.—The conditions described in this subsection are the following:

(1) REPORT ON PROPOSED NUCLEAR TEST BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the Administrator for Nuclear Security, with the concurrence of the directors of the national security laboratories and in consultation with the Commander of the United States Strategic Command, shall submit to the appropriate congressional committees a report on the proposed test that includes the following:

(A) The date on which the President proposes to conduct the test.

(B) The location of the test site.

(C) An estimate of the costs of conducting the test and any subsequent activities related to the test.

(D) A description of how resumption of nuclear testing would impact the schedule and cost of the nuclear weapons stockpile stewardship, management, and responsiveness plan of the National Nuclear Security Administration under section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523).

(E) An assessment of the desired technical and nuclear weapons design data that conducting the test would generate.

(F) A discussion of why the science-based tools and methods and any other capabilities under the Stockpile Stewardship Program are insufficient for generating the data described in subparagraph (E).

(G) An assessment of the anticipated yield of the nuclear test.

(H) An assessment of the status of the infrastructure and diagnostics instrumentation required for conducting the test.

(I) An assessment of the status of the workforce skills and capabilities that are required for conducting the test.

(2) ENVIRONMENTAL IMPACT STATEMENT BY NATIONAL NUCLEAR SECURITY ADMINISTRATION.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the Administrator for Nuclear Security shall submit to the appropriate congressional committees an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) with respect to conducting the test.

(3) CERTIFICATION OF PUBLIC HEALTH IMPACTS BY DEPARTMENT OF HEALTH AND HUMAN SERVICES.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the Secretary of Health and Human Services shall submit to the appropriate congressional committees a certification that conducting the test will have no short-term and long-term public health impacts.

(4) ANALYSIS BY DEFENSE NUCLEAR FACILITIES SAFETY BOARD.—

(A) INDEPENDENT ANALYSIS.—

(i) IN GENERAL.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the Chairman of the Defense Nuclear Facilities Safety Board shall submit to the appropriate congressional committees an independent analysis, conducted by the Board in accordance with the mission of the Board under section 312 of the Atomic Energy Act of 1954 (42 U.S.C. 2286a), of the safety and public health impacts of conducting the test at the Nevada Nuclear Security Site or another location, including with respect to the health and safety of the employees and contractors.

(ii) RECOMMENDATIONS.—The independent analysis required by clause (i) shall include recommendations on specific measures that should be adopted to ensure that public health and safety are adequately protected.

(iii) AUTHORITY OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.—For purposes of this subparagraph, the Nevada Nuclear Security Site, or any other location selected to conduct a nuclear test, shall be treated as a Department of Energy defense nuclear facility (as defined in section 318 of the Atomic Energy Act of 1954 (42 U.S.C. 2286g)) under the regulatory authority of the Defense Nuclear Facilities Safety Board.

(B) PUBLIC HEARING.—

(i) IN GENERAL.—Not later than 120 days after Congress receives all of the documents required by paragraphs (1) through (4), the Defense Nuclear Facilities Safety Board and the National Nuclear Security Administration shall convene joint public hearings for localities in proximity of the test site with respect to such certifications and reports.

(ii) AUTHORITY.—The meetings required by clause (i) shall be conducted, in the case of the Board, under the authority provided by section 313 of the Atomic Energy Act of 1954 (42 U.S.C. 2286b).

(5) NATIONAL INTELLIGENCE ESTIMATE.—

(A) IN GENERAL.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the Director of National Intelligence shall submit to the appropriate congressional committees a National Intelligence Estimate on the nuclear testing capabilities and intentions of other countries with nuclear weapons, consisting of—

(i) an unclassified executive summary and judgments; and

(ii) a more detailed, classified report.

(B) ELEMENTS.—The National Intelligence Estimate required by subparagraph (A) shall include the following:

(i) A description of the respective nuclear testing capacities of other countries with nuclear weapons, including test readiness.

(ii) An assessment of whether the resumption of nuclear testing by the United States would prompt any of such countries to conduct nuclear tests.

(iii) An assessment of the technical and nuclear weapons design enhancements that such countries would gain by conducting nuclear tests.

(iv) An assessment of whether the resumption of nuclear testing by the United States would prompt any country seeking to develop a nuclear weapon to conduct an explosive nuclear test.

(v) An assessment of how the resumption of nuclear testing by the United States would affect efforts to constrain the nuclear arsenals of adversaries of the United States.

(vi) A description of the nuclear detonation detection benefits provided by the International Monitoring System and International Data Center of the Comprehensive Nuclear-Test-Ban Treaty Organization.

(vii) An assessment of what specific capabilities the United States Government would have to develop and deploy to ensure that no loss of collection capability would occur in the event the United States lost access to data of the International Monitoring System.

(6) REPORT ON FOREIGN POLICY IMPLICATIONS BY DEPARTMENT OF STATE.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the Secretary of State shall submit to the appropriate congressional committees a report on the likely foreign policy implications and potential impacts to United States diplomatic relations of conducting the test that includes the following:

(A) A determination with respect to whether the test is consistent with the international legal obligations of the United States.

(B) An assessment of the likely reactions of other countries with nuclear weapons, the North Atlantic Treaty Organization (NATO) and NATO member countries, and allies of the United States.

(C) A description of the expected impacts relating to—

(i) the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968 (21 UST 483) (commonly referred to as the ''Nuclear Non-Proliferation Treaty''); and

(ii) key nonproliferation and arms control objectives of the United States.

(D) A description of the anticipated impact on the international political and financial support for the Preparatory Commission and the International Monitoring System of the Comprehensive Nuclear-Test-Ban Treaty Organization.

(7) CERTIFICATION THAT TEST IS IN NATIONAL SECURITY INTERESTS OF UNITED STATES.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the President, the Secretary of Defense, the Secretary of State, and the Secretary of Energy (with the concurrence of the Administrator for Nuclear Security), shall each submit to Congress a certification that conducting the test is in the national security interest of the United States.

(8) CERTIFICATION RELATED TO SAFETY, SECURITY, AND RELIABILITY OF THE NUCLEAR WEAPONS STOCKPILE.—Not less than 12 months before the date on which a nuclear test described in subsection (a) is proposed to be conducted, the directors of the national security laboratories and the Commander of the United States Strategic Command shall each submit to the appropriate congressional committees a certification that the test is required to certify the safety, security, and reliability of the nuclear weapons stockpile of the United States.

(9) BRIEFINGS ON CERTIFICATIONS.—Not later than 90 days after submitting a document required under any of paragraphs (1) through (8), the official responsible for submitting that document shall provide a briefing to the appropriate congressional committees on the document.

(10) ENACTMENT OF JOINT RESOLUTION OF APPROVAL.—Not later than 120 days after Congress receives all of the documents required under paragraphs (1) through (8), there is enacted into law a joint resolution that approves the conduct by the United States of a nuclear test described under subsection (a).

(c) FORM OF REPORTS AND CERTIFICATIONS.—Each report and certification required by this section shall be submitted in unclassified form, but may include a classified annex.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit activities under the Stockpile Stewardship

Program or any activities authorized under section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) that are consistent with the zero-yield standard.

SEC. ___04. REQUIREMENT FOR SPECIFIC AUTHORIZATION AND APPROPRIATION.

(a) IN GENERAL.—Any funds needed to conduct or make preparations for a nuclear test that produces a yield must be specifically authorized by an Act of Congress and appropriated for that purpose.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit activities under the Stockpile Stewardship Program or any activities authorized under section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) that are consistent with the zero-yield standard.

SEC. ___05. REPORT ON ANY FOREIGN COUNTRY NUCLEAR TEST.

(a) IN GENERAL.—If a nuclear test that produces a yield is conducted by a foreign country after the date of the enactment of this Act, the Director of National Intelligence, with the concurrence of the Secretary of Energy and the Secretary of the Air Force, shall, as soon as practicable after the date of the test, submit to the appropriate congressional committees a report on the test that includes the following:

(1) A description of the date, geographic location, and yield of the test.

(2) A description of the data collected from the International Monitoring System of the Comprehensive Nuclear-Test-Ban Treaty Organization related to the test.

(3) An assessment of the technical and nuclear weapons design data generated by the test.

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

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SEC. ___06. PROHIBITION ON USE OF FUNDS TO DISABLE, DECOMMISSION, OR DISMANTLE INTERNATIONAL MONITORING SYSTEM STATIONS.

None of the funds authorized to be appropriated or otherwise made available by this Act for fiscal year 2021, or authorized to be appropriated or otherwise made available by any other Act for fiscal year 2021 or any fiscal year thereafter, for the Department of Defense may be obligated or expended to disable, decommission, dismantle, or undertake any activity that would in any way impede the transmission of monitoring data from facilities of the International Monitoring System of the Comprehensive Nuclear-Test-Ban Treaty Organization located on United States territory.

SA 1849. Mr. VAN HOLLEN (for himself and Mr. CARDIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. RELIEF OF RICHARD W. COLLINS III.

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

(1) On May 20, 2017, Lieutenant Richard W. Collins III was murdered on the campus of the University of Maryland, College Park, Maryland.

(2) At the time of his murder, Lieutenant Collins had graduated from the Reserve Officers' Training Corps at Bowie State University and received a commission in the United States Army.

(3) At the time of the murder of Lieutenant Collins, a graduate of a Reserve Officers' Training Corps who received a commission but died before receiving a first duty assignment was not eligible for a death gratuity under section 1475(a)(4) of title 10, United States Code, or for casualty assistance under section 633 of the National Defense Authorization Act for Fiscal Year 2014 (10 U.S.C. 1475 note).

(4) Section 623 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) amended section 1475 of title 10, United States Code, to authorize the payment of a death gratuity to a graduate of the Senior Reserve Officers' Training Corps (SROTC) who receives a commission but dies before receiving a first duty assignment.

(5) Section 625 of the National Defense Authorization Act for Fiscal Year 2020 authorizes the families of Senior Reserve Officers' Training Corps graduates to receive casualty assistance in the event of the death of such graduates.

(6) Sections 623 and 625 of the National Defense Authorization Act for Fiscal Year 2020 apply only to a Senior Reserve Officers' Training Corps graduate who receives a commission but dies before receiving a first duty assignment on or after the date of the enactment of that Act.

(7) The death of Lieutenant Collins played a critical role in changing the eligibility criteria for the death gratuity for Senior Reserve Officers' Training Corps graduates who die prior to their first assignment.

(b) APPLICABILITY OF LAWS.—

(1) DEATH GRATUITY.—Section 623 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), and the amendment made by that section, shall apply to Lieutenant Richard W. Collins III as if his death had occurred after the date of the enactment of that section.

(2) CASUALTY ASSISTANCE.—Section 625 of the National Defense Authorization Act for Fiscal Year 2020, and the amendment made by that section, shall apply to Lieutenant Richard W. Collins III as if his death had occurred after the date of the enactment of that section.

(c) LIMITATION.—No amount exceeding 10 percent of a payment made under subsection (b)(1) may be paid to or received by any attorney or agent for services rendered in connection with the payment. Any person who violates this subsection shall be guilty of an infraction and shall be subject to a fine in the amount provided under title 18, United States Code.

SA 1850. Mr. KING (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle H—Global Health Security

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Global Health Security Act of 2020''.

SEC. 1292. DEFINED TERM.

In this subtitle, the term ''global health security'' means the activities required to minimize the danger and impact of acute public health events that endanger the collective health of populations living across geographical regions and international boundaries.

SEC. 1293. POLICY OBJECTIVES.

It is the policy of the United States—

(1) to advance global health security through engagement in a multi-faceted, multi-country, multi-sectoral framework to accelerate targeted partner countries' measurable capabilities to achieve specific targets to prevent, detect, and respond to infectious disease threats, whether naturally occurring, deliberate, or accidental;

(2) to encourage governments and multilateral institutions, including development banks, nongovernmental organizations, and private sector stakeholders throughout the world to make fortifying health security a national priority and a key commitment; and

(3) to emphasize improving coordination and collaboration across governmental and societal sectors to help strengthen health systems and pandemic preparedness.

SEC. 1294. GLOBAL HEALTH SECURITY SPECIAL ADVISOR.

(a) IN GENERAL.—There is established, within the Executive Office of the President, the position of Special Advisor for Global Health Security (referred to in this subtitle as the ''Advisor''), who shall be appointed by the President, at a level not lower than that of a Deputy Assistant to the President. In selecting the Advisor, the President should consider appointing a staff member of the National Security Council.

(b) GENERAL DUTIES.—The Advisor shall—

(1) serve as the President's principal advisor on global health security and global health emergencies;

(2) coordinate the United States Government's efforts to carry out global health security activities, including participation in the Global Health Security Agenda;

(3) convene and chair the Global Health Security Interagency Review Council described in section 1295; and

(4) submit a report to Congress not less frequently than twice per year that describes the activities and accomplishments of the Advisor during the reporting period.

(c) SPECIFIC DUTIES.—The duties of the Advisor shall also include—

(1) ensuring program and policy coordination among the relevant executive branch agencies and nongovernmental organizations, including auditing, monitoring, and evaluation of all such programs;

(2) ensuring that each relevant executive branch agency undertakes programs primarily in areas in which the agency has the greatest expertise, technical capabilities, and potential for success;

(3) avoiding duplication of effort;

(4) ensuring, through interagency and international coordination, that global health security programs of the United States are coordinated with, and complementary to, the delivery of related global health, food security, development, and education programs;

(5) establishing due diligence criteria for all recipients of funds appropriated by the Federal Government for global health security assistance;

(6) developing policy that will prioritize global health security, especially the role of building low- and middle-income country capacity to contain pandemic threats, in all relevant future global and national health, research and development, and biodefense strategies, including the National Health Security Strategy, the National Security Strategy, and the National Biodefense Strategy; and

(7) articulating assessment standards that—

(A) measure countries' individual status and progress in building the necessary capacities to prevent, detect, and respond to infectious disease threats, in accordance with agreed bilateral or multilateral targets and in support of full implementation of the International Health Regulations, adopted at Geneva May 23, 2005;

(B) are based on a peer-to-peer model in which external experts are invited to work with the country to evaluate capacity;

(C) ensure an objective approach and facilitate cross-sectoral learning; and

(D) are part of the capacity building cycle designed to inform national priority setting, target resources, and track progress.

(d) COORDINATION.—In carrying out the duties set forth in subsection (b), the Advisor shall ensure—

(1) coordination of United States Government efforts referred to in subsection (b)(2) with relevant international stakeholders and organizations; and

(2) coordination with the Administrator of the United States Agency for International Development, who is responsible for the coordination of the provision of international humanitarian assistance by the United States Government.

(e) MONITORING.—To ensure that adequate measures are established and implemented, the Centers for Disease Control and Prevention should—

(1) advise the Advisor on monitoring, surveillance, and evaluation activities; and

(2) be a key implementer of such activities under this section.

(f) FORM.—The reports required under subsection (b)(4) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1295. INTERAGENCY REVIEW COUNCIL.

(a) ESTABLISHMENT.—The Global Health Security Interagency Review Council (referred to in this section as the ''Council'') shall be composed of representatives of—

(1) the Department of Defense, including the Assistant Secretary of Defense for Health Affairs;

(2) the Department of State;

(3) the Centers for Disease Control and Prevention;

(4) the United States Agency for International Development;

(5) the Department of Agriculture, including the Animal Plant Health Inspection Service and the Food Safety and Inspection Service;

(6) the Department of Health and Human Services, including the National Institutes of Health;

(7) the Department of Homeland Security;

(8) the Department of Justice, including the Federal Bureau of Investigation;

(9) the Environmental Protection Agency;

(10) the Office of Management and Budget;

(11) the Office of Science and Technology Policy; and

(12) any other agency that the representatives of the agencies set forth in paragraphs (1) through (11) determine, by consensus, to be appropriate.

(b) MEETINGS.—The Council shall meet at least 4 times per year to advance its mission and fulfill its responsibilities under this section.

(c) FUNCTIONS.—The Council shall—

(1) provide policy-level guidance to participating agencies on global health security goals, objectives, and implementation;

(2) facilitate interagency, multi-sectoral engagement to carry out global health security activities, including the Global Health Security Agenda;

(3) provide a forum for raising and working to resolve interagency disagreements concerning the global health security goals, objectives, and benchmarks;

(4) develop and set benchmarks for—

(A) assessing, measuring, and improving global health security outcomes; and

(B) identifying criteria for designating priority partner countries;

(5) review the progress toward, and work to resolve challenges to, achieving United States Government commitments to global health security activities, agreements, and organizations, including the Global Health Security Agenda and other commitments to assist other countries in achieving agreed-upon global health security targets; and

(6) consider, among other issues—

(A) the status of United States financial commitments to global health security in the context of commitments by other donors, and the contributions of partner countries to achieve global health security targets, including the Global Health Security Agenda;

(B) progress toward the milestones outlined in global health security national plans for those countries where the United States Government has committed to assist in global health security activities and in annual work plans outlining agency priorities for implementing global health security strategies, including the Global Health Security Agenda; and

(C) external evaluations of the capabilities of the United States and partner countries to address infectious disease threats, including—

(i) the ability to achieve the targets outlined in the Joint External Evaluation process; and

(ii) gaps identified by such external evaluations.

(d) SPECIFIC ROLES AND RESPONSIBILITIES.—

(1) IN GENERAL.—The heads of the agencies referred to in subsection (a) shall—

(A) make the implementation of the Global Health Security Agenda (referred to in this subsection as ''GHSA'') and successor activities a high priority within their respective agencies, and include GHSA-related activities within their respective agencies' strategic planning and budget processes;

(B) designate a senior level official to be responsible for the implementation of this section;

(C) designate an appropriate representative, at the Assistant Secretary level or higher, to represent the agency on the Council;

(D) keep the Council apprised of global health security-related activities, including the Global Health Security Agenda, undertaken within their respective agencies;

(E) maintain responsibility for agency-related programmatic functions, in coordination with host governments, country teams, and global health security in country teams, and in conjunction with other relevant agencies;

(F) coordinate with other agencies referred to in subsection (a) to satisfy programmatic goals, and further facilitate coordination of country teams, implementers, and donors in host countries; and

(G) coordinate across GHSA national plans and with GHSA partners to which the United States is providing assistance.

(2) ADDITIONAL ROLES AND RESPONSIBILITIES.—In addition to the roles and responsibilities described in paragraph (1), the heads of agencies referred to in subsection (a) shall carry out their respective roles and responsibilities described in subsections (b) through (i) of section 3 of Executive Order 13747 (81 Fed. Reg. 78701; relating to Advancing the Global Health Security Agenda to Achieve a World Safe and Secure from Infectious Disease Threats), as in effect on the day before the date of the enactment of this Act.

(e) LIMITATIONS.—The Council may not perform any activities or functions that interfere with the foreign affairs responsibilities of the Secretary of State, including the responsibility to oversee the implementation of programs and policies that advance the global health security activities within foreign countries.

SEC. 1296. STRATEGY AND REPORTS.

(a) STRATEGY.—The Special Advisor for Global Health Security appointed under section 1294 shall coordinate the development and implementation of a strategy to implement the policy objectives described in section 1293, which shall—

(1) set specific and measurable goals, benchmarks, timetables, performance metrics, and monitoring and evaluation plans that reflect international best practices relating to transparency, accountability, and global health security;

(2) support and be aligned with country-owned global health security policy and investment plans developed with input from key stakeholders, as appropriate;

(3) facilitate communication and collaboration, as appropriate, among local stakeholders in support of a multi-sectoral approach to global health security;

(4) support the long-term success of programs by building the capacity of local organizations and institutions in target countries and communities;

(5) develop community resilience to infectious disease threats and emergencies;

(6) leverage resources and expertise through partnerships with the private sector, health organizations, civil society, nongovernmental organizations, and health research and academic institutions; and

(7) support collaboration, as appropriate, between United States universities, and public and private institutions in target countries and communities to promote health security and innovation.

(b) COORDINATION.—The President, acting through the Special Advisor for Global Health Security, shall coordinate, through a whole-of-government approach, the efforts of relevant Federal departments and agencies in the implementation of the strategy required under subsection (a) by establishing—

(1) monitoring and evaluation systems, coherence, and coordination across relevant Federal departments and agencies; and

(2) platforms for regular consultation and collaboration with key stakeholders and the appropriate congressional committees.

(c) STRATEGY SUBMISSION.—

(1) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the President, in consultation with the head of each relevant Federal department and agency, shall submit, to the appropriate congressional committees—

(A) the strategy required under subsection (a); and

(B) a detailed description of how the United States intends to advance the policy objectives described in section 1293 and the agency-specific plans described in paragraph (2).

(2) AGENCY-SPECIFIC PLANS.—The strategy required under subsection (a) shall include specific implementation plans from each relevant Federal department and agency that describes—

(A) the anticipated contributions of the department or agency, including technical, financial, and in-kind contributions, to implement the strategy; and

(B) the efforts of the department or agency to ensure that the activities and programs carried out pursuant to the strategy are designed to achieve maximum impact and long-term sustainability.

(d) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date on which the strategy required under subsection (a) is submitted to the appropriate congressional committees under subsection (c), and not later than October 1 of each year thereafter, the President shall submit a report to the appropriate congressional committees that describes the status of the implementation of the strategy.

(2) CONTENT.—The report required under paragraph (1) shall—

(A) contain a summary of the strategy as an appendix;

(B) identify any substantial changes made in the strategy during the preceding calendar year;

(C) describe the progress made in implementing the strategy;

(D) identify the indicators used to establish benchmarks and measure results over time, and the mechanisms for reporting such results in an open and transparent manner;

(E) contain a transparent, open, and detailed accounting of expenditures by relevant Federal departments and agencies to implement the strategy, including, for each Federal department and agency, the statutory source of expenditures, amounts expended, implementing partners, targeted beneficiaries, and activities supported;

(F) describe how the strategy leverages other United States global health and development assistance programs;

(G) assess efforts to coordinate United States global health security programs, activities, and initiatives with key stakeholders; and

(H) incorporate a plan for regularly reviewing and updating strategies, partnerships, and programs and sharing lessons learned with a wide range of stakeholders, including key stakeholders, in an open, transparent manner.

(e) FORM.—The strategy required under subsection (a) and the report required under subsection (d) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1297. ANNUAL NATIONAL INTELLIGENCE ESTIMATE AND BRIEFING ON NOVEL DISEASES AND PANDEMIC THREATS.

(a) IN GENERAL.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended by adding at the end the following:

"SEC. 1109. ANNUAL NATIONAL INTELLIGENCE ESTIMATE AND BRIEFING ON NOVEL DISEASES AND PANDEMIC THREATS.

''(a) DEFINED TERM.—In this section, the term 'appropriate committees of Congress' means—

''(1) the Committee on Foreign Relations of the Senate;

''(2) the Select Committee on Intelligence of the Senate;

''(3) the Committee on Health, Education, Labor, and Pensions of the Senate

''(4) the Committee on Foreign Affairs of the House of Representatives;

''(5) the Permanent Select Committee on Intelligence of the House of Representatives; and

''(6) the Committee on Energy and Commerce of the House of Representatives.

''(b) NATIONAL INTELLIGENCE ESTIMATES REQUIRED.—

''(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, and annually thereafter, the National Intelligence Council shall produce a National Intelligence Estimate regarding the risk of pandemics from highly infectious and novel diseases.

''(2) ELEMENTS.—Each National Intelligence Estimate produced under paragraph (1) shall include the following:

''(A) An identification of the countries most likely to be the origin of a disease with pandemic potential.

''(B) An assessment of the likelihood of a spread of a disease described in subparagraph (A) to the United States, the Armed Forces or diplomatic or development personnel of the United States abroad, or citizens of the United States abroad in a manner that could lead to an epidemic in the United States that affects the national security or economic prosperity of the United States.

''(C) An assessment of the preparedness of countries around the world to detect, prevent, and respond to pandemic threats.

''(D) An identification of any gaps in the preparedness of countries described in subparagraph (C).

''(c) SUBMISSION TO CONGRESS.—On the December 1 following the date on which a National Intelligence Estimate is produced under subsection (b)(1), the National Intelligence Council shall submit the Estimate to the appropriate committees of Congress.

''(d) CONGRESSIONAL BRIEFINGS.—The National Intelligence Council shall annually brief the appropriate committees of Congress regarding—

''(1) the most recent National Intelligence Estimate submitted under subsection (c); and

''(2) outbreaks of disease with pandemic potential that could lead to an epidemic described in subsection (b)(2)(B).

''(e) PUBLIC AVAILABILITY.—The Director of National Intelligence shall make publicly available an unclassified version of each National Intelligence Estimate produced under subsection (b)(1).''.

(b) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of such Act (50 U.S.C. 3002) is amended by adding at the end the following:

''1109. Annual National Intelligence Estimate and briefing on novel diseases and pandemic threats.''.

SA 1851. Mr. SCHUMER (for himself, Ms. MURKOWSKI, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, insert the following:

SEC. 156. REPORT ON LC–130 AIRCRAFT INVENTORY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report describing how the Department of Defense plans to modernize the LC–130 aircraft in its inventory.

SA 1852. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1026. SENSE OF CONGRESS ON THE NAMING OF A NAVAL VESSEL IN HONOR OF SENIOR CHIEF PETTY OFFICER SHANNON KENT.

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

(1) Senior Chief Petty Officer Shannon M. Kent was born in Owego, New York.

(2) Senior Chief Petty Officer Kent enlisted in the United States Navy on December 10, 2003.

(3) Senior Chief Petty Officer Kent was fluent in four languages and four dialects of Arabic.

(4) Senior Chief Petty Officer Kent served five combat tours throughout 15 years of service in the Navy.

(5) On January 16, 2019, at 35 years of age, Senior Chief Petty Officer Kent was killed in a suicide bombing in Manbij, Syria, while supporting Joint Task Force-Operation Inherent Resolve.

(6) Senior Chief Petty Officer Kent was the recipient of the Bronze Star, the Purple Heart, two Joint Service Commendation Medals, the Navy and Marine Corps Commendation Medal, the Army Commendation Medal, and the Joint Service Achievement Medal, among other decorations and awards.

(7) Senior Chief Petty Officer Kent was among the first women to deploy with Special Operations Forces and was the first female to graduate from the hard skills program for non-SEALs.

(8) Senior Chief Petty Officer Kent is survived by her husband and two children.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Navy should name the next available naval vessel appropriate for such name in honor of Senior Chief Petty Officer Shannon Kent.

SA 1853. Mrs. CAPITO (for herself and Mr. SANDERS) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3____. REPORT ON FLUORINATED AQUEOUS FILM FORMING FOAM.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on—

(1) the location and amount of the stockpiled fluorinated aqueous film forming foam in the possession of the Department of Defense that contains—

(A) perfluorooctanoic acid (PFOA);

(B) perfluorooctane sulfonate (PFOS);

(C) perfluorohexane sulfonic acid (PFHxS);

(D) perfluoroheptanoic acid (PFHpA); or

(E) perfluorononanoic acid (PFNA).

(2) the amount of such foam that has been destroyed during the 10-year period ending of the date of the enactment of this Act and the method and location of destruction.

SA 1854. Mr. BRAUN submitted an amendment intended to be proposed by

him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. INCLUSION OF CERTAIN EMBLEMS ON HEADSTONES AND MARKERS FURNISHED BY THE SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 2306 of title 38, United States Code, is amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

''(i)(1) A headstone or marker furnished for a veteran under subsection (a), (b), or (d) may include—

''(A) no emblem;

''(B) an emblem of belief; or

''(C) an emblem from among a list of emblems that the Secretary of Defense, in coordination with the Secretary, shall establish.

''(2) The list established under paragraph (1)(C) shall include the following:

''(A) An emblem with respect to—

''(i) each unit at the level of separate brigade or higher in the Army and each equivalent unit in the Navy, Marine Corps, Air Force, and Coast Guard; and

''(ii) each skill or combat badge or tab earned by a member of the Armed Forces.

''(B) One or more emblems of the commissioned Regular Corps of the Public Health Service.

''(C) One or more emblems of the commissioned officer corps of the National Oceanic and Atmospheric Administration.

''(D) Such other emblems as the Secretary of Defense, in coordination with the Secretary, considers appropriate and practical, such as the Marine Corps emblem or Army Infantry insignia.

''(3) The Secretary of Defense shall provide the Secretary with a digitized representation of each emblem included in the list established under paragraph (1)(C).''.

(b) ESTABLISHMENT OF LIST OF APPROVED EMBLEMS.—Not later than June 1, 2021, the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall establish the list of approved emblems required by section 2306(i)(1)(C), as added by subsection (a), in accordance with such section.

(c) AVAILABILITY OF APPROVED EMBLEMS.—Not later than October 1, 2021, the Secretary of Veterans Affairs shall make the emblems on the list of approved emblems required by section 2306(i)(1)(C), as added by subsection (a), available for inclusion on headstones and markers.

(d) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to headstones and markers furnished by the Secretary of Veterans Affairs after the date of the enactment of this Act.

SA 1855. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. EXPEDITED HIRING BY DEPARTMENT OF VETERANS AFFAIRS OF MEDICAL DEPARTMENT PERSONNEL SEPARATING FROM THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall conduct recruitment for covered medical personnel positions from among medical department personnel of the Department of Defense who hold medical military occupational specialties and are separating from the Armed Forces.

(b) TRANSITION ASSISTANCE PROGRAM.—Recruitment shall be conducted under subsection (a) for separating members of the Armed Forces as part of the Transition Assistance Program conducted for such members.

(c) ELEMENTS OF RECRUITMENT.—

(1) IN GENERAL.—The Secretary of Defense, in collaboration with the Secretary of Veterans Affairs, shall schedule regular briefing times for all medical department personnel of the Department of Defense who are separating from the Armed Forces to be briefed by a supervisor or technician from a human resources office of the Veterans Health Administration on—

(A) employment opportunities with the Department of Veterans Affairs throughout the United States;

(B) options for careers with the Department in a covered medical personnel position; and

(C) the expedited recruitment and hiring process under this section.

(2) ONE-ON-ONE APPOINTMENTS.—The supervisor or technician conducting the briefing under paragraph (1) shall—

(A) schedule a one-on-one appointment for each separating medical department personnel member who wishes to meet to review covered medical personnel positions that are available; and

(B) accept applications for such positions.

(d) HIRING.—

(1) TENTATIVE OFFER.—

(A) IN GENERAL.—The supervisor or technician conducting the briefing under subsection (c)(1) and accepting applications under subsection (c)(2)(B) may tentatively offer applicants for covered medical personnel positions who agree to accept the position and meet a preliminary qualification review established by the Secretary of Veterans Affairs such a position at a medical facility of the Department of Veterans Affairs.

(B) TIMING.—A tentative offer under subparagraph (A) to a member of the Armed Forces participating in the recruitment and hiring process under this section may be made during the period beginning on the date that is 90 days before the separation of the member from the Armed Forces and ending on the date that is 90 days after such separation.

(2) FINAL OFFER.—After conducting the tentative offer process for an individual under paragraph (1), the supervisor or technician shall transmit information on and credentials for the individual to the medical facility at which the individual would be hired for final verification and interviews to complete the hiring process and possibly present a final offer.

(3) CONDUCT OF HIRING PROCESS.—Notwithstanding any other provision of law, the Secretary may hire individuals under this section through direct, non-competitive, and other hiring processes as the Secretary considers appropriate to carry out this section.

(e) DEFINITIONS.—In this section:

(1) COVERED MEDICAL PERSONNEL POSITION.—The term ''covered medical personnel position'' means a medical personnel position at all grades within the Department of Veterans Affairs employed under—

(A) the General Schedule under subchapter III of chapter 53 of title 5, United States Code;

(B) the prevailing rate system under subchapter IV of such chapter;

(C) section 7425 of title 38, United States Code; or

(D) a hybrid authority.

(2) TRANSITION ASSISTANCE PROGRAM.—The term ''Transition Assistance Program'' means the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

SA 1856. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. PRIORITY AND EMPHASIS IN PROMOTION OF MEMBERS OF THE ARMED FORCES FOR BILLET-RELATED SKILLS AND TRAINING, OPERATIONAL EXPERIENCE, AND DECORATIONS.

(a) PRIORITY AND EMPHASIS.—Commencing not later than 180 days after the date of the enactment of this Act, promotion selection boards, in the case of officers, and personnel responsible for determinations regarding promotions, in the case of other members, shall afford an enhanced priority and emphasis in the promotion of members of the Armed Forces for skills, training, and other matters specified in subsection (b) when compared with civilian education and matters not specified in that subsection.

(b) SPECIFIED SKILLS, TRAINING, AND OTHER MATTERS.—The skills, training, and other matters specified in this subsection are the following:

(1) Billet-related skills.

(2) Billet-related training.

(3) Operational experience.

(4) Decoration and awards.

(c) GUIDANCE.—Promotion selection boards and personnel responsible for determinations regarding promotion of members of the Armed Forces shall carry out subsection (a) in accordance with guidance issued by the Secretary of the military department concerned for purposes of this section. Such guidance shall specify the extent of the priority and emphasis to be afforded by promotion selection boards and such personnel in the promotion of members, and the manner in which such priority and emphasis is to be afforded.

SA 1857. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title V, add the following:

SEC. _____. TERMINATION OF EFFECTIVENESS OF REGULATIONS PROHIBITING AWARD OF COMBAT-RELATED DECORATIONS TO MEMBERS OF THE ARMED FORCES SUBJECT TO SUSPENSION OF FAVORABLE PERSONNEL ACTIONS.

Commencing not later than 90 days after the date of the enactment of this Act—

(1) any regulation or policy of the Department of Defense or a military department that prohibits or limits the presentation or award of a combat-related decoration to a member of the Armed Forces who is subject to suspension of favorable personnel actions (commonly referred to as ''flagging'') shall cease to be in effect; and

(2) combat-related decorations shall be presented or awarded to members of the Armed Forces who are subject to a suspension of favorable personnel actions without regard to such regulation or policy as if such members were not such to a suspension of favorable personnel actions.

SA 1858. Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. BENEFITS FOR ELIGIBLE DESCENDANTS OF VETERANS EXPOSED TO HERBICIDE AGENTS.

(a) IN GENERAL.—Chapter 18 of title 38, United States Code, is amended to read as follows:

''CHAPTER 18—BENEFITS FOR ELIGIBLE DESCENDANTS OF VETERANS EXPOSED TO HERBICIDE AGENTS

''§ 1801. Definitions

''In this chapter:

''(1) COVERED BIRTH DEFECT.—The term 'covered birth defect' means a birth defect identified by the Secretary under section 1822 of this title.

''(2) COVERED VETERAN.—The term 'covered veteran' means an individual who—

''(A) served in the active military, naval, or air service, without regard to the characterization of that individual's service; and

''(B) is determined by the Secretary, in consultation with the Secretary of Defense, to have been exposed to a herbicide agent during such service.

''(3) ELIGIBLE DESCENDANT.—The term 'eligible descendant' means—

''(A) for purposes of eligibility for health care and benefits under subchapter I, an individual described in section 1811 of this title; and

''(B) for purposes of eligibility for health care and benefits under subchapter II, an individual described in section 1821(a) of this title.

''(4) FACILITY OF THE DEPARTMENT.—The term 'facility of the Department' has the meaning given the term 'facilities of the Department' in section 1701 of this title.

''(5) HERBICIDE AGENT.—The term 'herbicide agent' means a chemical in a herbicide used in support of United States and allied military operations, as determined by the Secretary in consultation with the Secretary of Defense.

''SUBCHAPTER I—ELIGIBLE DESCENDANTS OF VETERANS EXPOSED TO HERBICIDE AGENTS BORN WITH SPINA BIFIDA

''§ 1811. Eligibility

''For purposes of this subchapter, an eligible descendant is an individual, regardless of age or marital status, who—

''(1)(A)(i) is the natural child of a covered veteran; and

''(ii) was conceived after the date on which that veteran first was exposed to a herbicide agent during service in the active military, naval, or air service; or

''(B) is the natural child of an individual described in subparagraph (A); and

''(2) was born with any form or manifestation of spina bifida, except spina bifida occulta.

''§ 1812. Health care

''(a) IN GENERAL.—In accordance with regulations prescribed by the Secretary, the Secretary shall provide an eligible descendant with health care under this section.

''(b) PROVISION OF CARE.— The Secretary shall provide health care under this section—

''(1) through facilities of the Department; or

''(2) by contract or other arrangement with any health care provider, as coordinated by the care coordinator assigned under section 1832 of this title for the eligible descendant.

''(c) DEFINITIONS.—In this section:

''(1) HEALTH CARE.—The term 'health care'—

''(A) means home care, hospital care, nursing home care, outpatient care, preventive care, habilitative and rehabilitative care, case management, and respite care; and

''(B) includes—

''(i) the training of appropriate members of an eligible descendant's family or household in the care of the descendant; and

''(ii) the provision of such pharmaceuticals, supplies, equipment, devices, appliances, assistive technology, direct transportation costs to and from approved sources of health care, and other materials as the Secretary determines necessary.

''(2) HABILITATIVE AND REHABILITATIVE CARE.—The term 'habilitative and rehabilitative care' means such professional, counseling, and guidance services and treatment programs (other than vocational training under section 1813 of this title) as are necessary to develop, maintain, or restore, to the maximum extent practicable, the functioning of a disabled person.

''(3) HEALTH CARE PROVIDER.—The term 'health care provider' includes specialized spina bifida clinics, health care plans, insurers, organizations, institutions, and any other entity or individual furnishing health care services that the Secretary determines are authorized under this section.

''(4) HOME CARE.—The term 'home care' means outpatient care, habilitative and rehabilitative care, preventive health services, and health-related services furnished to an individual in the individual's home or other place of residence, including assistance with activities of daily living and instrumental activities of daily living.

''(5) HOSPITAL CARE.—The term 'hospital care' means care and treatment for a disability furnished to an individual who has been admitted to a hospital as a patient.

''(6) NURSING HOME CARE.—The term 'nursing home care' means care and treatment for a disability furnished to an individual who has been admitted to a nursing home as a resident.

''(7) OUTPATIENT CARE.—The term 'outpatient care' means care and treatment of a disability, and preventive health services, furnished to an individual other than hospital care or nursing home care.

''(8) PREVENTIVE CARE.—The term 'preventive care' means care and treatment furnished to prevent disability or illness, including periodic examinations, immunizations, patient health education, and such other services as the Secretary determines necessary to provide effective and economical preventive health care.

''(9) RESPITE CARE.—The term 'respite care' means care furnished on an intermittent basis for a limited period to an individual who resides primarily in a private residence when such care will help the individual to continue residing in such private residence.

''§ 1813. Vocational training

''(a) AUTHORITY.—Pursuant to regulations prescribed by the Secretary, the Secretary may provide vocational training under this section to an eligible descendant if the Secretary determines that the achievement of a vocational goal by such descendant is reasonably feasible.

''(b) PROGRAM DESIGN.—Any program of vocational training for an eligible descendant under this section shall—

''(1) be designed in consultation with the descendant in order to meet the descendant's individual needs;

''(2) be set forth in an individualized written plan of vocational rehabilitation; and

''(3) be designed and developed before the date specified in subsection (d)(3) so as to permit the beginning of the program as of such date.

''(c) PROGRAM ELEMENTS.—

''(1) IN GENERAL.—A vocational training program for an eligible descendant under this section—

''(A) shall consist of such vocationally oriented services and assistance, including such placement and post-placement services and personal and work adjustment training, as the Secretary determines are necessary to enable the descendant to prepare for and participate in vocational training or employment; and

''(B) may include a program of education at an institution of higher learning if the Secretary determines that the program of education is predominantly vocational in content.

''(2) EXCLUSIONS.— A vocational training program under this section may not include the provision of any loan or subsistence allowance or any automobile adaptive equipment.

''(d) PROGRAM DURATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2) and subject to subsection (e)(2),

a vocational training program under this section may not exceed 24 months.

''(2) EXTENSIONS.—The Secretary may grant an extension of a vocational training program for an eligible descendant under this section for up to 24 additional months if the Secretary determines that the extension is necessary in order for the descendant to achieve a vocational goal identified (before the end of the first 24 months of such program) in the written plan of vocational rehabilitation formulated for the descendant pursuant to subsection (b).

''(3) COMMENCEMENT.—A vocational training program under this section may begin on the eligible descendant's 18th birthday, or on the successful completion of the descendant's secondary schooling, whichever first occurs, except that, if the descendant is above the age of compulsory school attendance under applicable State law and the Secretary determines that the descendant's best interests will be served thereby, the vocational training program may begin before the descendant's 18th birthday.

''(e) RELATIONSHIP TO OTHER PROGRAMS.—

''(1) IN GENERAL.—An eligible descendant who is pursuing a program of vocational training under this section and is also eligible for assistance under a program under chapter 35 of this title may not receive assistance under both such programs concurrently. The descendant shall elect (in such form and manner as the Secretary may prescribe) the program under which the descendant is to receive assistance.

''(2) AGGREGATE PERIOD.—The aggregate period for which an eligible descendant may receive assistance under this section and chapter 35 of this title may not exceed 48 months (or the part-time equivalent thereof).

''§ 1814. Monetary allowance

''(a) MONETARY ALLOWANCE.—The Secretary shall pay a monthly allowance under this section to an eligible descendant for any disability resulting from spina bifida suffered by such descendant.

''(b) SCHEDULE FOR RATING OF DISABILITIES.—

''(1) IN GENERAL.—The amount of the allowance paid to an eligible descendant under this section shall be based on the degree of disability suffered by the descendant, as determined in accordance with such schedule for rating disabilities resulting from spina bifida as the Secretary may prescribe.

''(2) LEVELS OF DISABILITY.—The Secretary shall, in prescribing the rating schedule for purposes of this section, establish three levels of disability upon which the amount of the allowance provided by this section shall be based.

''(c) AMOUNT OF MONTHLY ALLOWANCE.—

''(1) IN GENERAL.—The amounts of the allowance shall be $200 per month for the lowest level of disability prescribed, $700 per month for the intermediate level of disability prescribed, and $1,200 per month for the highest level of disability prescribed.

''(2) ADJUSTMENT.—Amounts under paragraph (1) are subject to adjustment under section 5312 of this title.

''SUBCHAPTER II—ELIGIBLE DESCENDANTS OF WOMEN VETERANS EXPOSED TO HERBICIDE AGENTS BORN WITH CERTAIN BIRTH DEFECTS

''§ 1821. Eligibility; definition

''(a) ELIGIBILITY.—For purposes of this subchapter, an eligible descendant is an individual, regardless of age or marital status, who—

''(1)(A)(i) is the natural child of a covered woman veteran; and

''(ii) was conceived after the date on which that veteran first was exposed to a herbicide agent during service in the active military, naval, or air service; or

''(B) is the natural child of an individual described in subparagraph (A); and

''(2) was born with one or more covered birth defects.

''(b) COVERED WOMAN VETERAN DEFINED.—In this subchapter, the term 'covered woman veteran' means a covered veteran who is a woman.

''§ 1822. Covered birth defects

''(a) IDENTIFICATION.—The Secretary shall identify the birth defects of eligible descendants that—

''(1) are associated with the service of covered woman veterans; and

''(2) result in permanent physical or mental disability.

''(b) EXCLUSIONS.—The birth defects identified under subsection (a) may not include birth defects resulting from the following:

''(1) A familial disorder.

''(2) A birth-related injury.

''(3) A fetal or neonatal infirmity with well-established causes.

''(c) OTHER CAUSE.—In any case where affirmative evidence establishes that a covered birth defect of an eligible descendant results from a cause other than the active military, naval, or air service of a covered woman veteran, no benefits or assistance may be provided the descendant under this subchapter.

''§ 1823. Health care

''(a) NEEDED CARE.—The Secretary shall provide an eligible descendant such health care as the Secretary determines is needed by the descendant for that descendant's covered birth defects or any disability that is associated with those birth defects.

''(b) PROVISION OF CARE.—The Secretary shall provide health care under this section—

''(1) through facilities of the Department; or

''(2) by contract or other arrangement with a health care provider, as coordinated by the care coordinator assigned under section 1832 of this title for the eligible descendant.

''(c) DEFINITIONS.—For purposes of this section, the definitions in section 1812(c) of this title shall apply with respect to the provision of health care under this section, except that for such purposes—

''(1) the reference to 'vocational training under section 1813 of this title' in paragraph (2) of that section shall be treated as a reference to vocational training under section 1824 of this title; and

''(2) the reference to 'specialized spina bifida clinic' in paragraph (3) of that section shall be treated as a reference to a specialized clinic treating the birth defect concerned under this section.

''§ 1824. Vocational training

''(a) AUTHORITY.—The Secretary may provide a program of vocational training to an eligible descendant if the Secretary determines that the achievement of a vocational goal by the descendant is reasonably feasible.

''(b) APPLICABLE PROVISIONS.— Subsections (b) through (e) of section 1813 of this title shall apply with respect to any program of vocational training provided under subsection (a).

''§ 1825. Monetary allowance

''(a) MONETARY ALLOWANCE.—The Secretary shall pay a monthly allowance to any eligible descendant for any disability resulting from the covered birth defects of that descendant.

''(b) SCHEDULE FOR RATING OF DISABILITIES.—

''(1) IN GENERAL.—The amount of the monthly allowance paid under this section shall be based on the degree of disability suffered by the eligible descendant concerned, as determined in accordance with a schedule for rating disabilities resulting from covered birth defects that is prescribed by the Secretary.

''(2) LEVELS OF DISABILITY.—In prescribing a schedule for rating disabilities for purposes of this section, the Secretary shall establish four levels of disability upon which the amount of the allowance provided by this section shall be based. The levels of disability established may take into account functional limitations, including limitations on cognition, communication, motor abilities, activities of daily living, and employability.

''(c) AMOUNT OF MONTHLY ALLOWANCE.—The amount of the monthly allowance paid under this section shall be as follows:

''(1) In the case of an eligible descendant suffering from the lowest level of disability prescribed in the schedule for rating disabilities under subsection (b), $100.

''(2) In the case of an eligible descendant suffering from the lower intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

''(A) $214; or

''(B) the monthly amount payable under section 1814(c) of this title for the lowest level of disability prescribed for purposes of that section.

''(3) In the case of an eligible descendant suffering from the higher intermediate level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

''(A) $743; or

''(B) the monthly amount payable under section 1814(c) of this title for the intermediate level of disability prescribed for purposes of that section.

''(4) In the case of an eligible descendant suffering from the highest level of disability prescribed in the schedule for rating disabilities under subsection (b), the greater of—

''(A) $1,272; or

''(B) the monthly amount payable under section 1814(c) of this title for the highest level of disability prescribed for purposes of that section.

''(d) INDEXING TO SOCIAL SECURITY BENEFIT INCREASES.—Amounts under paragraphs (1), (2)(A), (3)(A), and (4)(A) of subsection (c) shall be subject to adjustment from time to time under section 5312 of this title.

''§ 1826. Regulations

''The Secretary shall prescribe regulations for purposes of the administration of this subchapter.

''SUBCHAPTER III—ADMINISTRATION

''§ 1831. Determination of eligibility

''(a) NOTIFICATION.—Each director of a facility of the Department shall notify each covered veteran who receives care at the facility of the health care and benefits available to eligible descendants under this chapter.

''(b) MEDICAL EVALUATION.—

''(1) IN GENERAL.—The Secretary shall ensure that each descendant of a covered veteran who seeks health care or benefits under this chapter receives a medical evaluation conducted at a facility of the Department.

''(2) DETERMINATION.—Each director of a facility at which a medical evaluation for a descendant is conducted under paragraph (1) shall determine whether such descendant is eligible for health care or benefits under this chapter.

''§ 1832. Care coordinators for eligible descendants

''(a) ASSIGNMENT.—

''(1) IN GENERAL.—If a director of a facility of the Department determines that a descendant of a covered veteran is eligible for health care and benefits under this chapter under section 1831(b)(2), except as provided in

paragraph (2), the director shall assign to the eligible descendant a social worker or registered nurse employed by the Department at the facility to serve as the care coordinator for the descendant.

''(2) ALTERNATE LOCATION.—If another facility of the Department is more geographically convenient for an eligible descendant than the facility at which the descendant received a medical evaluation under section 1831(b)(1), the director of such other facility shall assign to the descendant a social worker or registered nurse employed by the Department at the facility to serve as the care coordinator for the descendant.

''(b) FUNCTIONS.—

''(1) IN GENERAL.—A care coordinator assigned under subsection (a) shall ensure that each eligible descendant to which the care coordinator is assigned receives all health care, vocational training, and monetary compensation for which the descendant is eligible.

''(2) HOME MODIFICATIONS AND EQUIPMENT.—A care coordinator assigned under subsection (a) shall ensure that, for each eligible descendant to which the care coordinator is assigned—

''(A) any home modifications that the care coordinator determines are necessary, in consultation with the primary care provider and physical therapist of the descendant, are completed; and

''(B) any durable medical equipment that the care coordinator determines is required, in consultation with the primary care provider and physical therapist of the descendant, is provided.

''(3) HOME VISITS.—A care coordinator assigned under subsection (a) shall conduct not fewer than two home visits each year for each eligible descendant to which the care coordinator is assigned—

''(A) to evaluate the support and care being provided; and

''(B) to make improvements as needed.

''(4) ARRANGEMENTS WITH HEALTH CARE PROVIDERS.—

''(A) IN GENERAL.—A care coordinator assigned under subsection (a) shall ensure that each eligible descendant to which the care coordinator is assigned is connected with appropriate health care—

''(i) by locating health care providers;

''(ii) by educating those providers about the health care and benefits provided to eligible descendants under this chapter; and

''(iii) by arranging health care for the descendant from those providers.

''(B) HEALTH CARE INCLUDED.—Health care arranged under subparagraph (A)(iii) shall include such in-home support as an eligible descendant may need for assistance in completing all activities of daily living.

''(5) ADMINISTRATIVE RESPONSIBILITIES.—

''(A) IN GENERAL.—A care coordinator assigned under subsection (a) shall ensure, with respect to each eligible descendant to which the care coordinator is assigned, any necessary preauthorizations, payments to providers, and travel reimbursements are completed in a timely manner.

''(B) RESOLUTION OF ISSUES.—The care coordinator shall work with the eligible descendant and the office of the Department that administers health care and benefits under this chapter to resolve any issues relating to the matters described in subparagraph (A).

''(6) ASSIGNMENT OF FIDUCIARY.—If the Under Secretary for Benefits determines that a fiduciary is required for an eligible descendant for purposes of managing compensation provided under section 1814 or 1825 of this title, the care coordinator assigned to the descendant under subsection (a) shall ensure that the descendant has such a fiduciary.

''(c) LOCAL CONTRACT CARE COORDINATOR.—

''(1) IN GENERAL.—In the case of an eligible descendant who lives a significant driving distance from a facility of the Department, the care coordinator assigned to the descendant under subsection (a) may arrange for a local contract care coordinator to coordinate care for the descendant from sources other than a facility of the Department.

''(2) OVERSIGHT.—Each care coordinator who arranges for a local contract care coordinator under paragraph (1) shall oversee the local contract care coordinator, including through home visits required by subsection (b)(3).

''(d) PERFORMANCE AND EFFECTIVENESS.—Each director of a facility of the Department at which a care coordinator assigned under subsection (a) is located shall be responsible for the performance and effectiveness of the care coordinator.

''§ 1833. Duration of health care and benefits provided

''The Secretary shall provide an eligible descendant with health care and benefits under this chapter—

''(1) for the duration of the life of the descendant; and

''(2) notwithstanding any death of a parent of the descendant that precedes the death of the descendant.

''§ 1834. Applicability of certain administrative provisions

''(a) APPLICABILITY OF CERTAIN PROVISIONS RELATING TO COMPENSATION.—The provisions of this title specified in subsection (b) apply with respect to benefits and assistance under this chapter in the same manner as those provisions apply to compensation paid under chapter 11 of this title.

''(b) SPECIFIED PROVISIONS.—The provisions of this title referred to in subsection (a) are the following:

''(1) Section 5101(c).

''(2) Subsections (a), (b)(3), (g), and (i) of section 5110.

''(3) Section 5111.

''(4) Subsection (a) and paragraphs (1), (6), (9), and (10) of subsection (b) of section 5112.

''§ 1835. Treatment of receipt of monetary allowance and other benefits

''(a) COORDINATION WITH OTHER BENEFITS PAID TO THE RECIPIENT.—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of the individual to receive any other benefit to which the individual is otherwise entitled under any law administered by the Secretary.

''(b) COORDINATION WITH BENEFITS BASED ON RELATIONSHIP OF RECIPIENTS.—Notwithstanding any other provision of law, receipt by an individual of a monetary allowance under this chapter shall not impair, infringe, or otherwise affect the right of any other individual to receive any benefit to which such other individual is entitled under any law administered by the Secretary based on the relationship of such other individual to the individual who receives such monetary allowance.

''(c) MONETARY ALLOWANCE NOT TO BE CONSIDERED AS INCOME OR RESOURCES FOR CERTAIN PURPOSES.—Notwithstanding any other provision of law, a monetary allowance paid an individual under this chapter shall not be considered as income or resources in determining eligibility for, or the amount of benefits under, any Federal or federally assisted program.

''§ 1836. Nonduplication of benefits

''(a) MONETARY ALLOWANCE.—In the case of an eligible descendant under subchapter II of this chapter whose only covered birth defect is spina bifida, a monetary allowance shall be paid under subchapter I of this chapter. In the case of an eligible descendant under subchapter II of this chapter who has spina bifida and one or more additional covered birth defects, a monetary allowance shall be paid under subchapter II of this chapter.

''(b) VOCATIONAL TRAINING.—An individual may only be provided one program of vocational training under this chapter.''.

(b) CONFORMING AMENDMENTS.—Such title is further amended—

(1) in section 5312, by striking ''1805'' both places it appears and inserting ''1814''; and

(2) in section 1116B(c), by striking ''has the meaning given such term in section 1821(d) of this title'' and inserting ''means a chemical in a herbicide used in support of United States and allied military operations in or near the Korean demilitarized zone, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on September 1, 1967, and ending on August 31, 1971''.

SA 1859. Ms. WARREN (for herself, Ms. COLLINS, Mr. KING, Mr. DAINES, Mr. BROWN, Mr. CORNYN, Ms. HASSAN, Mr. CRAMER, Mr. MERKLEY, Ms. MCSALLY, Mr. BLUMENTHAL, Mr. MENENDEZ, Mr. JONES, Ms. KLOBUCHAR, Mr. BOOKER, Ms. BALDWIN, Ms. STABENOW, Mr. MARKEY, Mr. HOEVEN, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title V, add the following:

SEC. 553. RECOGNITION AND HONORING OF SERVICE OF INDIVIDUALS WHO SERVED IN UNITED STATES CADET NURSE CORPS DURING WORLD WAR II.

(a) DETERMINATION OF ACTIVE MILITARY SERVICE.—

(1) IN GENERAL.—The Secretary of Defense shall be deemed to have determined under subparagraph (A) of section 401(a)(1) of the GI Bill Improvement Act of 1977 (Public Law 95–202; 38 U.S.C. 106 note) that the service of the organization known as the United States Cadet Nurse Corps during the period beginning on July 1, 1943, and ending on December 31, 1948, constitutes active military service.

(2) ISSUANCE OF DISCHARGE.—Not later than one year after the date of the enactment of this Act, the Secretary shall, pursuant to subparagraph (B) of such section, issue to each member of such organization a discharge from service of such organization under honorable conditions where the nature and duration of the service of such member so warrants.

(b) BENEFITS.—

(1) STATUS AS A VETERAN.—Except as otherwise provided in this subsection, an individual who receives a discharge under subsection (a)(2) for service shall be honored as a veteran but shall not be entitled by reason of such service to any benefit under a law administered by the Secretary of Veterans Affairs.

(2) BURIAL BENEFITS.—Service for which an individual receives a discharge under subsection (a)(2) shall be considered service in the active military, naval, or air service (as defined in section 101 of title 38, United States Code) for purposes of eligibility and

entitlement to benefits under chapters 23 and 24 of title 38, United States Code (other than section 2410 of that title).

(3) MEDALS OR OTHER COMMENDATIONS.—The Secretary of Defense may design and produce a service medal or other commendation to honor individuals who receive a discharge under subsection (a)(2).

SA 1860. Ms. WARREN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 V, insert the following:

SEC. _____. RESCISSION OF MEDALS OF HONOR AWARDED FOR ACTS AT WOUNDED KNEE CREEK ON DECEMBER 29, 1890.

(a) IN GENERAL.—Each Medal of Honor awarded for acts at Wounded Knee Creek, Lakota Pine Ridge Indian Reservation, South Dakota, on December 29, 1890, is rescinded.

(b) MEDAL OF HONOR ROLL.—The Secretary concerned shall remove the name of each individual awarded a Medal of Honor for acts described in subsection (a) from the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll maintained under section 1134a of title 10, United States Code.

(c) RETURN OF MEDAL NOT REQUIRED.—No person may be required to return to the Federal Government a Medal of Honor rescinded under subsection (a).

(d) NO DENIAL OF BENEFITS.—This Act shall not be construed to deny any individual any benefit from the Federal Government.

SA 1861. Mr. REED (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. LEGAL ASSISTANCE FOR VETERANS AND SURVIVING SPOUSES AND DEPENDENTS.

(a) AVAILABILITY OF LEGAL ASSISTANCE AT FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 5906. Availability of legal assistance at Department facilities

''(a) IN GENERAL.—Not less frequently than three times each year, the Secretary shall facilitate the provision by a qualified legal assistance clinic of pro bono legal assistance described in subsection (c) to eligible individuals at not fewer than one medical center of the Department of Veterans Affairs, or such other facility of the Department as the Secretary considers appropriate, in each State.

''(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, an eligible individual is—

''(1) any veteran;

''(2) any surviving spouse; or

''(3) any child of a veteran who has died.

''(c) PRO BONO LEGAL ASSISTANCE DESCRIBED.—The pro bono legal assistance described in this subsection is the following:

''(1) Legal assistance with any program administered by the Secretary.

''(2) Legal assistance associated with—

''(A) improving the status of a military discharge or characterization of service in the Armed Forces, including through a discharge review board; or

''(B) seeking a review of a military record before a board of correction for military or naval records.

''(3) Such other legal assistance as the Secretary—

''(A) considers appropriate; and

''(B) determines may be needed by eligible individuals.

''(d) LIMITATION ON USE OF FACILITIES.—Space in a medical center or facility designated under subsection (a) shall be reserved for and may only be used by the following, subject to review and removal from participation by the Secretary:

''(1) A veterans service organization or other nonprofit organization.

''(2) A legal assistance clinic associated with an accredited law school.

''(3) A legal services organization.

''(4) A bar association.

''(5) Such other attorneys and entities as the Secretary considers appropriate.

''(e) LEGAL ASSISTANCE IN RURAL AREAS.—In carrying out this section, the Secretary shall ensure that pro bono legal assistance is provided under subsection (a) in rural areas.

''(f) DEFINITION OF VETERANS SERVICE ORGANIZATION.—The term 'veterans service organization' means any organization recognized by the Secretary for the representation of veterans under section 5902 of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 59 of such title is amended by adding at the end the following new item:

''5906. Availability of legal assistance at Department facilities.''.

(b) PILOT PROGRAM TO ESTABLISH AND SUPPORT LEGAL ASSISTANCE CLINICS.—

(1) PILOT PROGRAM REQUIRED.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program to assess the feasibility and advisability of awarding grants to eligible entities to establish new legal assistance clinics, or enhance existing legal assistance clinics or other pro bono efforts, for the provision of pro bono legal assistance described in subsection (c) of section 5906 of title 38, United States Code, as added by subsection (a), on a year-round basis to individuals who served in the Armed Forces, including individuals who served in a reserve component of the Armed Forces, and who were discharged or released therefrom, regardless of the conditions of such discharge or release, at locations other than medical centers and facilities described in subsection (a) of such section.

(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to limit or affect—

(i) the provision of pro bono legal assistance to eligible individuals at medical centers and facilities of the Department of Veterans Affairs under section 5906(a) of title 38, United States Code, as added by subsection (a); or

(ii) any other legal assistance provided pro bono at medical centers or facilities of the Department as of the date of the enactment of this Act.

(2) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is—

(A) a veterans service organization or other nonprofit organization specifically focused on assisting veterans;

(B) an entity specifically focused on assisting veterans and associated with an accredited law school;

(C) a legal services organization or bar association; or

(D) such other type of entity as the Secretary considers appropriate for purposes of the pilot program.

(3) LOCATIONS.—The Secretary shall ensure that at least one grant is awarded under paragraph (1)(A) to at least one eligible entity in each State, if the Secretary determines that there is such an entity in a State that has applied for, and meets requirements for the award of, such a grant.

(4) DURATION.—The Secretary shall carry out the pilot program during the five-year period beginning on the date on which the Secretary establishes the pilot program.

(5) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

(6) SELECTION.—The Secretary shall select eligible entities who submit applications under paragraph (5) for the award of grants under the pilot program using a competitive process that takes into account the following:

(A) Capacity of the applicant entity to serve veterans and ability of the entity to provide sound legal advice.

(B) Demonstrated need of the veteran population the applicant entity would serve.

(C) Demonstrated need of the applicant entity for assistance from the grants.

(D) Geographic diversity of applicant entities.

(E) Such other criteria as the Secretary considers appropriate.

(7) GRANTEE REPORTS.—Each recipient of a grant under the pilot program shall, in accordance with such criteria as the Secretary may establish, submit to the Secretary a report on the activities of the recipient and how the grant amounts were used.

(c) REVIEW OF PRO BONO ELIGIBILITY OF FEDERAL WORKERS.—

(1) IN GENERAL.—The Secretary shall, in consultation with the Attorney General and the Director of the Office of Government Ethics, conduct a review of the rules and regulations governing the circumstances under which attorneys employed by the Federal Government can provide pro bono legal assistance.

(2) RECOMMENDATIONS.—In conducting the review required by paragraph (1), the Secretary shall develop recommendations for such legislative or administrative action as the Secretary considers appropriate to facilitate greater participation by Federal employees in pro bono legal and other volunteer services for veterans.

(3) SUBMITTAL TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress—

(A) the findings of the Secretary with respect to the review conducted under paragraph (1); and

(B) the recommendations developed by the Secretary under paragraph (2).

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the status of the implementation of this section.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.

(2) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SA 1862. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X of division A, add the following:

SEC. 1035. ANTI-MONEY LAUNDERING AND COMBATING THE FINANCING OF TERRORISM.

(a) IN GENERAL.—The Secretary of the Treasury, in cooperation with the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and the head of any other relevant Federal department or agency shall—

(1) develop United States Government-wide indicators—

(A) to more systematically assess the impact of and improve anti-money laundering and combating the financing of terrorism assistance and capacity building efforts with foreign allies and partners;

(B) to improve internal government coordination across relevant Federal departments and agencies; and

(C) to assess and improve coordination and cooperation with allies and partners regarding anti-money laundering and combating the financing of terrorism efforts; and

(2) identify any additional authorities or resources required to carry out paragraph (1).

(b) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury, in coordination with the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and appropriate departments and agencies, shall submit a plan for carrying out subsection (a) to the Committee on Banking, Housing, and Urban Affairs of the Senate, the Committee on Foreign Relations of the Senate, the Committee on Armed Services of the Senate, the Select Committee on Intelligence of the Senate, the Committee on the Judiciary of the Senate, the Committee on Financial Services of the House of Representatives, the Committee on Foreign Affairs of the House of Representatives, the Committee on Armed Services of the House of Representatives, the Permanent Select Committee on Intelligence of the House of Representatives, and the Committee on the Judiciary of the House of Representatives.

(c) REPORT.—The Secretary of the Treasury, in coordination with the Secretary of State, the Secretary of Defense, the Director of National Intelligence, and the heads of other appropriate Federal departments and agencies, shall include, in the first National Strategy for Combating Terrorist and Other Illicit Financing issued after the date of the enactment of this Act, a description of—

(1) the status of the development and adoption of government-wide indicators referred to in subsection (a)(1); and

(2) any additional authorities or resources required to carry out subsection (a)(1).

SA 1863. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. PROVISION OF ASSISTANCE BY COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES TO ALLIES AND PARTNERS WITH RESPECT TO REVIEWING FOREIGN INVESTMENT.

Section 721(c)(3) of the Defense Production Act of 1950 (50 U.S.C. 4565(c)(3)) is amended—

(1) by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—The chairperson, in the discretion of the chairperson and in consultation with other members of the Committee, should, to protect the national security of the United States and countries that are allies or partners of the United States, establish a formal process for—

''(i) the exchange of information under paragraph (2)(C) with the governments of such countries; and

''(ii) the provision of assistance to those countries with respect to—

''(I) reviewing foreign investment transactions in such countries;

''(II) determining the beneficial ownership of parties to such transactions; and

''(III) identifying trends in investment and technology that could pose risks to the national security of the United States and such countries.''; and

(2) in subparagraph (B)—

(A) in clause (ii), by striking ''; and'' and inserting a semicolon;

(B) by redesignating clause (iii) as clause (iv); and

(C) by inserting after clause (ii) the following:

''(iii) provide for the provision of assistance to support those countries to review foreign investment transactions in such countries and determine the beneficial ownership of the parties to such transactions; and''.

SA 1864. Mr. REED (for himself, Mr. TESTER, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. ENHANCEMENTS TO PROTECTIONS ACCORDED SERVICEMEMBERS WITH RESPECT TO RESIDENTIAL LEASES.

(a) TERMINATION OF RESIDENTIAL LEASES.—

(1) IN GENERAL.—Section 305 of the Servicemembers Civil Relief Act (50 U.S.C. 3955) is amended—

(A) in subsection (a)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

(ii) by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following new subparagraph:

''(C) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, the date the lessee is assigned to or otherwise relocates to quarters or a housing facility as described in such subparagraph.''; and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by striking ''or'' at the end;

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

(iii) by adding at the end the following new subparagraph:

''(C) the lease is executed by or on behalf of a person who thereafter and during the term of the lease is assigned to or otherwise relocates to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), including housing provided under the Military Housing Privatization Initiative.''.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A)—

(i) by inserting ''in the case of a lease described in subsection (b)(1) and subparagraph (A) or (B) of such subsection,'' before ''by delivery''; and

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

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) in the case of a lease described in subsection (b)(1) and subparagraph (C) of such subsection, by delivery by the lessee of written notice of such termination, and a letter from the servicemember's commanding officer indicating that the servicemember has been assigned to or is otherwise relocating to quarters of the United States or a housing facility under the jurisdiction of a uniformed service (as defined in section 101 of title 37, United States Code), to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee); and''.

(b) DEFINITION OF MILITARY ORDERS, CONTINENTAL UNITED STATES, AND PERMANENT CHANGE OF STATION FOR PURPOSES OF ACT.—

(1) TRANSFER OF DEFINITIONS.—Such Act is further amended by transferring paragraphs (1), (2), and (3) of section 305(i) (50 U.S.C. 3955(i)) to the end of section 101 (50 U.S.C. 3911) and redesignating such paragraphs, as so transferred, as paragraphs (10), (11), and (12), respectively.

(2) CONFORMING AMENDMENTS.—Such Act is further amended—

(A) in section 305 (50 U.S.C. 3955), as amended by paragraph (1), by striking subsection (i); and

(B) in section 705 (50 U.S.C. 4025), by striking ''or naval'' both places it appears.

SA 1865. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X of division A, insert the following:

SEC. ___. FOREIGN NARCOTICS KINGPIN DESIGNATION ACT.

(a) IMPACT ASSESSMENTS.—Section 804 of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1903) is amended by adding at the end the following:

''(j) ASSESSMENTS.—

''(1) ESTABLISHMENT OF MEASURES.—The Secretary of the Treasury, in consultation with relevant Federal departments and agencies, shall establish measures for assessing the impact of the public identification of foreign persons subject to sanctions under subsection (b).

''(2) ASSESSMENTS.—Not later than 2 years after the date of the enactment of this subsection, and every 4 years thereafter, the Secretary of the Treasury shall conduct an impact assessment, based on the measures established pursuant to paragraph (1), that—

''(A) measures the effectiveness of information sharing among foreign allies and partners to enhance the effectiveness of the public identifications under subsection (b);

''(B) analyzes efforts to enhance partner capacity to implement this chapter; and

''(C) includes recommendations on how to improve the effectiveness of the sanctions pursuant to this chapter.''.

(b) MONITORING.—Section 805(e)(1) of such Act (21 U.S.C. 1904(e)(1)) is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) by inserting after subparagraph (A) the following:

''(B) routine monitoring of the impact of sanctions under this chapter.''.

SA 1866. Mr. REED (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. INFORMATION LITERACY COMMISSION.

(a) ESTABLISHMENT OF INFORMATION LITERACY COMMISSION.—

(1) DEFINITIONS.—In this section—

(A) the term ''Co-Chairs'' means the Co-Chairs of the Commission;

(B) the term ''Commission'' means the Information Literacy Commission established under this section; and

(C) the term ''information literacy'' means the set of skills needed to find, retrieve, understand, evaluate, analyze, and effectively use information (which encompasses spoken and broadcast words and videos, printed materials, and digital content, data, and images).

(2) ESTABLISHMENT.—There is established a commission to be known as the ''Information Literacy Commission''.

(3) PURPOSE.—The Commission shall serve to improve the information literacy of servicemembers and their families and other persons in the United States through the development of national strategies and best practices to promote information literacy.

(b) COMPOSITION OF THE COMMISSION.—

(1) COMPOSITION.—The Commission shall be composed of the following:

(A) The Secretary of Defense, the Director of the Institute of Museum and Library Services, the Secretary of Veterans Affairs, the Secretary of Education, the Secretary of Homeland Security, the Secretary of Health and Human Services, the Secretary of the Treasury, the Secretary of Commerce, the Secretary of Labor, the Secretary of State, the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Agriculture, the Administrator of the Environmental Protection Agency, the Chairman of the Federal Communications Commission, the Chairman of the Federal Trade Commission, the Commissioner of the Social Security Administration, the United States Trade Representative, the Director of the Office of Management and Budget, the Director of the Consumer Financial Protection Bureau, the Director of the Office of Personnel Management, and the Librarian of Congress.

(B) The heads of other Federal agencies, determined appropriate by the Co-Chairs.

(C) Six non-Federal representatives who each have expertise and experience in information literacy (including evaluating and verifying information) to be appointed by the Co-Chairs of the Commission, three of whom shall be librarians, including those from the education and information science fields, and three of whom shall be selected from military service organizations and veteran service organizations.

(2) ALTERNATES.—Each member of the Commission may designate an alternate if the member is unable to attend a meeting of the Commission. Such alternate shall be an individual who exercises significant decision-making authority.

(3) CO-CHAIRS.—The Secretary of Defense and the Director of the Institute of Museum and Library Services shall serve as Co-Chairs of the Commission.

(c) MEETINGS.—The Commission shall hold, at the call of the Co-Chairs, at least 1 meeting every 4 months. All such meetings shall be open to the public. The Commission may hold, at the call of the Co-Chairs, such other meetings as the Co-Chairs see fit to carry out this section.

(d) QUORUM.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(e) INITIAL MEETING.—The Commission shall hold its first meeting not later than 120 days after the date of enactment of this section.

(f) DUTIES.—

(1) IN GENERAL.—The Commission shall take actions as it determines necessary to improve and increase access to information literacy skills and instruction so that servicemembers and their families, veterans, children, students, adults, and seniors can gain the tools needed to think critically about information.

(2) DEVELOPMENT OF POLICIES, MATERIALS, AND STRATEGIES.—The Commission shall develop policies, instructional materials, and national strategies on information literacy—

(A) to address the lack of access to information literacy education and tools, which may not be fully integrated or taught in schools, the workplace, and other aspects of life; and

(B) to address the ever-changing sources of information and the constant evolution of how information is consumed and utilized so that all Americans have the tools to make informed decisions about their lives.

(3) WEBSITE AND TOOLKITS.—

(A) IN GENERAL.—The Commission shall—

(i) establish and maintain a website with the domain name ''InformationLiteracy.gov'', or a similar domain name; and

(ii) create toolkits specially designed and targeted at different audiences, including servicemembers and their families, veterans, children, students, adults, and seniors, to help them understand, evaluate, and discern the reliability and accuracy of information.

(B) PURPOSES.—The website established under subparagraph (A) shall—

(i) disseminate best practices on information literacy;

(ii) serve as a clearinghouse of information about information literacy programs;

(iii) provide a coordinated entry point for accessing information about Federal publications, grants, and materials promoting enhanced information literacy;

(iv) offer information on Federal grants to promote information literacy, and on how to target, apply for, and receive a grant that is most appropriate under the circumstances;

(v) as the Commission considers appropriate, feature website links to efforts that have no commercial content and that feature information about information literacy and education programs, materials, or campaigns; and

(vi) offer such other information as the Commission finds appropriate to share with the public in the fulfillment of its purpose.

(4) EMPHASIS.—In carrying out this section, the Commission shall emphasize, at a minimum—

(A) how to find, retrieve, understand, evaluate, analyze, and effectively use information;

(B) how to distinguish accurate information from non-creditable, unverified, and partial information;

(C) how to avoid abusive, predatory, deceptive, and fraudulent information, scams, and claims; and

(D) how to equip learners at every level with strategies and tools, such as a questioning approach, in order to solve problems and to frame problems in ways that will assist them in meeting expectations in the classroom, on the battlefield, at the workplace, and in life as a whole.

(g) DEVELOPMENT AND DISSEMINATION.—The Commission shall—

(1) develop materials to promote information literacy; and

(2) disseminate such materials to the general public.

(h) COORDINATION OF EFFORTS AND NATIONAL STRATEGIES.—The Commission shall take such steps as are necessary to target and meet the needs of different audiences, including servicemembers and their families, veterans, children, students, adults, and seniors, including to—

(1) coordinate information literacy efforts at the State and local level, including promoting partnerships among Federal, State, local, and Tribal governments, military service organizations, veteran service organizations, nonprofit organizations, and private enterprises; and

(2) develop and implement national strategies to promote information literacy that would utilize the partnerships described in paragraph (1), as appropriate, and provide for—

(A) the development of methods to increase information literacy;

(B) the enhancement of the general understanding of information literacy; and

(C) the review of Federal activities designed to promote information literacy and development of a plan to improve coordination of such activities.

(i) REPORTS.—

(1) IN GENERAL.—Not later than 18 months after the date of the first meeting of the Commission, and annually thereafter, the Commission shall issue a report on strategies for assuring information literacy to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the progress of the Commission in carrying out this section.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) information concerning the implementation of the duties of the Commission under subsection (f);

(B) an assessment of the success of the Commission in implementing the targeted

national strategies developed under subsection (h);

(C) an assessment of the availability, utilization, and impact of Federal information literacy materials;

(D) information concerning the content and public use of—

(i) the website established under subsection (f)(3)(A)(i); and

(ii) the toolkits established under subsection (f)(3)(A)(ii);

(E) a brief survey of the information literacy materials developed under subsection (g), and data regarding the dissemination and impact of such materials;

(F) a brief summary of any hearings conducted by the Commission, including a list of witnesses who testified at such hearings;

(G) information about the activities of the Commission planned for the next fiscal year;

(H) a summary of all information literacy activities targeted to underserved communities; and

(I) such other materials relating to the duties of the Commission as the Commission determines appropriate.

(3) INITIAL REPORT.—The initial report under paragraph (1) shall include information regarding all Federal programs, materials, and grants which seek to improve information literacy, and assess the effectiveness of such programs.

(j) POWERS OF THE COMMISSION.—

(1) HEARINGS.—

(A) IN GENERAL.—The Commission shall hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission deems appropriate to carry out this section.

(B) PARTICIPATION.—In hearings held under this subsection, the Commission shall consider inviting witnesses from, among other groups—

(i) other Federal Government officials;

(ii) State, local, and Tribal government officials;

(iii) military service organizations;

(iv) veteran service organizations;

(v) information literacy experts, including librarians, educators, and behavioral and data scientists;

(vi) consumer and community groups; and

(vii) nonprofit information literacy groups.

(2) INFORMATION FROM FEDERAL AGENCIES.—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out this section. Upon request of the Co-Chairs, the head of such department or agency shall furnish such information to the Commission.

(3) PERIODIC STUDIES.—The Commission may conduct periodic studies regarding the state of information literacy in the United States, as the Commission determines appropriate.

(4) MULTILINGUAL.—The Commission may take any action to develop and promote information literacy and education materials in languages other than English, as the Commission determines appropriate, including for the website established under subsection (f)(3)(A)(i), the toolkits established under subsection (f)(3)(A)(ii), and the materials developed and disseminated under subsection (g).

(5) ARRANGEMENTS.—The Commission may enter into arrangements, including interagency agreements, grants, contracts, and cooperative agreements with entities that the Co-Chairs determine appropriate.

(k) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Commission shall serve without compensation in addition to that received for their service as an officer or employee of the United States.

(2) TRAVEL EXPENSES.—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(3) ASSISTANCE.—

(A) IN GENERAL.—The Department of Defense shall provide assistance to the Commission, upon request of the Commission, without reimbursement.

(B) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) SPACE FOR USE OF COMMISSION.—Not later than 90 days after the date of the enactment of this section, the Administrator of General Services, in consultation with the Secretary of Defense, shall identify and make available suitable excess space within the Federal space inventory to house the operations of the Commission. If the Administrator is not able to make such suitable excess space available within such 90-day period, the Commission may lease space to the extent the funds are available.

(5) CONTRACTING AUTHORITY.—The Commission may acquire administrative supplies and equipment for Commission use to the extent funds are available.

(l) EXECUTIVE DIRECTOR AND STAFF.—

(1) EXECUTIVE DIRECTOR.—The Commission shall appoint and fix the rate of basic pay for an Executive Director in accordance with section 3161 of title 5, United States Code.

(2) STAFF.—The Executive Director, with the approval of the Commission, may appoint and fix the rate of basic pay for additional personnel as staff of the Commission in accordance with section 3161 of title 5, United States Code.

(m) STUDIES BY COMPTROLLER GENERAL.—Not later than 3 years after the date of enactment of this section, the Comptroller General of the United States shall submit a report to Congress assessing the effectiveness of the Commission in promoting information literacy.

(n) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission such sums as may be necessary to carry out this section, including administrative expenses of the Commission.

SA 1867. Mr. REED (for himself, Mr. INHOFE, Mr. JONES, Mrs. HYDE-SMITH, and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

Section 2203(b) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)) is amended by striking paragraph (3) and inserting the following:

''(3) ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ELIGIBLE JURISDICTION.—The term 'eligible jurisdiction' means a State that is determined to be eligible for a grant under this paragraph in accordance with subparagraph (D).

''(ii) EPSCOR.—The term 'EPSCoR' means the Established Program to Stimulate Competitive Research operated under subparagraph (B).

''(iii) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(iv) STATE.—The term 'State' means—

''(I) a State;

''(II) the District of Columbia;

''(III) the Commonwealth of Puerto Rico;

''(IV) Guam; and

''(V) the United States Virgin Islands.

''(B) PROGRAM OPERATION.—The Secretary shall operate an Established Program to Stimulate Competitive Research.

''(C) OBJECTIVES.—The objectives of EPSCoR shall be—

''(i) to increase the number of researchers in eligible jurisdictions, especially at institutions of higher education, capable of performing nationally competitive science and engineering research in support of the mission of the Department of Energy in the areas of applied energy research, environmental management, and basic science;

''(ii) to improve science and engineering research and education programs at institutions of higher education in eligible jurisdictions and enhance the capabilities of eligible jurisdictions to develop, plan, and execute research that is competitive, including through investing in research equipment and instrumentation; and

''(iii) to increase the probability of long-term growth of competitive funding to eligible jurisdictions.

''(D) ELIGIBLE JURISDICTIONS.—

''(i) IN GENERAL.—The Secretary may establish criteria for determining whether a State is eligible for a grant under this paragraph.

''(ii) REQUIREMENT.—Except as provided in clause (iii), in establishing criteria under clause (i), the Secretary shall ensure that a State is eligible for a grant under this paragraph if the State, as determined by the Secretary, is a State that—

''(I) historically has received relatively little Federal research and development funding; and

''(II) has demonstrated a commitment—

''(aa) to develop the research bases in the State; and

''(bb) to improve science and engineering research and education programs at institutions of higher education in the State.

''(iii) ELIGIBILITY UNDER NSF EPSCOR.—At the election of the Secretary, or if the Secretary determines not to establish criteria under clause (i), a State is eligible for a grant under this paragraph if the State is eligible to receive funding under the Established Program to Stimulate Competitive Research of the National Science Foundation.

''(E) GRANTS IN AREAS OF APPLIED ENERGY RESEARCH, ENVIRONMENTAL MANAGEMENT, AND BASIC SCIENCE.—

''(i) IN GENERAL.—EPSCoR shall make grants to eligible jurisdictions to carry out and support applied energy research and research in all areas of environmental management and basic science sponsored by the Department of Energy, including—

''(I) energy efficiency, fossil energy, renewable energy, and other applied energy research;

''(II) electricity delivery research;

''(III) cybersecurity, energy security, and emergency response;

''(IV) environmental management; and

''(V) basic science research.

''(ii) ACTIVITIES.—EPSCoR shall make grants under this subparagraph for activities consistent with the objectives described in

subparagraph (C) in the areas of applied energy research, environmental management, and basic science described in clause (i), including—

''(I) to support research that is carried out in partnership with the National Laboratories;

''(II) to provide for graduate traineeships;

''(III) to support research by early career faculty; and

''(IV) to improve research capabilities through biennial research implementation grants.

''(iii) NO COST SHARING.—EPSCoR shall not impose any cost-sharing requirement with respect to a grant made under this subparagraph, but may require letters of commitment from National Laboratories.

''(F) OTHER ACTIVITIES.—EPSCoR may carry out such activities as may be necessary to meet the objectives described in subparagraph (C) in the areas of applied energy research, environmental management, and basic science described in subparagraph (E)(i).

''(G) PROGRAM IMPLEMENTATION.—

''(i) IN GENERAL.—Not later than 270 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Energy and Commerce and Appropriations of the House of Representatives a plan describing how the Secretary shall implement EPSCoR.

''(ii) CONTENTS OF PLAN.—The plan described in clause (i) shall include a description of—

''(I) the management structure of EPSCoR, which shall ensure that all research areas and activities described in this paragraph are incorporated into EPSCoR;

''(II) efforts to conduct outreach to inform eligible jurisdictions and faculty of changes to, and opportunities under, EPSCoR;

''(III) how EPSCoR plans to increase engagement with eligible jurisdictions, faculty, and State committees, including by holding regular workshops, to increase participation in EPSCoR; and

''(IV) any other issues relating to EPSCoR that the Secretary determines appropriate.

''(H) PROGRAM EVALUATION.—

''(i) IN GENERAL.—Not later than 5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall contract with a federally funded research and development center, the National Academy of Sciences, or a similar organization to carry out an assessment of the effectiveness of EPSCoR, including an assessment of—

''(I) the tangible progress made towards achieving the objectives described in subparagraph (C);

''(II) the impact of research supported by EPSCoR on the mission of the Department of Energy; and

''(III) any other issues relating to EPSCoR that the Secretary determines appropriate.

''(ii) LIMITATION.—The organization with which the Secretary contracts under clause (i) shall not be a National Laboratory.

''(iii) REPORT.—Not later than 6 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Energy and Commerce and Appropriations of the House of Representatives a report describing the results of the assessment carried out under clause (i), including recommendations for improvements that would enable the Secretary to achieve the objectives described in subparagraph (C).''.

SA 1868. Mr. REED (for himself, Ms. COLLINS, Mr. JONES, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. CYBERSECURITY TRANSPARENCY.

The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 14B (15 U.S.C. 78n–2) the following:

''SEC. 14C. CYBERSECURITY TRANSPARENCY.

''(a) DEFINITIONS.—In this section—

''(1) the term 'cybersecurity' means any action, step, or measure to detect, prevent, deter, mitigate, or address any cybersecurity threat or any potential cybersecurity threat;

''(2) the term 'cybersecurity threat'—

''(A) means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system; and

''(B) does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement;

''(3) the term 'information system'—

''(A) has the meaning given the term in section 3502 of title 44, United States Code; and

''(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers;

''(4) the term 'NIST' means the National Institute of Standards and Technology; and

''(5) the term 'reporting company' means any company that is an issuer—

''(A) the securities of which are registered under section 12; or

''(B) that is required to file reports under section 15(d).

''(b) REQUIREMENT TO ISSUE RULES.—Not later than 360 days after the date of enactment of this section, the Commission shall issue final rules to require each reporting company, in the annual report of the reporting company submitted under section 13 or section 15(d) or in the annual proxy statement of the reporting company submitted under section 14(a)—

''(1) to disclose whether any member of the governing body, such as the board of directors or general partner, of the reporting company has expertise or experience in cybersecurity and in such detail as necessary to fully describe the nature of the expertise or experience; and

''(2) if no member of the governing body of the reporting company has expertise or experience in cybersecurity, to describe what other aspects of the reporting company's cybersecurity were taken into account by any person, such as an official serving on a nominating committee, that is responsible for identifying and evaluating nominees for membership to the governing body.

''(c) CYBERSECURITY EXPERTISE OR EXPERIENCE.—For purposes of subsection (b), the Commission, in consultation with NIST, shall define what constitutes expertise or experience in cybersecurity using commonly defined roles, specialties, knowledge, skills, and abilities, such as those provided in NIST Special Publication 800–181, entitled 'National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework', or any successor thereto.''.

SA 1869. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. INDEPENDENT STUDY ON IDENTIFYING AND ADDRESSING THREATS THAT INDIVIDUALLY OR COLLECTIVELY AFFECT NATIONAL SECURITY, FINANCIAL SECURITY, OR BOTH.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of the Treasury in the Secretary's capacity as the Chair of the Financial Stability Oversight Council and the heads of other relevant departments and agencies, shall seek to enter into a contract with a federally funded research and development center under which the center will conduct a study on identifying and addressing threats that individually or collectively affect national security, financial security, or both.

(b) ELEMENTS OF STUDY.—In carrying out the study referred to in subsection (a), the selected Federally funded research and development center shall be contractually obligated to —

(1) identify threats that individually or collectively affect national security, financial security, or both, including—

(A) foreign entities and governments acquiring financial interests in domestic companies that have access to critical or sensitive national security materials, technologies, or information;

(B) other currencies being used in lieu of the United States Dollar in international transactions;

(C) foreign influence in companies seeking to access capital markets by conducting initial public offerings in other countries;

(D) the use of financial instruments, markets, payment systems, or digital assets in ways that appear legitimate but may be part of a foreign malign strategy to weaken or undermine the economic security of the United States;

(E) the use of entities, such as corporations, companies, limited liability companies, limited partnerships, business trusts, business associations, or other similar entities to obscure or hide the foreign beneficial owner of such entities; and

(F) any other known or potential threats that individually or collectively affect national security, financial security, or both currently or in the foreseeable future.

(2) assess the extent to which the United States Government is currently able to identify and characterize the threats identified under paragraph (1);

(3) assess the extent to which the United States Government is currently able to mitigate the risk posed by the threats identified under paragraph (1);

(4) assess whether current levels of information sharing and cooperation between the United States Government and allies and partners has been helpful or can be improved

upon in order for the United States Government to identify, characterize, and mitigate the threats identified under paragraph (1); and

(5) recommend opportunities, and any such authorities or resources required, to improve the efficiency and effectiveness of the United States Government in identifying the threats identified under paragraph (1) and mitigating the risk posed by such threats.

(c) SUBMISSION TO DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 180 days after the date of the enactment of this Act, the federally funded research and development center selected to conduct the study under subsection (a) shall submit to the Director of National Intelligence a report on the results of the study in both classified and unclassified form.

(d) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 30 days after the date on which the Director of National Intelligence receives the report under subsection (c), the Director shall submit to the appropriate committees of Congress an unaltered copy of the report in both classified and unclassified form, and such comments as the Director, in coordination with the Secretary of Treasury in his capacity as the Chair of the Financial Stability Oversight Council and the heads of other relevant departments and agencies, may have with respect to the report.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Financial Services of the House of Representatives.

SA 1870. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. ADDITIONAL FUNDING FOR CORONAVIRUS RELIEF FOR STATES, TRIBAL GOVERNMENTS, AND LOCAL COMMUNITIES.

(a) STATE & LOCAL EMERGENCY STABILIZATION FUND.—Title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended by adding at the end the following:

''SEC. 602. ADDITIONAL FUNDING FOR CORONAVIRUS RELIEF FOR STATES, TRIBAL GOVERNMENTS, AND LOCAL COMMUNITIES.

''(a) APPROPRIATION.—

''(1) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for making payments under this section to States, Tribal governments, and local communities described in subsection (c)(6), $600,000,000,000 for fiscal year 2020. The amount appropriated under this paragraph and paid in accordance with this section shall be in addition to the amount appropriated under subsection (a) of section 601 and paid to States, Tribal governments, and units of local government under that section.

''(2) RESERVATION OF FUNDS.—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

''(A) $3,000,000,000 of such amount for making payments to United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa under subsection (c)(7);

''(B) $10,000,000,000 of such amount for making payments to Tribal governments under subsection (c)(8);

''(C) $59,000,000,000 of such amount for the portion of the payments made to the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico that is determined under subsection (c)(5); and

''(D) $205,000,000,000 of such amount for making payments to local communities under subsection (c)(6).

''(b) DEADLINE FOR PAYMENTS.—The Secretary shall make the payments determined under subsection (c) not later than 15 days after the date of enactment of this section.

''(c) PAYMENT AMOUNTS.—

''(1) IN GENERAL.—Subject to paragraph (2), the amount paid under this section for fiscal year 2020 to a State that is one of the 50 States, the District of Columbia, or the Commonwealth of Puerto Rico, shall be the sum of—

''(A) the relative population proportion amount determined for the State under paragraph (3) for such fiscal year; and

''(B) the relative coronavirus infection rate proportion amount determined for the State under paragraph (5) for such fiscal year.

''(2) MINIMUM PAYMENT.—

''(A) IN GENERAL.—No State that is one of the 50 States, the District of Columbia, or the Commonwealth of Puerto Rico, shall receive a payment under this section for fiscal year 2020 that is less than $5,000,000,000.

''(B) PRO RATA ADJUSTMENTS.—The Secretary shall adjust on a pro rata basis the amount of the payments for each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

''(3) RELATIVE POPULATION PROPORTION AMOUNT.—For purposes of paragraph (1)(A), the relative population proportion amount determined under this paragraph for a State for fiscal year 2020 is the product of—

''(A) the amount appropriated under subsection (a)(1) for fiscal year 2020 that remains after the application of the reservations made under subsection (a)(2); and

''(B) the relative State population proportion (as defined in paragraph (4)) determined for such fiscal year.

''(4) RELATIVE STATE POPULATION PROPORTION DEFINED.—For purposes of paragraph (3)(B), the term 'relative State population proportion' means, with respect to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, the quotient of—

''(A) the population of the State, District of Columbia, or Commonwealth of Puerto Rico (as applicable); and

''(B) the sum of the populations of each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(5) RELATIVE CORONAVIRUS INFECTION RATE PROPORTION AMOUNT.—For purposes of paragraph (1)(B), the relative coronavirus infection rate proportion amount determined under this paragraph for each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, for fiscal year 2020 is the product of—

''(A) the amount reserved under subsection (a)(2)(C); and

''(B) the quotient of—

''(i) the coronavirus infection rate determined for the State, District of Columbia, or Commonwealth of Puerto Rico (as applicable); and

''(ii) the sum of the coronavirus infection rates determined for each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(6) PAYMENTS TO LOCAL COMMUNITIES.—

''(A) IN GENERAL.—From the amount reserved under subsection (a)(2)(D), the Secretary shall pay—

''(i) 70 percent of the amount so reserved directly to the metropolitan cities and urban counties (as those terms are defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) in the State that received allocations under section 106(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(b)) for fiscal year 2019, pursuant to the same formula used to make such allocations under that section for such fiscal year; and

''(ii) subject to subparagraph (C), 30 percent of the amount so reserved directly to each of the 50 States, to be distributed by such States upon receipt on a pass-through basis, and without requiring any application, to units of general local government in nonentitlement areas (as such terms are defined in such section 102) in such States, in amounts equal to the relative sum of the populations of such units of general local government in each such State as a proportion of the total population of all such units of general local government in all of the 50 States.

''(B) UNITS OF GENERAL LOCAL GOVERNMENT IN NONENTITLEMENT AREAS WITH OVERLAPPING POPULATIONS OR CONSOLIDATED GOVERNMENTS.—If two or more units of general local government in nonentitlement areas have overlapping populations or have formed a consolidated government—

''(i) the population of the unit of general local government with the largest population among such overlapping populations or that is part of such consolidated government shall be the population used for purposes of determining the amount to be paid directly to a State under clause (ii) of subparagraph (A); and

''(ii) the chief executive officer of the State shall distribute the portion of such payment that is based on such population among the units of general local government with such overlapping populations or that are part of such consolidated government, in amounts equal to the relative populations of such units of general local government as a proportion of such payment portion, unless—

''(I) the units of general local government involved notify such chief executive officer of their agreement regarding how such payment portion is to be distributed among them, based on the aggregate population of such units of general local government, in which case such chief executive officer shall make distributions in accordance with that agreement; or

''(II) in the case of a consolidated government, the consolidated government notifies such chief executive officer of a determination of the consolidated government regarding how such payment portion is to be distributed among the units of local government represented by the consolidated government, based on the aggregate population of such units of general local government, in which case such chief executive officer shall make distributions in accordance with that determination.

''(C) TREATMENT OF STATES NOT ACTING AS PASS-THROUGH AGENTS UNDER CDBG.—In the case of a State that has not elected to distribute amounts allocated under section 106(d)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(d)(1)), the Secretary shall act in place of the State for purposes of determining the amount of, and distributing on a pass-through basis, and without requiring any application, payments

to units of general local government in nonentitlement areas in that State under subparagraph (A)(ii).

''(7) PAYMENTS TO TERRITORIES.—The amount paid under this section to the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, or American Samoa, shall be the amount equal to the product of—

''(A) the amount reserved under subsection (a)(2)(A); and

''(B) each such territory's share of the combined total population of all such territories, as determined by the Secretary.

''(8) PAYMENTS TO TRIBAL GOVERNMENTS.—The amounts paid under this section to Tribal governments from the amount reserved under subsection (a)(2)(B) shall be determined in the same manner as the amounts paid to Tribal governments under section 601(c)(7).

''(9) DATA.—For purposes of determining—

''(A) the population of each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, and units of general local government, the Secretary shall use the most recent year for which data are available from the Bureau of the Census; and

''(B) the relative coronavirus infection rate proportion amounts under paragraph (5), the Secretary shall use the most recent daily updated data on the number of COVID–19 cases published on the internet by the Centers for Disease Control and Prevention.

''(d) OTHER PROVISIONS.—

''(1) IN GENERAL.—The amounts paid under this section shall be subject to—

''(A) the use of funds and oversight requirements of subsections (d) and (f) of section 601 in the same manner as such requirements apply to the amounts paid under that section; and

''(B) the definitions of each paragraph of section 601(g) other than paragraph (2) of that section.

''(2) IG FUNDING AUTHORITY.—Notwithstanding section 601(f)(3), the Inspector General of the Department of the Treasury may use the amount appropriated under that section to carry out oversight and recoupment activities under this section in addition to the oversight and recoupment activities carried out under section 601(f).

''(3) NONAPPLICATION.—Except as otherwise provided in this section, the requirements applicable to the amount appropriated for fiscal year 2020 under section 601(a)(1) (as added by section 5001 of Public Law 116–136) shall not apply to the amount appropriated under subsection (a) of this section for such fiscal year.''.

(b) ADDITIONAL AUTHORITY TO USE PAYMENTS TO MAKE UP REVENUE SHORTFALLS.—Effective as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136), subsection (d) of section 601 of the Social Security Act, as added by section 5001(a) of the Coronavirus Aid, Relief, and Economic Security Act, is amended to read as follows:

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—A State, Tribal government, and unit of local government may use the funds provided under a payment made under this section for any expenditures during the period that begins on January 1, 2020, and ends on June 30, 2022—

''(A) to prevent, prepare for, or respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or the declaration by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) of a major disaster or emergency with respect to COVID–19; or

''(B) to provide services, benefits, or assistance, or support programs, projects, and operations, accounted for in the budget for the State, Tribal government, or unit of local government approved for any fiscal year occurring during the period that begins on January 1, 2020, and ends on June 30, 2022 (without regard to any relation to the Coronavirus Disease 2019 (COVID–19)).

''(2) NON-FEDERAL FUNDING.—For the purpose of meeting the non-Federal share requirement of any Federal grant-in-aid program or other form of Federal assistance, including assistance provided under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) and the Medicaid program established under title XIX, funds provided under a payment made under this section to a State, Tribal government, or unit of local government are deemed to be non-Federal funds.

''(3) LIMITATION.—A State, Tribal government, or unit of local government may not use funds provided under a payment made under this section to provide any kind of tax cut, rebate, deduction, credit, or any other tax benefit, or to reduce or eliminate any fee imposed by the State, Tribal government, or unit of local government, during the period described in paragraph (1).''.

SA 1871. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. TEMPORARY EXEMPTION FROM BUSINESS ACTIVITY TARGETS FOR 8(A) PARTICIPANTS.

During the period beginning on the date of enactment of this Act and ending on September 30, 2023, the Administrator of the Small Business Administration may waive the requirements under section 8(a)(7)(A) of the Small Business Act (15 U.S.C. 637(a)(7)(A)) for small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) participating in the program under such section 8(a) to attain targeted dollar levels of revenue outside of the program.

SA 1872. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. TEMPORARY EXTENSION FOR 8(A) PARTICIPANTS.

The Administrator of the Small Business Administration shall allow a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) participating in the program established under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) on the date of enactment of this section to extend such participation by a period of 1 year.

SA 1873. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. DIRECT APPROPRIATIONS FOR TECHNICAL ASSISTANCE FOR SMALL BUSINESS CONCERNS.

Out of amounts in the Treasury not otherwise appropriated, there is appropriated to the Small Business Administration $3,400,000, to remain available until expended, for additional financial assistance authorized under section 7(j) of the Small Business Act (15 U.S.C. 636(j)) for projects providing technical or management assistance, with special attention to small business concerns (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) located in areas of high concentration of unemployed or low-income individuals.

SA 1874. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. INCREASE IN TOTAL SOLE-SOURCE CONTRACT VALUES.

(a) QUALIFIED HUBZONE SMALL BUSINESS CONCERNS.—Section 31(c)(2)(A)(ii) of the Small Business Act (15 U.S.C. 657a(c)(2)(A)(ii)) is amended—

(1) in subclause (I), by striking ''$5,000,000'' and inserting ''$10,000,000''; and

(2) in subclause (II), by striking ''$3,000,000'' and inserting ''$8,000,000''.

(b) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36(a)(2) of the Small Business Act (15 U.S.C. 657f(a)(2)) is amended—

(1) in subparagraph (A), by striking ''$5,000,000'' and inserting ''$10,000,000''; and

(2) in subparagraph (B), by striking ''$3,000,000'' and inserting ''$8,000,000''.

(c) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—Section 8(a)(1)(D)(i)(II) of the Small Business Act (15 U.S.C. 637(a)(1)(D)(i)(II)) is amended—

(1) by striking ''$5,000,000'' and inserting ''$10,000,000''; and

(2) by striking ''$3,000,000'' and inserting ''$8,000,000''.

(d) CERTAIN SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY WOMEN.—Section 8(m) of the Small Business Act (15 U.S.C. 637(m)) is amended—

(1) in paragraph (7)(B)—

(A) in clause (i), by striking ''$6,500,000'' and inserting ''$10,000,000''; and

(B) in clause (ii), by striking ''$4,000,000'' and inserting ''$8,000,000''; and

(2) in paragraph (8)(B)—

(A) in clause (i), by striking ''$6,500,000'' and inserting ''$10,000,000''; and

(B) in clause (ii), by striking ''$4,000,000'' and inserting ''$8,000,000''.

SA 1875. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. TEMPORARY SOLE-SOURCE AWARD PARITY AMONG CONTRACTING PROGRAMS.

(a) DEFINITIONS.—In this section—

(1) the term ''contracting officer'' has the meaning given the term in section 36(e) of the Small Business Act (15 U.S.C. 657f(e));

(2) the term ''economically disadvantaged women-owned small business'' has the meaning given the term in section 127.102 of title 13, Code of Federal Regulations, or any successor regulation;

(3) the term ''HUBZone small business concern'' has the meaning given the term in section 31(b) of the Small Business Act (15 U.S.C. 657a(b));

(4) the term ''small business concern owned and controlled by service-disabled veterans'' has the meaning given the term in section 3(q) of the Small Business Act (15 U.S.C. 632(q)); and

(5) the term ''small business concern owned and controlled by women'' has the meaning given the term in section 8(m) of the Small Business Act (15 U.S.C. 637(m)).

(b) REQUIREMENT.—Notwithstanding any other provision of law or regulation, during the period beginning on the date of enactment of this Act and ending on September 30, 2021, with respect to a small business concern owned and controlled by women, an economically disadvantaged women-owned small business, a HUBZone small business concern, or a small business concern owned and controlled by service-disabled veterans, a contracting officer may award a sole source contract to the business concern if the anticipated award price of the contract will not exceed the maximum permissible amount for the contract, as provided under the applicable provision of the Small Business Act (15 U.S.C. 631 et seq.).

SA 1876. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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____. AUTHORIZATION TO ESTABLISH COMMEMORATIVE WORK.

(a) IN GENERAL.—The Fallen Journalists Memorial Foundation may establish a commemorative work on Federal land in the District of Columbia and its environs to commemorate America's commitment to a free press as represented by journalists who sacrificed their lives in their line of work.

(b) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the commemorative work under this section shall be in accordance with chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act'').

(c) PROHIBITION ON USE OF FEDERAL FUNDS.—

(1) IN GENERAL.—Federal funds may not be used to pay any expense of the establishment of the commemorative work under this section.

(2) RESPONSIBILITY OF THE FALLEN JOURNALISTS MEMORIAL FOUNDATION.—The Fallen Journalists Memorial Foundation shall be solely responsible for acceptance of contributions for, and payment of the expenses of, the establishment of the commemorative work under this section.

(d) DEPOSIT OF EXCESS FUNDS.—

(1) IN GENERAL.—If upon payment of all expenses for the establishment of the commemorative work (including the maintenance and preservation amount required by section 8906(b)(1) of title 40, United States Code), there remains a balance of funds received for the establishment of the commemorative work, the Fallen Journalists Memorial Foundation shall transmit the amount of the balance to the Secretary of the Interior for deposit in the account provided for in section 8906(b)(3) of title 40, United States Code.

(2) ON EXPIRATION OF AUTHORITY.—If upon expiration of the authority for the commemorative work under section 8903(e) of title 40, United States Code, there remains a balance of funds received for the establishment of the commemorative work, the Fallen Journalists Memorial Foundation shall transmit the amount of the balance to a separate account with the National Park Foundation for memorials, to be available to the Secretary of the Interior or the Administrator of General Services (as appropriate) following the process provided in section 8906(b)(4) of title 40, United States Code, for accounts established under section 8906(b)(2) or (3) of title 40, United States Code.

SA 1877. Mr. COTTON (for himself, Mr. SCHUMER, Mr. SCOTT of Florida, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. IMPOSITION OF SANCTIONS WITH RESPECT TO ECONOMIC OR INDUSTRIAL ESPIONAGE BY FOREIGN TELECOMMUNICATIONS COMPANIES.

(a) IN GENERAL.—On and after the date that is 30 days after the date of the enactment of this Act, the President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all significant transactions in property and interests in property of a foreign person described in subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(b) FOREIGN PERSONS DESCRIBED.—A foreign person is described in this subsection if the President determines that the person, on or after the date of the enactment of this Act—

(1) produces fifth or future generation telecommunications technology; and

(2) engages in—

(A) economic or industrial espionage with respect to trade secrets or proprietary information owned by United States persons; or

(B) other related illicit activities, including violations of sanctions imposed by the United States.

(c) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this section shall not include the authority or requirement to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(d) WAIVER.—The President may waive the application of sanctions under this section with respect to a foreign person for renewable periods of not more than 90 days each if the President determines and reports to Congress that such a waiver is vital to the national security interests of the United States.

(e) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise the authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (a) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(f) DEFINITIONS.—

(1) IN GENERAL.—In this section:

(A) ECONOMIC OR INDUSTRIAL ESPIONAGE.—The term ''economic or industrial espionage'' means—

(i) stealing a trade secret or proprietary information or appropriating, taking, carrying away, or concealing, or by fraud, artifice, or deception obtaining, a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information;

(ii) copying, duplicating, downloading, uploading, destroying, transmitting, delivering, sending, communicating, or conveying a trade secret or proprietary information without the authorization of the owner of the trade secret or proprietary information; or

(iii) knowingly receiving, buying, or possessing a trade secret or proprietary information that has been stolen or appropriated, obtained, or converted without the authorization of the owner of the trade secret or proprietary information.

(B) FIFTH OR FUTURE GENERATION TELECOMMUNICATIONS TECHNOLOGY.—The term ''fifth or future generation telecommunications technology'' means telecommunications technology that conforms to the technical standards followed by the telecommunications industry for telecommunications technology that is commonly known in the industry as fifth generation or future generation technology.

(C) FOREIGN PERSON.—The term ''foreign person'' means any person that is not a United States person.

(D) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(E) PERSON.—The term ''person'' means an individual or entity.

(F) PROPRIETARY INFORMATION.—The term ''proprietary information'' has the meaning given that term in section 1637(d) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (50 U.S.C. 1708(d)).

(G) THIRD AND FOURTH GENERATION TELECOMMUNICATIONS NETWORKS.—The term ''third and fourth generation telecommunications networks'' means telecommunications networks that conform to the technical standards followed by the telecommunications industry for telecommunications networks that are commonly known in the industry as third or fourth generation networks.

(H) TRADE SECRET.—The term ''trade secret'' has the meaning given that term in section 1839 of title 18, United States Code.

(I) UNITED STATES PERSON.—The term ''United States person'' means—

(i) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(ii) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

(2) DETERMINATION OF SIGNIFICANCE.—For the purposes of this section, in determining if transactions are significant, the President may consider the totality of the facts and circumstances, including factors similar to the factors set forth in section 561.404 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(3) RULE OF CONSTRUCTION.—For purposes of this section, a transaction shall not be construed to include—

(A) participation in an international standards-setting body or the activities of such a body; or

(B) a transaction involving existing third or fourth generation telecommunications networks.

SA 1878. Mrs. LOEFFLER (for herself, Ms. SINEMA, Mrs. BLACKBURN, and Mr. PERDUE) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. 1085. MODIFICATION OF LICENSURE REQUIREMENTS FOR HEALTH CARE PROFESSIONALS PROVIDING TREATMENT VIA TELEMEDICINE.

Section 1730C(b) of title 38, United States Code, is amended to read as follows:

''(b) COVERED HEALTH CARE PROFESSIONALS.—For purposes of this section, a covered health care professional is any of the following individuals:

''(1) A health care professional who—

''(A) is an employee of the Department appointed under section 7306, 7401, 7405, 7406, or 7408 of this title or title 5;

''(B) is authorized by the Secretary to provide health care under this chapter;

''(C) is required to adhere to all standards for quality relating to the provision of health care in accordance with applicable policies of the Department; and

''(D)(i) has an active, current, full, and unrestricted license, registration, or certification in a State to practice the health care profession of the health care professional; or

''(ii) with respect to a health care profession listed under section 7402(b) of this title, has the qualifications for such profession as set forth by the Secretary.

''(2) A postgraduate health care employee who—

''(A) is appointed under section 7401(1), 7401(3), or 7405 of this title or title 5 for any category of personnel described in paragraph (1) or (3) of section 7401 of this title;

''(B) must obtain an active, current, full, and unrestricted license, registration, or certification or meet qualification standards set forth by the Secretary within a specified time frame; and

''(C) is under the clinical supervision of a health care professional described in paragraph (1); or

''(3) A health professions trainee who—

''(A) is appointed under section 7405 or 7406 of this title; and

''(B) is under the clinical supervision of a health care professional described in paragraph (1).''.

SA 1879. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, add the following:

SEC. 894. REPORT RECOMMENDING DISPOSITION OF NOTES TO CERTAIN SECTIONS OF TITLE 10, UNITED STATES CODE.

(a) IN GENERAL.—Not later than March 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report recommending the disposition of provisions of law found in the notes to the following sections of title 10, United States Code:

(1) Section 2313.

(2) Section 2364.

(3) Section 2432.

(b) ELEMENTS.—The report required under subsection (a) shall include—

(1) for each provision of law included as a note to a section listed in such subsection, a recommendation whether such provision—

(A) should be repealed because the provision is no longer operative or is otherwise obsolete;

(B) should be codified as a section to title 10, United States Code, because the section has, and is anticipated to continue to have in the future, significant relevance; or

(C) should remain as a note to such section; and

(2) any legislative proposals appropriate to improve the intent and effect of the sections listed in such subsection.

(c) TECHNICAL CORRECTIONS.—(1) Section 2362(a) of title 10, United States Code, is amended by striking ''Assistant Secretary of Defense for Research and Engineering'' both places it appears and inserting ''Under Secretary of Defense for Research and Engineering''.

(2) Section 804(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note) is amended by striking ''The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics,'' and inserting ''The Under Secretary of Defense for Acquisition and Sustainment''.

SA 1880. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mrs. CAPITO, Mr. CRAMER, Mr. COONS, Mr. HOEVEN, Mr. ROUNDS, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 10___. UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) SHORT TITLE.—This section may be cited as the ''Utilizing Significant Emissions with Innovative Technologies Act'' or the ''USE IT Act''.

(b) RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES.—Section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking ''percursors'' and inserting ''precursors''; and

(2) in subsection (g)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately;

(B) in the undesignated matter following subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking ''The Administrator'' and inserting the following:

''(5) COORDINATION AND AVOIDANCE OF DUPLICATION.—The Administrator''; and

(ii) in the first sentence, by striking ''Nothing'' and inserting the following:

''(4) EFFECT OF SUBSECTION.—Nothing'';

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) in the third sentence, by striking ''Such program'' and inserting the following:

''(3) PROGRAM INCLUSIONS.—The program under this subsection'';

(ii) in the second sentence—

(I) by inserting ''States, institutions of higher education,'' after ''scientists,''; and

(II) by striking ''Such strategies and technologies shall be developed'' and inserting the following:

''(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed''; and

(iii) in the first sentence, by striking ''In carrying out'' and inserting the following:

''(1) IN GENERAL.—In carrying out''; and

(D) by adding at the end the following:

''(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

''(A) IN GENERAL.—In carrying out paragraph (3)(A) with respect to carbon dioxide, the Administrator shall carry out the activities described in each of subparagraphs (B), (C), (D), and (E).

''(B) DIRECT AIR CAPTURE RESEARCH.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) BOARD.—The term 'Board' means the Direct Air Capture Technology Advisory Board established by clause (iii)(I).

''(II) DILUTE.—The term 'dilute' means a concentration of less than 1 percent by volume.

''(III) DIRECT AIR CAPTURE.—

''(aa) IN GENERAL.—The term 'direct air capture', with respect to a facility, technology, or system, means that the facility, technology, or system uses carbon capture equipment to capture carbon dioxide directly from the air.

''(bb) EXCLUSION.—The term 'direct air capture' does not include any facility, technology, or system that captures carbon dioxide—

''(AA) that is deliberately released from a naturally occurring subsurface spring; or

''(BB) using natural photosynthesis.

''(IV) INTELLECTUAL PROPERTY.—The term 'intellectual property' means—

''(aa) an invention that is patentable under title 35, United States Code; and

''(bb) any patent on an invention described in item (aa).

''(ii) TECHNOLOGY PRIZES.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator, in consultation with the Secretary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute.

''(II) DUTIES.—In carrying out this clause, the Administrator shall—

''(aa) subject to subclause (III), develop specific requirements for—

''(AA) the competition process; and

''(BB) the demonstration of performance of approved projects;

''(bb) offer financial awards for a project designed—

''(AA) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

''(BB) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

''(cc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

''(AA) 1 project in a coastal State; and

''(BB) 1 project in a rural State.

''(III) PUBLIC PARTICIPATION.—In carrying out subclause (II)(aa), the Administrator shall—

''(aa) provide notice of and, for a period of not less than 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in subclause (II)(aa); and

''(bb) take into account public comments received in developing the final version of those requirements.

''(iii) DIRECT AIR CAPTURE TECHNOLOGY ADVISORY BOARD.—

''(I) ESTABLISHMENT.—There is established an advisory board to be known as the 'Direct Air Capture Technology Advisory Board'.

''(II) COMPOSITION.—The Board shall be composed of 9 members appointed by the Administrator, who shall provide expertise in—

''(aa) climate science;

''(bb) physics;

''(cc) chemistry;

''(dd) biology;

''(ee) engineering;

''(ff) economics;

''(gg) business management; and

''(hh) such other disciplines as the Administrator determines to be necessary to achieve the purposes of this subparagraph.

''(III) TERM; VACANCIES.—

''(aa) TERM.—A member of the Board shall serve for a term of 6 years.

''(bb) VACANCIES.—A vacancy on the Board—

''(AA) shall not affect the powers of the Board; and

''(BB) shall be filled in the same manner as the original appointment was made.

''(IV) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

''(V) MEETINGS.—The Board shall meet at the call of the Chairperson or on the request of the Administrator.

''(VI) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

''(VII) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

''(VIII) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

''(IX) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

''(X) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board.

''(iv) INTELLECTUAL PROPERTY.—

''(I) IN GENERAL.—As a condition of receiving a financial award under this subparagraph, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

''(II) RESERVATION OF LICENSE.—The United States—

''(aa) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subclause (I); but

''(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

''(III) TRANSFER OF TITLE.—Title to any intellectual property described in subclause (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

''(v) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(vi) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subparagraph shall terminate not later than 10 years after the date of enactment of the USE IT Act.

''(C) CARBON DIOXIDE UTILIZATION RESEARCH.—

''(i) DEFINITION OF CARBON DIOXIDE UTILIZATION.—In this subparagraph, the term 'carbon dioxide utilization' refers to technologies or approaches that lead to the use of carbon dioxide—

''(I) through the fixation of carbon dioxide through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria;

''(II) through the chemical conversion of carbon dioxide to a material or chemical compound in which the carbon dioxide is securely stored; or

''(III) through the use of carbon dioxide for any other purpose for which a commercial market exists, as determined by the Administrator.

''(ii) PROGRAM.—The Administrator, in consultation with the Secretary of Energy, shall carry out a research and development program for carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industrial processes into a product of commercial value, or as an input to products of commercial value.

''(iii) TECHNICAL AND FINANCIAL ASSISTANCE.—Not later than 2 years after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall support research and infrastructure activities relating to carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

''(iv) ELIGIBILITY.—To be eligible to receive technical assistance and financial assistance under clause (iii), a carbon dioxide utilization project shall—

''(I) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 250 metric tons per day of carbon dioxide for research;

''(II) have access to adequate space for a laboratory and equipment for testing small-scale carbon dioxide utilization technologies, with onsite access to larger test bays for scale-up; and

''(III) have existing partnerships with institutions of higher education, private companies, States, or other government entities.

''(v) COORDINATION.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

''(vi) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $50,000,000 shall be available to carry out this subparagraph, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(D) DEEP SALINE FORMATION REPORT.—

''(i) DEFINITION OF DEEP SALINE FORMATION.—

''(I) IN GENERAL.—In this subparagraph, the term 'deep saline formation' means a formation of subsurface geographically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

''(II) CLARIFICATION.—In this subparagraph, the term 'deep saline formation' does not include oil and gas reservoirs.

''(ii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

''(I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;

''(II) recommendations, if any, for managing the potential risks identified under

subclause (I), including potential risks unique to public land; and

''(III) recommendations, if any, for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

''(E) REPORT ON CARBON DIOXIDE NONREGULATORY STRATEGIES AND TECHNOLOGIES.—

''(i) IN GENERAL.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

''(I) the recipients of assistance under subparagraphs (B) and (C); and

''(II) a plan for supporting additional nonregulatory strategies and technologies that could significantly prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies.

''(ii) INCLUSIONS.—The plan submitted under clause (i) shall include—

''(I) a methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

''(II) a description of any nonair-related environmental or energy considerations regarding the technologies.

''(F) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report that—

''(i) identifies all Federal grant programs in which a purpose of a grant under the program is to perform research on carbon capture and utilization technologies, including direct air capture technologies; and

''(ii) examines the extent to which the Federal grant programs identified pursuant to clause (i) overlap or are duplicative.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years have been used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), including a description of—

(1) the amount of funds used to carry out specific provisions of that section; and

(2) the practices used by the Administrator to differentiate funding used to carry out that section, as compared to funding used to carry out other provisions of law.

(d) INCLUSION OF CARBON CAPTURE INFRASTRUCTURE PROJECTS.—Section 41001(6) of the FAST Act (42 U.S.C. 4370m(6)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting ''carbon capture,'' after ''manufacturing,'';

(B) in clause (i)(III), by striking ''or'' at the end;

(C) by redesignating clause (ii) as clause (iii); and

(D) by inserting after clause (i) the following:

''(ii) is covered by a programmatic plan or environmental review developed for the primary purpose of facilitating development of carbon dioxide pipelines; or''; and

(2) by adding at the end the following:

''(C) INCLUSION.—For purposes of subparagraph (A), construction of infrastructure for carbon capture includes construction of—

''(i) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide emissions, including projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)); and

''(ii) carbon dioxide pipelines.''.

(e) DEVELOPMENT OF CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION REPORT, PERMITTING GUIDANCE, AND REGIONAL PERMITTING TASK FORCE.—

(1) DEFINITIONS.—In this subsection:

(A) CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.—The term ''carbon capture, utilization, and sequestration projects'' includes projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g))).

(B) EFFICIENT, ORDERLY, AND RESPONSIBLE.—The term ''efficient, orderly, and responsible'' means, with respect to development or the permitting process for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the ''Chair''), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(i) compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(I) the appropriate points of interaction with Federal agencies;

(II) clarification of the permitting responsibilities and authorities among Federal agencies; and

(III) best practices and templates for permitting;

(ii) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(iii) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(v) identifies Federal financing mechanisms available to project developers.

(B) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the report publicly available.

(3) GUIDANCE.—

(A) IN GENERAL.—After submission of the report under paragraph (2)(B), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all relevant Federal agencies that—

(i) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(ii) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The guidance under subparagraph (A) shall address requirements under—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(III) the Clean Air Act (42 U.S.C. 7401 et seq.);

(IV) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(V) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(VI) division A of subtitle III of title 54, United States Code (formerly known as the ''National Historic Preservation Act'');

(VII) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(VIII) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald and Golden Eagle Protection Act''); and

(IX) any other Federal law that the Chair determines to be appropriate.

(ii) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include direction to States and other interested parties for the development of programmatic environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(iii) PUBLIC INVOLVEMENT.—The guidance under subparagraph (A) shall be subject to the public notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or a successor regulation).

(C) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the guidance under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the guidance publicly available.

(D) EVALUATION.—The Chair shall—

(i) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and

(ii) each year, submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(4) TASK FORCE.—

(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographical area with differing demographic, land use, or geological issues—

(i) to identify permitting and other challenges and successes that permitting authorities and project developers and operators face; and

(ii) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS AND SELECTION.—

(i) IN GENERAL.—The Chair shall—

(I) develop criteria for the selection of members to each task force; and

(II) select members for each task force in accordance with subclause (I) and clause (ii).

(ii) MEMBERS.—Each task force—

(I) shall include not less than 1 representative of each of—

(aa) the Environmental Protection Agency;

(bb) the Department of Energy;

(cc) the Department of the Interior;

(dd) any other Federal agency the Chair determines to be appropriate;

(ee) any State that requests participation in the geographical area covered by the task force;

(ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and

(gg) nongovernmental membership organizations, the primary mission of which concerns protection of the environment; and

(II) at the request of a Tribal or local government, may include a representative of—

(aa) not less than 1 local government in the geographical area covered by the task force; and

(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—

(i) IN GENERAL.—Each task force shall meet not less than twice each year.

(ii) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(D) DUTIES.—Each task force shall—

(i) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—

(I) avoid duplicative reviews;

(II) engage stakeholders early in the permitting process; and

(III) make the permitting process efficient, orderly, and responsible;

(ii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;

(iii) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements and any models developed under clause (ii);

(iv) inventory current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(v) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(vi) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(vii) identify Federal and State financing mechanisms available to project developers; and

(viii) develop recommendations for relevant Federal agencies on how to develop and research technologies that—

(I) can capture carbon dioxide; and

(II) would be able to be deployed within the region covered by the task force, including any projects that have received technical or financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)).

(E) REPORT.—Each year, each task force shall prepare and submit to the Chair and to the other task forces a report that includes—

(i) any recommendations for improvements in efficient, orderly, and responsible issuance or administration of Federal permits and other Federal authorizations required under a law described in paragraph (3)(B)(i); and

(ii) any other nationally relevant information that the task force has collected in carrying out the duties under subparagraph (D).

(F) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Chair shall—

(i) reevaluate the need for the task forces; and

(ii) submit to Congress a recommendation as to whether the task forces should continue.

SA 1881. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. 1085. SENSE OF SENATE ON GOLD STAR FAMILIES REMEMBRANCE WEEK.

(a) FINDINGS.—The Senate makes the following findings:

(1) The last Sunday in September—

(A) is designated as ''Gold Star Mother's Day'' under section 111 of title 36, United States Code; and

(B) was first designated as ''Gold Star Mother's Day'' under the Joint Resolution entitled ''Joint Resolution designating the last Sunday in September as 'Gold Star Mother's Day', and for other purposes'', approved June 23, 1936 (49 Stat. 1895).

(2) There is no date dedicated to families affected by the loss of a loved one who died in service to the United States.

(3) A gold star symbolizes a family member who died in the line of duty while serving in the Armed Forces.

(4) The members and veterans of the Armed Forces, through their service, bear the burden of protecting the freedom of the people of the United States.

(5) The selfless example of the service of the members and veterans of the Armed Forces, as well as the sacrifices made by the families of those individuals, inspires all individuals in the United States to sacrifice and work diligently for the good of the United States.

(6) The sacrifices of the families of the fallen members of the Armed Forces and the families of veterans of the Armed Forces should never be forgotten.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate—

(1) designates the week of September 20 through September 26, 2020, as ''Gold Star Families Remembrance Week'';

(2) honors and recognizes the sacrifices made by—

(A) the families of members of the Armed Forces who made the ultimate sacrifice in order to defend freedom and protect the United States; and

(B) the families of veterans of the Armed Forces; and

(3) encourages the people of the United States to observe Gold Star Families Remembrance Week by—

(A) performing acts of service and good will in their communities; and

(B) celebrating families in which loved ones made the ultimate sacrifice so that others could continue to enjoy life, liberty, and the pursuit of happiness.

SA 1882. Mr. BARRASSO submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. REPORT ON INVENTORY OF STOCK AND SURPLUS CH–46 PARTS.

Not later than September 1, 2021, the Defense Logistics Agency shall submit to the congressional defense committees a report that includes the following:

(1) A comprehensive catalog of excess, inventory, spare, and surplus CH–46 parts.

(2) An explanation on how the Defense Logistics Agency disposes of excess, inventory, spare, and surplus CH–46 parts and the status of such depositions.

(3) An assessment of limiting factors for CH–46 spare and surplus parts for commercial use.

SA 1883. Mr. ROMNEY (for himself, Mr. COONS, Ms. HASSAN, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. STATEMENT OF POLICY ON COOPERATION IN THE INDO-PACIFIC REGION.

It is the policy of the United States—

(1) to strengthen alliances and partnerships in the Indo-Pacific region and Europe and with like-minded countries around the globe to effectively compete with the People's Republic of China; and

(2) to work in collaboration with such allies and partners—

(A) to address significant diplomatic, economic, and military challenges posed by the People's Republic of China;

(B) to deter the People's Republic of China from pursuing military aggression;

(C) to promote the peaceful resolution of territorial disputes in accordance with international law;

(D) to promote private sector-led long-term economic development while countering efforts by the Government of the People's Republic of China to leverage predatory economic practices as a means of political and economic coercion in the Indo-Pacific region and beyond;

(E) to promote the values of democracy and human rights, including through efforts to end the repression by the Chinese Communist Party of political dissidents and Uyghurs and other ethnic Muslim minorities, Tibetan Buddhists, Christians, and other minorities;

(F) to respond to the crackdown by the Chinese Communist Party, in contravention of the commitments made under the Sino-British Joint Declaration of 1984 and the Basic Law of Hong Kong, on the legitimate aspirations of the people of Hong Kong; and

(G) to counter the Chinese Communist Party's efforts to spread disinformation in the People's Republic of China and beyond with respect to the response of the Chinese Communist Party to COVID–19.

SA 1884. Mr. ROMNEY (for himself, Mr. KING, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 12___. COMPARATIVE STUDIES ON DEFENSE BUDGET TRANSPARENCY OF THE PEOPLE'S REPUBLIC OF CHINA, THE RUSSIAN FEDERATION, AND THE UNITED STATES.

(a) STUDIES REQUIRED.—

(1) DEPARTMENT OF DEFENSE STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Defense Intelligence Agency, in consultation with the Under Secretary of Defense (Comptroller), the Director of the Office of Cost Assessment and Program Evaluation, the Director of the Office of Net Assessment, the Assistant Secretary of Defense for Indo-Pacific Security Affairs, and the Assistant Secretary of Defense for International Security Affairs, shall complete a comparative study on the defense budgets of the People's Republic of China, the Russian Federation, and the United States.

(2) INDEPENDENT STUDY.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall offer to enter into an agreement with not more than two entities independent of the Department to conduct a comparative study on the defense budgets of the People's Republic of China, the Russian Federation, and the United States, to be completed not later than 270 days after the date of the enactment of this Act.

(B) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—Not fewer than one entity described in subparagraph (A) shall be a federally funded research and development center.

(b) GOAL.—The goal of the studies required by subsection (a) shall be to develop a methodologically sound set of assumptions to underpin a comparison of the defense spending of the People's Republic of China, the Russian Federation, and the United States.

(c) ELEMENTS.—Each study required by subsection (a) shall do the following:

(1) Develop consistent functional categories for spending, including—

(A) defense-related research and development;

(B) weapons procurement;

(C) operations and maintenance; and

(D) pay and benefits.

(2) Consider the effects of purchasing power parity and market exchange rates, particularly on nontraded goods.

(3) Consider differences in the relative prices of goods and labor within each subject country.

(4) Compare the costs of labor and benefits for the defense workforce of each subject country.

(5) Account for discrepancies in the manner in which each subject country accounts for certain functional types of defense-related spending.

(6) Explicitly estimate the magnitude of omitted spending from official defense budget information.

(7) Evaluate the adequacy of the United Nations database on military expenditures.

(8) Exclude spending related to veterans' benefits.

(d) REPORT.—Not later than 30 days after the date on which the studies required by subsection (a) are completed, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of each study, together with the views of the Secretary on each study.

(e) FORM.—The report required by subsection (d) shall be submitted in unclassified form, but may include a classified annex.

SA 1885. Mr. ROMNEY (for himself, Mr. GRAHAM, Mr. RUBIO, Mr. COONS, Mr. KAINE, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1242. LIMITATION ON USE OF FUNDS TO REDUCE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO THE FEDERAL REPUBLIC OF GERMANY.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act, or authorized to be appropriated to the Department of Defense for fiscal year 2020, may be obligated or expended to reduce the total number of members of the Armed Forces serving on active duty who are deployed to the Federal Republic of Germany below 34,500 until 60 days after the date on which the Secretary of Defense certifies, not less than 30 days after the submittal of the report required by subsection (b), to the appropriate committees of Congress, that—

(1) such a reduction—

(A) is in the national security interest of the United States;

(B) will not undermine the security of United States allies and partners in Europe;

(C) will not undermine the deterrence and defense posture of the North Atlantic Treaty Organization;

(D) will not pose an unacceptable risk to the ability of the Armed Forces to execute contingency plans of the Department of the Defense;

(E) will not adversely impact ongoing operations of the Armed Forces, including operations in the areas of responsibility of the United States Central Command and the United States Africa Command;

(F) will not negatively impact military families; and

(G) will not result in significant additional costs for redeployment and relocation and associated infrastructure; and

(2) the Secretary has appropriately consulted with allies of the United States, including the Federal Republic of Germany and other members of the North Atlantic Treaty Organization, and the Secretary General of the North Atlantic Treaty Organization.

(b) REPORT.—

(1) IN GENERAL.—Not later than 30 days before the submittal of a certification under subsection (a), the Secretary of Defense shall submit to the appropriate committees of Congress a report that includes the following:

(A) A description of any security factor that provides the basis for the decision to reduce the total number of members of the Armed Forces serving on active duty who are deployed to the Federal Republic of Germany.

(B) A description of the reduction in such members of the Armed Forces to be certified, including the number of active duty members of the Armed Forces and support personnel to be reduced and any other limitation on the number of active duty or rotational members of the Armed Forces present in the Federal Republic of Germany.

(C) A plan for the relocation and redeployment of members of the Armed Forces from the Federal Republic of Germany, and any associated relocation of military families, including the proposed numbers and locations of relocated or redeployed members of the Armed Forces and military families, and an estimate of the costs of such redeployment and relocation and associated infrastructure.

(D) An assessment of the impact of such reduction and redeployment on military families, including—

(i) an assessment of the impact on the availability of family support programs and services in new locations, including options for military spouse employment and quality of care for Exceptional Family Member Program enrollees;

(ii) an estimate of associated facilities costs necessary to support military families in new locations, such as housing, schools, childcare, direct or purchased medical care, commissaries, and exchanges;

(iii) an estimate of the number of members of the Armed Forces who would transition from accompanied tours in the Federal Republic of Germany to unaccompanied tours in other locations;

(iv) an assessment of the impact of family separation on the mental health and stability of military spouses and children; and

(v) an estimate of the number of resulting vacancies of Department of Defense civil service positions, including such positions presently filled by military spouses.

(E) An assessment of the impact of such reduction and redeployment on the ability of the United States to meet its commitments under the North Atlantic Treaty.

(F) An assessment of the impact of such reduction and redeployment on the ability of the Armed Forces—

(i) to execute contingency plans of the Department of Defense;

(ii) to conduct training and exercises with North Atlantic Treaty Organization allies and to maintain a sufficient standard of alliance interoperability; and

(iii) to perform assigned missions and support of ongoing operations in the Middle East and Africa.

(2) FORM.—The report required by paragraph (1) shall be in classified form and shall include an unclassified summary.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Affairs of the House of Representatives.

SA 1886. Mr. CRUZ (for himself, Mrs. SHAHEEN, Mr. BARRASSO, Mr. JOHNSON, and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and

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

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

SEC. 1242. CLARIFICATION AND EXPANSION OF SANCTIONS RELATING TO CONSTRUCTION OF NORD STREAM 2 OR TURKSTREAM PIPELINE PROJECTS.

(a) IN GENERAL.—Subsection (a)(1) of section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92) is amended—

(1) in subparagraph (A), by inserting ''or pipe-laying activities'' after ''pipe-laying''; and

(2) in subparagraph (B)—

(A) in clause (i)—

(i) by inserting '', or facilitated selling, leasing, or providing,'' after ''provided''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) in clause (ii), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(iii) provided underwriting services or insurance or reinsurance for those vessels;

''(iv) provided services or facilities for technology upgrades or installation of welding equipment for, or retrofitting or tethering of, those vessels; or

''(v) provided services for the testing, inspection, or certification necessary for, or associated with the operation of, the Nord Stream 2 pipeline.''.

(b) DEFINITIONS.—Subsection (i) of such section is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

''(5) PIPE-LAYING ACTIVITIES.—The term 'pipe-laying activities' means activities that facilitate pipe-laying, including site preparation, trenching, surveying, placing rocks, backfilling, stringing, bending, welding, coating, and lowering of pipe.''.

SA 1887. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 156. LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF KC–135 AIRCRAFT.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Air Force may be obligated or expended to reduce the number of KC–135 aircraft in the primary mission aircraft inventory of the Air Force until the date on which three air wings of KC–46 aircrafts are fully operational.

SA 1888. Mr. PORTMAN (for himself and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1210. MODIFICATION TO AND HIRING AUTHORITY FOR THE GLOBAL ENGAGEMENT CENTER.

(a) ELIMINATION OF TERMINATION DATE FOR THE GLOBAL ENGAGEMENT CENTER.—Section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2656 note) is amended—

(1) in subsection (h), by striking the second sentence; and

(2) by striking subsection (j).

(b) HIRING AUTHORITY FOR GLOBAL ENGAGEMENT CENTER.—Notwithstanding any other provision of law, the Secretary of State, on a time-limited basis and solely to carry out functions of the Global Engagement Center established by such section, may—

(1) appoint employees without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service; and

(2) fix the basic compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of such title regarding classification and General Schedule pay rates.

SA 1889. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In the funding table in section 4101, in the item relating to Stryker Upgrade, strike the amount in the Senate Authorized column and insert ''1,222,000''.

In the funding table in section 4101, in the item relating to Total Procurement of W&TCV, Army, strike the amount in the Senate Authorized column and insert ''4,016,028''.

SA 1890. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. EXPANSION OF NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY INDUSTRIAL BASE TO INCLUDE SURGE CAPACITY.

Section 2501(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(11) Ensuring domestic manufacturing capacity of items, including goods compliant with the section 2533a of title 10, United States Code (commonly referred to as the 'Berry Amendment'), in anticipation of periods necessitating surges in production.''.

SA 1891. Mr. PORTMAN (for himself, Mr. SCHATZ, Ms. ERNST, and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. DEEPFAKE REPORT.

(a) DEFINITIONS.—In this section:

(1) DIGITAL CONTENT FORGERY.—The term ''digital content forgery'' means the use of emerging technologies, including artificial intelligence and machine learning techniques, to fabricate or manipulate audio, visual, or text content with the intent to mislead.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

(b) REPORTS ON DIGITAL CONTENT FORGERY TECHNOLOGY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 5 years, the Secretary, acting through the Under Secretary for Science and Technology, shall produce a report on the state of digital content forgery technology.

(2) CONTENTS.—Each report produced under paragraph (1) shall include—

(A) an assessment of the underlying technologies used to create or propagate digital content forgeries, including the evolution of such technologies;

(B) a description of the types of digital content forgeries, including those used to commit fraud, cause harm, or violate civil rights recognized under Federal law;

(C) an assessment of how foreign governments, and the proxies and networks thereof, use, or could use, digital content forgeries to harm national security;

(D) an assessment of how non-governmental entities in the United States use, or could use, digital content forgeries;

(E) an assessment of the uses, applications, dangers, and benefits of deep learning technologies used to generate high fidelity artificial content of events that did not occur, including the impact on individuals;

(F) an analysis of the methods used to determine whether content is genuinely created by a human or through digital content forgery technology and an assessment of any effective heuristics used to make such a determination, as well as recommendations on how to identify and address suspect content and elements to provide warnings to users of the content;

(G) a description of the technological counter-measures that are, or could be, used to address concerns with digital content forgery technology; and

(H) any additional information the Secretary determines appropriate.

(3) CONSULTATION AND PUBLIC HEARINGS.—In producing each report required under paragraph (1), the Secretary may—

(A) consult with any other agency of the Federal Government that the Secretary considers necessary; and

(B) conduct public hearings to gather, or otherwise allow interested parties an opportunity to present, information and advice relevant to the production of the report.

(4) FORM OF REPORT.—Each report required under paragraph (1) shall be produced in unclassified form, but may contain a classified annex.

(5) APPLICABILITY OF FOIA.—Nothing in this section, or in a report produced under this

section, shall be construed to allow the disclosure of information or a record that is exempt from public disclosure under section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act'').

(6) APPLICABILITY OF THE PAPERWORK REDUCTION ACT.—Subchapter I of chapter 35 of title 44, United States Code (commonly known as the ''Paperwork Reduction Act''), shall not apply to this section.

SA 1892. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 240. ELEMENT IN ANNUAL REPORTS ON CYBER SCIENCE AND TECHNOLOGY ACTIVITIES ON WORK WITH ACADEMIC CONSORTIA TO DEVELOP A STRATEGY TO SECURE EMBEDDED HARDWARE IN DEPARTMENT OF DEFENSE CAPABILITIES.

Section 257(b)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1291) is amended by adding at the end the following new subparagraph:

''(J) Efforts to work with academic consortia to secure embedded hardware, in coordination with the Department of Defense labs, in Department capabilities and research on ensuring cybersecurity protection for computer hardware that is affordable, assured, and reliable.''.

SA 1893. Mr. PORTMAN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. NATIONAL AI RESEARCH RESOURCE TASK FORCE.

(a) DEFINITIONS.—In this section:

(1) NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH RESOURCE.—The term ''national artificial intelligence research resource'' mean a system that provides researchers and students across scientific fields and disciplines with access to compute resources, co-located with publicly-available, artificial intelligence-ready government and nongovernment data sets and a research environment with appropriate educational tools and user support.

(2) OWNERSHIP.—The term ''ownership'', with respect to a national artificial intelligence research resource, means responsibility and accountability for—

(A) the implementation, deployment, and ongoing development of the resource; and

(B) providing staff to support such implementation, deployment, and ongoing development.

(b) ESTABLISHMENT OF TASK FORCE.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Director of the Office of Science and Technology Policy, shall establish a task force—

(i) to investigate the feasibility and advisability of establishing a national artificial intelligence research resource; and

(ii) to propose a roadmap detailing how such resource should be established and sustained.

(B) DESIGNATION.—The task force established by subparagraph (A) shall be known as the ''National Artificial Intelligence Research Resource Task Force'' (in this section referred to as the ''Task Force'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Task Force shall be composed of 12 members selected by the co-chairpersons of the Task Force from among technical experts in artificial intelligence or related subjects, of whom—

(i) 4 shall be representatives from the Federal Government, including the co-chairpersons of the Task Force;

(ii) 4 shall be representatives from institutions of higher educations (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(iii) 4 shall be representatives from private organizations.

(B) APPOINTMENT.—Not later than 120 days after enactment of this Act, the co-chairpersons of the Task Force shall appoint members to the Task Force pursuant to subparagraph (A).

(C) TERM OF APPOINTMENT.—Members of the Task Force shall be appointed for the life of the Task Force.

(D) VACANCY.—Any vacancy occurring in the membership of the Task Force shall be filled in the same manner in which the original appointment was made.

(E) CO-CHAIRPERSONS.—The Director of the Office of Science and Technology Policy and the Director of the National Sciences Foundation, or their designees, shall be the co-chairpersons of the Task Force. If the role of the Director of the National Science Foundation is vacant, the Chair of the National Science Board shall act as a co-chairperson of the Task Force in lieu of the Director of the National Science Foundation.

(F) EXPENSES FOR NON-FEDERAL MEMBERS.—Non-Federal members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.

(c) ROADMAP AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—The Task Force shall develop a coordinated roadmap and implementation plan for establishing and sustaining a national artificial intelligence research resource.

(2) CONTENTS.—The roadmap and plan required by paragraph (1) shall include the following:

(A) Goals for establishment and sustainment of a national artificial intelligence research resource and metrics for success.

(B) A plan for ownership and administration of such resource, including—

(i) an appropriate agency or organization responsible for the implementation, deployment, and administration of the resource; and

(ii) a governance structure for the resource, including oversight and decision-making authorities.

(C) A model for governance and oversight to establish strategic direction, make programmatic decisions, and manage the allocation of resources.

(D) Capabilities required to create and maintain a shared computing infrastructure to facilitate access to computing resources for researchers across the country, including scalability, secured access control, resident data engineering and curation expertise, provision of curated, data sets, compute resources, educational tools and services, and a user interface portal.

(E) An assessment of, and recommend solutions to, barriers to the dissemination and use of high-quality government data sets as part of the national artificial intelligence research resource.

(F) An assessment of security requirements associated with the national artificial intelligence research resource and its research and a recommendation for a framework for the management of access controls.

(G) An assessment of privacy and civil liberties requirements associated with the national artificial intelligence research resource and its research.

(H) A plan for sustaining the national artificial intelligence research resource, including through Federal funding and partnerships with the private sector.

(I) The parameters for the establishment and sustainment of the national artificial intelligence research resource, including roles and responsibilities for Federal agencies and milestones to establish and sustain the resource.

(d) CONSULTATIONS.—In carrying out subsection (c), the Task Force shall consult with the following:

(1) The National Science Foundation.

(2) The Office of Science and Technology Policy.

(3) The National Academies of Sciences, Engineering, and Medicine.

(4) The National Institute of Standards and Technology.

(5) The Defense Advanced Research Projects Agency.

(6) The Intelligence Advanced Research Projects Activity.

(7) The Department of Energy.

(8) The Department of Defense.

(9) The General Services Administration.

(10) Private industry.

(11) Institutions of higher education.

(12) Such other persons as the Task Force considers appropriate.

(e) STAFF.—Staff of the Task Force shall comprise detailees with expertise in artificial intelligence, or related fields from the Office of Science and Technology Policy, the National Science Foundation, or any other Federal agency the co-chairpersons consider appropriate, with the consent of the head of the Federal agency. The co-chairpersons may hire staff from outside the Federal government for the duration of the task force.

(f) TASK FORCE REPORTS.—

(1) INITIAL REPORT.—Not later than 6 months after the date on which all of the appointments have been made under subsection (b)(2)(B), the Task Force shall submit to Congress and the President an interim report containing the findings, conclusions, and recommendations of the Task Force. The report shall include specific recommendations regarding steps the Task Force believes necessary for the establishment and sustainment of a national artificial intelligence research resource.

(2) FINAL REPORT.—Not later than 3 months after the submittal of the interim report under paragraph (1), the Task Force shall submit to Congress and the President a final report containing the findings, conclusions, and recommendations of the Task Force, including the specific recommendations developed under subsection (c).

(g) TERMINATION.—

(1) IN GENERAL.—The Task Force shall terminate 90 days after the date on which it

submits the final report under subsection (f)(2).

(2) RECORDS.—Upon termination of the Task Force, all of its records shall become the records of the National Archives and Records Administration.

SA 1894. Mr. PORTMAN (for himself and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON DEPARTMENT OF DEFENSE STRATEGY ON ARTIFICIAL INTELLIGENCE STANDARDS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the role of the Department of Defense in the development of artificial intelligence standards.

(b) CONTENTS.—The report required by subsection (a) shall include an assessment of each of the following:

(1) The need for the Department of Defense to develop an artificial intelligence standards strategy.

(2) Any efforts to date on the development of such a strategy.

(3) The ways in which an artificial intelligence standards strategy will improve the national security.

(4) How the Secretary intends to collaborate with—

(A) the Director of the National Institute of Standards and Technology;

(B) the Secretary of Homeland Security;

(C) the intelligence community;

(D) the Secretary of State;

(E) representatives of private industry, specifically representatives of the defense industrial base; and

(F) representatives of any other agencies, entities, organizations, or persons the Secretary considers appropriate.

SA 1895. Mr. RUBIO (for himself, Mr. COONS, Mr. RISCH, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle H—United States-Israel Security Assistance

SEC. 1290. SHORT TITLE.

This subtitle may be cited as the ''United States-Israel Security Assistance Authorization Act of 2020''.

SEC. 1290A. DEFINITION.

In this subtitle, the term ''appropriate congressional committees'' means—

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

(2) the Committee on Armed Services of the Senate;

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

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

CHAPTER 1—SECURITY ASSISTANCE FOR ISRAEL

SEC. 1291. FINDINGS.

Congress makes the following findings:

(1) On September 14, 2016, the United States and Israel signed a 10-year Memorandum of Understanding to reaffirm the importance of continuing annual United States military assistance to Israel and cooperative missile defense programs in a way that enhances Israel's security and strengthens the bilateral relationship between the 2 countries.

(2) The 2016 Memorandum of Understanding reflects United States support of Foreign Military Financing grant assistance to Israel over a 10-year period beginning in fiscal year 2019 and ending in fiscal year 2028.

(3) The 2016 Memorandum of Understanding also reflects United States support for funding for cooperative programs to develop, produce, and procure missile, rocket, and projectile defense capabilities during such 10-year period at an average funding level of $500,000,000 per year, totaling $5,000,000,000 for such period.

SEC. 1292. STATEMENT OF POLICY.

It is the policy of the United States to provide assistance to the Government of Israel for the development and acquisition of advanced capabilities that Israel requires to meet its security needs and to enhance United States capabilities.

SEC. 1293. SECURITY ASSISTANCE FOR ISRAEL.

Section 513(c) of the Security Assistance Act of 2000 (Public Law 106–280; 114 Stat. 856) is amended—

(1) in paragraph (1), by striking ''2002 and 2003'' and inserting ''2021, 2022, 2023, 2024, 2025, 2026, 2027, and 2028'';

(2) in paragraph (2), by striking ''equal to—'' and all that follows and inserting ''not less than $3,300,000,000.''; and

(3) by amending paragraph (3) to read as follows:

''(3) DISBURSEMENT OF FUNDS.—Amounts authorized to be available for Israel under paragraph (1) and subsection (b)(1) for fiscal years 2021, 2022, 2023, 2024, 2025, 2026, 2027, and 2028 shall be disbursed not later than 30 days after the date of the enactment of an Act making appropriations for the Department of State, foreign operations, and related programs for the respective fiscal year, or October 31 of the respective fiscal year, whichever is later.''.

SEC. 1294. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.

(a) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''September 30, 2020'' and inserting ''after September 30, 2025''.

(b) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''2013, 2014, 2015, 2016, 2017, 2018, 2019, and 2020'' and inserting ''2021, 2022, 2023, 2024, and 2025''.

SEC. 1295. EXTENSION OF LOAN GUARANTEES TO ISRAEL.

Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''LOAN GUARANTEES TO ISRAEL''—

(1) in the matter preceding the first proviso, by striking ''September 30, 2023'' and inserting ''September 30, 2025''; and

(2) in the second proviso, by striking ''September 30, 2023'' and inserting ''September 30, 2025''.

SEC. 1296. TRANSFER OF PRECISION GUIDED MUNITIONS TO ISRAEL.

(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Israel precision guided munitions from reserve stocks for Israel in such quantities as may be necessary for legitimate self-defense of Israel and is otherwise consistent with the purposes and conditions for such transfers under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(b) CERTIFICATIONS.—Except in case of emergency, as determined by the President, not later than 5 days before making a transfer under subsection (a), the President shall certify to the appropriate congressional committees that the transfer of the precision guided munitions—

(1) does not affect the ability of the United States to maintain a sufficient supply of precision guided munitions;

(2) does not harm the combat readiness of the United States or the ability of the United States to meet its commitment to allies for the transfer of such munitions;

(3) is necessary for Israel to counter the threat of rockets in a timely fashion; and

(4) is in the national security interest of the United States.

SEC. 1297. SENSE OF CONGRESS ON RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.

It is the sense of Congress that the President should—

(1) prescribe procedures for the rapid acquisition and deployment of precision guided munitions for United States counterterrorism missions; or

(2) assist Israel, which is an ally of the United States, to protect itself against direct missile threats.

SEC. 1298. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress finds the following:

(1) Israel has adopted high standards in the field of weapons export controls.

(2) Israel has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.

(3) Israel is a party to—

(A) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925 (commonly known as the ''Geneva Protocol'');

(B) the Convention on the Physical Protection of Nuclear Material, signed at Vienna and New York March 3, 1980; and

(C) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980.

(4) Section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note) directs the President, consistent with the commitments of the United States under international agreements, to take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, re-export, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(b) BRIEFING ON ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTION.—Not later than 120 days after the date of the enactment

of this Act, the President shall brief the appropriate congressional committees by describing the steps taken to include Israel in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, as required under section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296).

CHAPTER 2—ENHANCED UNITED STATES-ISRAEL COOPERATION

SEC. 1299. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MEMORANDA OF UNDERSTANDING TO ENHANCE COOPERATION WITH ISRAEL.

(a) FINDINGS.—Congress finds that the United States Agency for International Development and Israel's Agency for International Development Cooperation signed memoranda of understanding in 2012, 2017, and 2019 to coordinate the agencies' respective efforts to promote common development goals in third countries.

(b) SENSE OF CONGRESS REGARDING USAID POLICY.—It is the sense of Congress that the Department of State and the United States Agency for International Development should continue to cooperate with Israel to advance common development goals in third countries across a wide variety of sectors, including energy, agriculture, food security, democracy, human rights, governance, economic growth, trade, education, environment, global health, water, and sanitation.

(c) MEMORANDA OF UNDERSTANDING.—The Secretary of State, acting through the Administrator of the United States Agency for International Development, may enter into memoranda of understanding with Israel to advance common goals on energy, agriculture, food security, democracy, human rights, governance, economic growth, trade, education, environment, global health, water, and sanitation, with a focus on strengthening mutual ties and cooperation with nations throughout the world.

SEC. 1299A. COOPERATIVE PROJECTS AMONG THE UNITED STATES, ISRAEL, AND DEVELOPING COUNTRIES.

Section 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151d) is amended by striking subsections (e) and (f) and inserting the following:

''(e) There are authorized to be appropriated $2,000,000 for each of the fiscal years 2021 through 2025 to finance cooperative projects among the United States, Israel, and developing countries that identify and support local solutions to address sustainability challenges relating to water resources, agriculture, and energy storage, including—

''(1) establishing public-private partnerships;

''(2) supporting the identification, research, development testing, and scaling of innovations that focus on populations that are vulnerable to environmental and resource-scarcity crises, such as subsistence farming communities;

''(3) seed or transition-to-scale funding;

''(4) clear and appropriate branding and marking of United States funded assistance, in accordance with section 641; and

''(5) accelerating demonstrations or applications of local solutions to sustainability challenges, or the further refinement, testing, or implementation of innovations that have previously effectively addressed sustainability challenges.

''(f) Amounts appropriated pursuant to subsection (e) shall be obligated in accordance with the memoranda of understanding referred to in subsections (a) and (c) of section 1299 of the United States-Israel Security Assistance Authorization Act of 2020''.

SEC. 1299B. JOINT COOPERATIVE PROGRAM RELATED TO INNOVATION AND HIGH-TECH FOR THE MIDDLE EAST REGION.

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

(1) the United States should help foster cooperation in the Middle East region by financing and, as appropriate, cooperating in projects related to innovation and advanced technologies; and

(2) projects referred to in paragraph (1) should—

(A) contribute to development and the quality of life in the Middle East region through the application of research and advanced technology; and

(B) contribute to Arab-Israeli cooperation by establishing strong working relationships that last beyond the life of such projects.

(b) ESTABLISHMENT.—The Secretary of State, acting through the Administrator of the United States Agency for International Development, is authorized to seek to establish a program between the United States and appropriate regional partners to provide for cooperation in the Middle East region by supporting projects related to innovation and advanced technologies.

(c) PROJECT REQUIREMENTS.—Each project carried out under the program established pursuant to subsection (b)—

(1) shall include the participation of at least 1 entity from Israel and 1 entity from another regional partner; and

(2) shall be conducted in a manner that appropriately protects sensitive information, intellectual property, the national security interests of the United States, and the national security interests of Israel.

SEC. 1299C. SENSE OF CONGRESS ON UNITED STATES-ISRAEL ECONOMIC CO-OPERATION.

It is the sense of Congress that—

(1) the United States-Israel economic partnership—

(A) has achieved great tangible and intangible benefits to both countries; and

(B) is a foundational component of the strong alliance;

(2) science and technology innovations present promising new frontiers for United States-Israel economic cooperation, particularly in light of widespread drought, cybersecurity attacks, and other major challenges impacting the United States; and

(3) the President should regularize and expand existing forums of economic dialogue with Israel and foster both public and private sector participation.

SEC. 1299D. COOPERATION ON DIRECTED ENERGY CAPABILITIES.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States, deployed forces of the United States, or Israel. Any activities carried out under this paragraph shall be conducted in a manner that appropriately protects sensitive information, intellectual property, the national security interests of the United States, and the national security interests of Israel.

(2) REPORT.—The activities described in paragraph (1) may be carried out after the Secretary of Defense, with the concurrence of the Secretary of State, submits a report to the appropriate congressional committees that includes—

(A) a memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents; and

(B) a certification that the memorandum of agreement referred to in subparagraph (A)—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including—

(I) a description of what the funds have been used for and when funds were expended; and

(II) the identification of entities that expended such funds.

(b) SUPPORT IN CONNECTION WITH ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to provide maintenance and sustainment support to Israel for the directed energy capabilities research, development, test, and evaluation activities authorized under subsection (a)(1), including the installation of equipment that is necessary to carry out such research, development, test, and evaluation.

(2) REPORT.—The support described in paragraph (1) may not be provided until 15 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, submits a report to the appropriate congressional committees that describes in detail the support to be provided.

(3) MATCHING CONTRIBUTION.—The support described in paragraph (1) may not be provided unless the Secretary of Defense, with the concurrence of the Secretary of State, certifies to the appropriate congressional committees that the Government of Israel will contribute to such support—

(A) an amount not less than the amount of support to be so provided; or

(B) an amount that otherwise meets the best efforts of Israel, as mutually agreed to by the United States and Israel.

(c) SEMIANNUAL REPORT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall submit a semiannual report to the appropriate congressional committees that includes the most recent semiannual report provided by the Government of Israel to the United States Government.

SEC. 1299E. PLANS TO PROVIDE ISRAEL WITH NECESSARY DEFENSE ARTICLES AND SERVICES IN A CONTINGENCY.

(a) IN GENERAL.—The President shall establish and update, as appropriate, plans to provide Israel with defense articles and services that are determined by the Secretary of Defense to be necessary for the defense of Israel in a contingency.

(b) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall brief the appropriate congressional committees regarding the status of the plans required under subsection (a).

SEC. 1299F. OTHER MATTERS OF COOPERATION.

(a) IN GENERAL.—Activities authorized under this section shall be carried out with the concurrence of the Secretary of State and aligned with the National Security Strategy of the United States, the United States Government Global Health Security Strategy, the Department of State Integrated Country Strategies, the USAID Country Development Cooperation Strategies, and any equivalent or successor plans or strategies, as necessary and appropriate

(b) DEVELOPMENT OF HEALTH TECHNOLOGIES.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Health and

Human Services $4,000,000 for each of the fiscal years 2021 through 2023 for a bilateral cooperative program with the Government of Israel that awards grants for the development of health technologies, including health technologies listed in paragraph (2), subject to paragraph (3), with an emphasis on collaboratively advancing the use of technology and personalized medicine in relation to COVID–19.

(2) TYPES OF HEALTH TECHNOLOGIES.—The health technologies described in this paragraph may include technologies such as sensors, drugs and vaccinations, respiratory assist devices, diagnostic tests, and telemedicine.

(3) RESTRICTIONS ON FUNDING.—Amounts appropriated pursuant to paragraph (1) are subject to a matching contribution from the Government of Israel.

(4) OPTION FOR ESTABLISHING NEW PROGRAM.—Amounts appropriated pursuant to paragraph (1) may be expended for a bilateral program with the Government of Israel that—

(A) is in existence on the day before the date of the enactment of this Act for the purposes described in paragraph (1); or

(B) is established after the date of the enactment of this Act by the Secretary of Health and Human Services, in consultation with the Secretary of State, in accordance with the Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters, done at Jerusalem May 29, 2008 (or a successor agreement), for the purposes described in paragraph (1).

(c) COORDINATOR OF UNITED STATES–ISRAEL RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The President may designate the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, or another appropriate Department of State official, to act as Coordinator of United States-Israel Research and Development (referred to in this subsection as the ''Coordinator'').

(2) AUTHORITIES AND DUTIES.—The Coordinator, in conjunction with the heads of relevant Federal Government departments and agencies and in coordination with the Israel Innovation Authority, may oversee civilian science and technology programs on a joint basis with Israel.

(d) OFFICE OF GLOBAL POLICY AND STRATEGY OF THE FOOD AND DRUG ADMINISTRATION.—

(1) IN GENERAL.—It is the sense of Congress that the Commissioner of the Food and Drug Administration should seek to explore collaboration with Israel through the Office of Global Policy and Strategy.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commissioner, acting through the head of the Office of Global Policy and Strategy, shall submit a report describing the benefits to the United States and to Israel of opening an office in Israel for the Office of Global Policy and Strategy to—

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

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

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

(D) the Committee on Energy and Commerce of the House of Representatives.

(e) UNITED STATES–ISRAEL ENERGY CENTER.—There is authorized to be appropriated to the Secretary of Energy $4,000,000 for each of the fiscal years 2021 through 2023 to carry out the activities of the United States-Israel Energy Center established pursuant to section 917(d) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(d)).

(f) UNITED STATES–ISRAEL BINATIONAL INDUSTRIAL RESEARCH AND DEVELOPMENT FOUNDATION.—It is the sense of Congress that grants to promote covered energy projects conducted by, or in conjunction with, the United States-Israel Binational Industrial Research and Development Foundation should be funded at not less than $2,000,000 annually under section 917(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(b)).

(g) UNITED STATES–ISRAEL COOPERATION ON ENERGY, WATER, HOMELAND SECURITY, AGRICULTURE, AND ALTERNATIVE FUEL TECHNOLOGIES.—Section 7 of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8606) is amended by adding at the end the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2021 through 2023.''.

(h) ANNUAL POLICY DIALOGUE.—It is the sense of Congress that the Department of Transportation and Israel's Ministry of Transportation should engage in an annual policy dialogue to implement the 2016 Memorandum of Cooperation signed by the Secretary of Transportation and the Israeli Minister of Transportation.

(i) COOPERATION ON SPACE EXPLORATION AND SCIENCE INITIATIVES.—The Administrator of the National Aeronautics and Space Administration shall continue to work with the Israel Space Agency to identify and cooperatively pursue peaceful space exploration and science initiatives in areas of mutual interest, taking all appropriate measures to protect sensitive information, intellectual property, trade secrets, and economic interests of the United States.

(j) RESEARCH AND DEVELOPMENT COOPERATION RELATING TO DESALINATION TECHNOLOGY.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit a report that describes research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology in accordance with section 9(b)(3) of the Water Desalination Act of 1996 (42 U.S.C. 10301 note) to—

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

(2) the Committee on Energy and Natural Resources of the Senate;

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

(4) the Committee on Natural Resources of the House of Representatives.

(k) RESEARCH AND TREATMENT OF POSTTRAUMATIC STRESS DISORDER.—It is the sense of Congress that the Secretary of Veterans Affairs should seek to explore collaboration between the Mental Illness Research, Education and Clinical Centers of Excellence and Israeli institutions with expertise in researching and treating posttraumatic stress disorder.

SA 1896. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. REQUIREMENTS RELATING TO SALE OR LEASE OF PARCELS WITHIN THE EGLIN WATER TEST AREAS OR WARNING AREAS IN THE GULF OF MEXICO.

In order to conduct any sale or lease of a parcel within the Eglin Water Test Areas or Warning Areas in the Gulf of Mexico on or after the date of the enactment of this Act—

(1) such sale or lease shall be authorized by the Secretary of Defense; and

(2) the Secretary shall certify to Congress that the sale or lease will have no impact on any training, testing, or operations of the Armed Forces within the Eglin Water Test Areas or Warning Areas or degrade the readiness of the Armed Forces.

SA 1897. Mr. BLUNT (for himself, Mr. HAWLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as ''Silver Star Service Banner Day''.

(b) DESIGNATION.—

(1) IN GENERAL.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

''§ 146. Silver Star Service Banner Day

''(a) DESIGNATION.—May 1 is Silver Star Service Banner Day.

''(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 145 the following:

''146. Silver Star Service Banner Day.''.

SA 1898. Mr. BLUNT (for himself, Mr. HAWLEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as ''Silver Star Service Banner Day''.

(b) DESIGNATION.—

(1) IN GENERAL.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

''§ 146. Silver Star Service Banner Day

''(a) DESIGNATION.—May 1 is Silver Star Service Banner Day.

''(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 145 the following:

''146. Silver Star Service Banner Day.''.

SA 1899. Mr. LANKFORD submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title XXXI, add the following:

SEC. 31_____. LOAN GUARANTEES FOR PROJECTS THAT INCREASE THE DOMESTIC SUPPLY OF CRITICAL MINERALS.

(a) IN GENERAL.—Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by adding at the end the following:

''(11) Projects that increase the domestic supply of critical minerals, including through production, processing, recycling, and the fabrication of mineral alternatives.''.

(b) PROHIBITION ON USE OF APPROPRIATED FUNDS.—Amounts appropriated to the Department before the date of enactment of this Act shall not be made available for the cost of loan guarantees made under paragraph (11) of section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)).

SA 1900. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 following:

SEC. _____. WIND TECHNICIAN TRAINING, CAREERS, AND STUDY.

(a) WIND TECHNICIAN TRAINING GRANT PROGRAM.—

(1) IN GENERAL.—Title XI of the Energy Policy Act of 2005 (42 U.S.C. 16411 et seq.) is amended by adding at the end the following:

''SEC. 1107. WIND TECHNICIAN TRAINING GRANT PROGRAM.

''(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a community college or technical school that offers a wind training program.

''(b) GRANT PROGRAM.—The Secretary shall establish a program under which the Secretary shall award grants, on a competitive basis, to eligible entities to purchase large pieces of wind component equipment (such as nacelles, towers, and blades) for use in training wind technician students.

''(c) FUNDING.—Of the amounts made available to the Secretary for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this section $2,000,000 for each of fiscal years 2020 through 2025.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 601) is amended by inserting after the item relating to section 1106 the following:

''Sec. 1107. Wind technician training grant program.''.

(b) VETERANS IN WIND ENERGY.—

(1) IN GENERAL.—Title XI of the Energy Policy Act of 2005 (42 U.S.C. 16411 et seq.) (as amended by subsection (a)(1)) is amended by adding at the end the following:

''SEC. 1108. VETERANS IN WIND ENERGY.

''(a) IN GENERAL.—The Secretary shall establish a program to prepare veterans for careers in the wind energy industry that shall be modeled off of the Solar Ready Vets pilot program formerly administered by the Department of Energy and the Department of Defense.

''(b) FUNDING.—Of the amounts made available to the Secretary for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this section $2,000,000 for each of fiscal years 2020 through 2025.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 601) (as amended by subsection (a)(2)) is amended by inserting after the item relating to section 1107 the following:

''Sec. 1108. Veterans in wind energy.''.

(c) STUDY AND REPORT ON WIND TECHNICIAN WORKFORCE.—

(1) IN GENERAL.—The Secretary of Energy (referred to in this subsection as the ''Secretary'') shall convene a task force comprised of 1 or more representatives of each of the stakeholders described in paragraph (2) that shall—

(A) conduct a study to assess the needs of wind technicians in the workforce;

(B) create a comprehensive list that—

(i) lists each type of wind technician position available in the United States; and

(ii) describes the skill sets required for each type of position listed under clause (i); and

(C) not later than 1 year after the date of enactment of this Act, make publicly available and submit to Congress a report that—

(i) describes the results of that study;

(ii) includes the comprehensive list described in subparagraph (B); and

(iii) provides recommendations—

(I) for creating a credentialing program that may be administered by community colleges, technical schools, and other training institutions; and

(II) that reflect best practices for wind technician training programs, as identified by representatives of the wind industry.

(2) STAKEHOLDERS DESCRIBED.—The stakeholders referred to in paragraph (1) are—

(A) the Department of Defense;

(B) the Department of Education;

(C) the Department of Energy;

(D) the Department of Labor;

(E) the Department of Veterans Affairs;

(F) technical schools and community colleges that have wind technician training programs; and

(G) the wind industry.

(3) FUNDING.—Of the amounts made available to the Secretary for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this subsection $500,000.

SA 1901. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. PROHIBITION ON USE OF FEDERAL FUNDS FOR PUBLICITY OR PROPAGANDA.

(a) DEFINITIONS.—In this section—

(1) the term ''advertising'' means the placement of messages in media that are intended to inform or persuade an audience, including placement in television, radio, a magazine, a newspaper, digital media, direct mail, a tangible product, an exhibit, or a billboard;

(2) the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code;

(3) the term ''mascot''—

(A) means an individual, animal, or object adopted by an agency as a symbolic figure to represent the agency or the mission of the agency; and

(B) includes a costumed character;

(4) the term ''public relations'' means communications by an agency that are directed to the public, including activities dedicated to maintaining the image of the governmental unit or maintaining or promoting understanding and favorable relations with the community or the public;

(5) the term ''return on investment'' means, with respect to the public relations and advertising spending by an agency, a positive return in achieving agency or program goals relative to the investment in advertising and marketing materials; and

(6) the term ''swag''—

(A) means a tangible product or merchandise distributed at no cost with the sole purpose of advertising or promoting an agency, organization, or program;

(B) includes blankets, buttons, candy, clothing, coloring books, cups, fidget spinners, hats, holiday ornaments, jar grip openers, keychains, koozies, magnets, neckties, snuggies, stickers, stress balls, stuffed animals, thermoses, tote bags, trading cards, and writing utensils; and

(C) does not include—

(i) an item presented as an honorary or informal recognition award related to the Armed Forces of the United States, such as a challenge coin or medal issued for sacrifice or meritorious service;

(ii) a brochure or pamphlet purchased or distributed for informational purposes; or

(iii) an item distributed for diplomatic purposes, including a gift for a foreign leader.

(b) PROHIBITIONS; PUBLIC RELATIONS AND ADVERTISING SPENDING.—

(1) PROHIBITIONS.—Except as provided in paragraph (3), and unless otherwise expressly authorized by law—

(A) an agency or other entity of the Federal Government may not use Federal funds to purchase or otherwise acquire or distribute swag; and

(B) an agency or other entity of the Federal Government may not use Federal funds to manufacture or use a mascot to promote an agency, organization, program, or agenda.

(2) PUBLIC RELATIONS AND ADVERTISING SPENDING.—Each agency shall, as part of the annual budget justification submitted to Congress, report on the public relations and advertising spending of the agency for the preceding fiscal year, which may include an estimate of the return on investment for the agency.

(3) EXCEPTIONS.—

(A) SWAG.—Paragraph (1)(A) shall not apply with respect to—

(i) an agency program that supports the mission and objectives of the agency that is initiating the public relations or advertising spending, provided that the spending generates a positive return on investment for the agency;

(ii) recruitment relating to—

(I) enlistment or employment with the Armed Forces; or

(II) employment with the Federal Government; or

(iii) an item distributed by the Bureau of the Census to assist the Bureau in conducting a census of the population of the United States.

(B) MASCOTS.—Paragraph (1)(B) shall not apply with respect to—

(i) a mascot that is declared the property of the United States under a provision of law, including under section 2 of Public Law 93–318 (16 U.S.C. 580p–1); or

(ii) a mascot relating to the Armed Forces of the United States.

(4) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue regulations to carry out this section.

SA 1902. Ms. ERNST (for herself and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. MAXIMUM AWARD PRICE FOR SOLE SOURCE MANUFACTURING CONTRACTS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 8 (15 U.S.C. 637)—

(A) in subsection (a)(1)(D)(i)(II), by striking ''$5,000,000'' and inserting ''$7,000,000''; and

(B) in subsection (m)—

(i) in paragraph (7)(B)(i), by striking ''$6,500,000'' and inserting ''$7,000,000''; and

(ii) in paragraph (8)(B)(i), by striking ''$6,500,000'' and inserting ''$7,000,000'';

(2) in section 31(c)(2)(A)(ii)(I) (15 U.S.C. 657a(c)(2)(A)(ii)(I)), by striking ''$5,000,000'' and inserting ''$7,000,000''; and

(3) in section 36(a)(2)(A) (15 U.S.C. 657f(a)(2)(A)), by striking ''$5,000,000'' and inserting ''$7,000,000''.

SA 1903. Ms. ERNST (for herself and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ANNUAL REPORT ON PROJECTS THAT ARE OVER BUDGET AND BEHIND SCHEDULE.

(a) DEFINITIONS.—In this section—

(1) the term ''covered agency'' means—

(A) an Executive agency, as defined in section 105 of title 5, United States Code; and

(B) an independent regulatory agency, as defined in section 3502 of title 44, United States Code;

(2) the term ''covered project'' means a project funded by a covered agency—

(A) that is more than 5 years behind schedule; or

(B) for which the amount spent on the project is not less than $1,000,000,000 more than the original cost estimate for the project; and

(3) the term ''project'' means a major acquisition, a major defense acquisition program (as defined in section 2430 of title 10, United States Code), a procurement, a construction project, a remediation or clean-up effort, or any other time-limited endeavor, that is not funded through direct spending (as defined in section 250(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)).

(b) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue guidance requiring covered agencies to include, on an annual basis in a report described in paragraph (2) of section 3516(a) of title 31, United States Code, or a consolidated report described in paragraph (1) of such section, information relating to each covered project of the covered agency, which shall include—

(1) a brief description of the covered project, including—

(A) the purpose of the covered project;

(B) each location in which the covered project is carried out;

(C) the contract or award number of the covered project, where applicable;

(D) the year in which the covered project was initiated;

(E) the Federal share of the total cost of the covered project; and

(F) each primary contractor, subcontractor, grant recipient, and subgrantee recipient of the covered project;

(2) an explanation of any change to the original scope of the covered project, including by the addition or narrowing of the initial requirements of the covered project;

(3) the original expected date for completion of the covered project;

(4) the current expected date for completion of the covered project;

(5) the original cost estimate for the covered project, as adjusted to reflect increases in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics;

(6) the current cost estimate for the covered project, as adjusted to reflect increases in the Consumer Price Index for All Urban Consumers, as published by the Bureau of Labor Statistics;

(7) an explanation for a delay in completion or an increase in the original cost estimate for the covered project, including, where applicable, any impact of insufficient or delayed appropriations; and

(8) the amount of and rationale for any award, incentive fee, or other type of bonus, if any, awarded for the covered project.

SA 1904. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. DISCLOSURE OF PPP LOANS.

(a) SHORT TITLE.—This section may be cited as the ''Transparency Requirements Aimed at Congressional Expenditures Act'' or the ''TRACE Act''.

(b) DISCLOSURE.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) is amended by adding at the end the following:

''(T) DISCLOSURE OF RECEIPT.—

''(i) DEFINITIONS.—In this subparagraph—

''(I) the term 'applicable officer' means—

''(aa) the Secretary of the Senate, in the case of the Vice President, a Senator, the spouse of a Senator, or an employee of Congress whose compensation is disbursed by the Secretary of the Senate; or

''(bb) the Clerk of the House of Representatives, in the case of a Representative in Congress, a Delegate to Congress, the Resident Commissioner from Puerto Rico, the spouse of a Representative in Congress, a Delegate to Congress, or the Resident Commissioner from Puerto Rico, or an employee of Congress whose compensation is disbursed by the Chief Administrator Officer of the House of Representatives;

''(II) the term 'employee of Congress' means an employee of the personal office of a Member of Congress, of a committee of the Senate or the House of Representatives, or of a joint committee of Congress; and

''(III) the term 'Member of Congress' has the meaning given that term in section 2106 of title 5, United States Code.

''(ii) DISCLOSURE.—

''(I) IN GENERAL.—If an eligible recipient owned or controlled by a Member of Congress, spouse of a Member of Congress, or employee of Congress receives a covered loan, the Member of Congress, spouse of a Member of Congress, or employee of Congress, respectively, shall submit to the applicable officer a financial disclosure, which shall include—

''(aa) the name and address of the principal place of business for the eligible recipient receiving the covered loan; and

''(bb) the amount of the covered loan.

''(II) DEADLINE.—A Member of Congress, spouse of a Member of Congress, or employee of Congress shall submit a financial disclosure required under subclause (I)—

''(aa) for a covered loan made on or after the date of enactment of the TRACE Act, not later than 15 days after the date on which the loan is made; and

''(bb) for a covered loan made before such date of enactment, not later than 15 days after such date of enactment.

''(iii) AVAILABILITY.—Each applicable officer shall make available on a publicly available website each financial disclosure submitted to the applicable officer under clause (ii).''.

SA 1905. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for

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

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

SEC. 1_____. VETERANS' HEALTH INITIATIVE.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) PURPOSES.—The purposes of this section are to advance Department expertise in artificial intelligence and high-performance computing in order to improve health outcomes for veteran populations by—

(1) supporting basic research through the application of artificial intelligence, high-performance computing, modeling and simulation, machine learning, and large-scale data analytics to identify and solve outcome-defined challenges in the health sciences;

(2) maximizing the impact of the Department of Veterans Affairs' health and genomics data housed at the National Laboratories, as well as data from other sources, on science, innovation, and health care outcomes through the use and advancement of artificial intelligence and high-performance computing capabilities of the Department;

(3) promoting collaborative research through the establishment of partnerships to improve data sharing between Federal agencies, National Laboratories, institutions of higher education, and nonprofit institutions;

(4) establishing multiple scientific computing user facilities to house and provision available data to foster transformational outcomes; and

(5) driving the development of technology to improve artificial intelligence, high-performance computing, and networking relevant to mission applications of the Department, including modeling, simulation, machine learning, and advanced data analytics.

(c) VETERANS HEALTH RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The Secretary shall establish and carry out a research program in artificial intelligence and high-performance computing, focused on the development of tools to solve large-scale data analytics and management challenges associated with veteran's healthcare, and to support the efforts of the Department of Veterans Affairs to identify potential health risks and challenges utilizing data on long-term healthcare, health risks, and genomic data collected from veteran populations. The Secretary shall carry out this program through a competitive, merit-reviewed process, and consider applications from National Laboratories, institutions of higher education, multi-institutional collaborations, and other appropriate entities.

(2) PROGRAM COMPONENTS.—In carrying out the program established under paragraph (1), the Secretary may—

(A) conduct basic research in modeling and simulation, machine learning, large-scale data analytics, and predictive analysis in order to develop novel or optimized algorithms for prediction of disease treatment and recovery;

(B) develop methods to accommodate large data sets with variable quality and scale, and to provide insight and models for complex systems;

(C) develop new approaches and maximize the use of algorithms developed through artificial intelligence, machine learning, data analytics, natural language processing, modeling and simulation, and develop new algorithms suitable for high-performance computing systems and large biomedical data sets;

(D) advance existing and construct new data enclaves capable of securely storing data sets provided by the Department of Veterans Affairs, Department of Defense, and other sources; and

(E) promote collaboration and data sharing between National Laboratories, research entities, and user facilities of the Department by providing the necessary access and secure data transfer capabilities.

(3) COORDINATION.—In carrying out the program established under paragraph (1), the Secretary is authorized—

(A) to enter into memoranda of understanding in order to carry out reimbursable agreements with the Department of Veterans Affairs and other entities in order to maximize the effectiveness of Department research and development to improve veterans' healthcare;

(B) to consult with the Department of Veterans Affairs and other Federal agencies as appropriate; and

(C) to ensure that data storage meets all privacy and security requirements established by the Department of Veterans Affairs, and that access to data is provided in accordance with relevant Department of Veterans Affairs data access policies, including informed consent.

(4) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources and the Committee on Veterans' Affairs of the Senate, and the Committee on Science, Space, and Technology and the Committee on Veterans' Affairs of the House of Representatives, a report detailing the effectiveness of—

(A) the interagency coordination between each Federal agency involved in the research program carried out under this subsection;

(B) collaborative research achievements of the program; and

(C) potential opportunities to expand the technical capabilities of the Department.

(5) FUNDING.—There is authorized to be appropriated to the Secretary of Veterans Affairs to carry out this subsection $27,000,000 during the period of fiscal years 2021 through 2025.

(d) INTERAGENCY COLLABORATION.—

(1) IN GENERAL.—The Secretary is authorized to carry out research, development, and demonstration activities to develop tools to apply to big data that enable Federal agencies, institutions of higher education, nonprofit research organizations, and industry to better leverage the capabilities of the Department to solve complex, big data challenges. The Secretary shall carry out these activities through a competitive, merit-reviewed process, and consider applications from National Laboratories, institutions of higher education, multi-institutional collaborations, and other appropriate entities.

(2) ACTIVITIES.—In carrying out the research, development, and demonstration activities authorized under paragraph (1), the Secretary may—

(A) utilize all available mechanisms to prevent duplication and coordinate research efforts across the Department;

(B) establish multiple user facilities to serve as data enclaves capable of securely storing data sets created by Federal agencies, institutions of higher education, nonprofit organizations, or industry at National Laboratories; and

(C) promote collaboration and data sharing between National Laboratories, research entities, and user facilities of the Department by providing the necessary access and secure data transfer capabilities.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report evaluating the effectiveness of the activities authorized under paragraph (1).

(4) FUNDING.—There are authorized to be appropriated to the Secretary to carry out this subsection $15,000,000 for each of fiscal years 2021 through 2025.

SA 1906. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

Subtitle C—Presidential Allowance Modernization

SEC. 1121. SHORT TITLE.

This subtitle may be cited as the ''Presidential Allowance Modernization Act of 2020''.

SEC. 1122. AMENDMENTS.

(a) IN GENERAL.—The Act entitled ''An Act to provide retirement, clerical assistants, and free mailing privileges to former Presidents of the United States, and for other purposes'', approved August 25, 1958 (commonly known as the ''Former Presidents Act of 1958'') (3 U.S.C. 102 note), is amended—

(1) by striking ''That (a) each'' and inserting the following:

''SECTION 1. FORMER PRESIDENTS LEAVING OFFICE BEFORE PRESIDENTIAL ALLOWANCE MODERNIZATION ACT OF 2020.

''(a) Each'';

(2) by redesignating subsection (g) as section 3 and adjusting the margin accordingly; and

(3) by inserting after section 1, as so designated, the following:

''SEC. 2. FORMER PRESIDENTS LEAVING OFFICE AFTER PRESIDENTIAL ALLOWANCE MODERNIZATION ACT OF 2020.

''(a) ANNUITIES AND ALLOWANCES.—

''(1) ANNUITY.—Each modern former President shall be entitled for the remainder of his or her life to receive from the United States an annuity at the rate of $200,000 per year, subject to subsections (b)(2) and (c), to be paid by the Secretary of the Treasury.

''(2) ALLOWANCE.—The Administrator of General Services is authorized to provide each modern former President a monetary allowance at the rate of $200,000 per year, subject to the availability of appropriations and subsections (b)(2), (c), and (d).

''(b) DURATION; FREQUENCY.—

''(1) IN GENERAL.—The annuity and allowance under subsection (a) shall each—

''(A) commence on the day after the date on which an individual becomes a modern former President;

''(B) terminate on the date on which the modern former President dies; and

''(C) be payable on a monthly basis.

''(2) APPOINTIVE OR ELECTIVE POSITIONS.—The annuity and allowance under subsection (a) shall not be payable for any period during which a modern former President holds an

appointive or elective position in or under the Federal Government to which is attached a rate of pay other than a nominal rate.

''(c) COST-OF-LIVING INCREASES.—Effective December 1 of each year, each annuity and allowance under subsection (a) that commenced before that date shall be increased by the same percentage by which benefit amounts under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased, effective as of that date, as a result of a determination under section 215(i) of that Act (42 U.S.C. 415(i)).

''(d) LIMITATION ON MONETARY ALLOWANCE.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, the monetary allowance payable under subsection (a)(2) to a modern former President for any 12-month period—

''(A) except as provided in subparagraph (B), may not exceed the amount by which—

''(i) the monetary allowance that (but for this subsection) would otherwise be so payable for such 12-month period, exceeds (if at all)

''(ii) the applicable reduction amount for such 12-month period; and

''(B) shall not be less than the amount determined under paragraph (4).

''(2) DEFINITION.—

''(A) IN GENERAL.—For purposes of paragraph (1), the term 'applicable reduction amount' means, with respect to any modern former President and in connection with any 12-month period, the amount by which—

''(i) the sum of—

''(I) the adjusted gross income (as defined in section 62 of the Internal Revenue Code of 1986) of the modern former President for the most recent taxable year for which a tax return is available; and

''(II) any interest excluded from the gross income of the modern former President under section 103 of such Code for such taxable year, exceeds (if at all)

''(ii) $400,000, subject to subparagraph (C).

''(B) JOINT RETURNS.—In the case of a joint return, subclauses (I) and (II) of subparagraph (A)(i) shall be applied by taking into account both the amounts properly allocable to the modern former President and the amounts properly allocable to the spouse of the modern former President.

''(C) COST-OF-LIVING INCREASES.—The dollar amount specified in subparagraph (A)(ii) shall be adjusted at the same time that, and by the same percentage by which, the monetary allowance of the modern former President is increased under subsection (c) (disregarding this subsection).

''(3) DISCLOSURE REQUIREMENT.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the terms 'return' and 'return information' have the meanings given those terms in section 6103(b) of the Internal Revenue Code of 1986; and

''(ii) the term 'Secretary' means the Secretary of the Treasury or the Secretary of the Treasury's delegate.

''(B) REQUIREMENT.—A modern former President may not receive a monetary allowance under subsection (a)(2) unless the modern former President discloses to the Secretary, upon the request of the Secretary, any return or return information of the modern former President or spouse of the modern former President that the Secretary determines is necessary for purposes of calculating the applicable reduction amount under paragraph (2) of this subsection.

''(C) CONFIDENTIALITY.—Except as provided in section 6103 of the Internal Revenue Code of 1986 and notwithstanding any other provision of law, the Secretary may not, with respect to a return or return information disclosed to the Secretary under subparagraph (B)—

''(i) disclose the return or return information to any entity or person; or

''(ii) use the return or return information for any purpose other than to calculate the applicable reduction amount under paragraph (2).

''(4) INCREASED COSTS DUE TO SECURITY NEEDS.—With respect to the monetary allowance that would be payable to a modern former President under subsection (a)(2) for any 12-month period but for the limitation under paragraph (1)(A) of this subsection, the Administrator of General Services, in coordination with the Director of the United States Secret Service, shall determine the amount of the allowance that is needed to pay the increased cost of doing business that is attributable to the security needs of the modern former President.

''(e) WIDOWS AND WIDOWERS.—The widow or widower of each modern former President shall be entitled to receive from the United States a monetary allowance at a rate of $100,000 per year (subject to paragraph (4)), payable monthly by the Secretary of the Treasury, if such widow or widower shall waive the right to each other annuity or pension to which she or he is entitled under any other Act of Congress. The monetary allowance of such widow or widower—

''(1) commences on the day after the modern former President dies;

''(2) terminates on the last day of the month before such widow or widower dies;

''(3) is not payable for any period during which such widow or widower holds an appointive or elective office or position in or under the Federal Government to which is attached a rate of pay other than a nominal rate; and

''(4) shall, after its commencement date, be increased at the same time that, and by the same percentage by which, annuities of modern former Presidents are increased under subsection (c).

''(f) DEFINITION.—In this section, the term 'modern former President' means a person—

''(1) who shall have held the office of President of the United States of America;

''(2) whose service in such office shall have terminated—

''(A) other than by removal pursuant to section 4 of article II of the Constitution of the United States of America; and

''(B) after the date of enactment of the Presidential Allowance Modernization Act of 2020; and

''(3) who does not then currently hold such office.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The Former Presidents Act of 1958 is amended—

(1) in section 1(f)(2), as designated by this section—

(A) by striking ''terminated other than'' and inserting the following: ''terminated—

''(A) other than''; and

(B) by adding at the end the following:

''(B) on or before the date of enactment of the Presidential Allowance Modernization Act of 2020; and''; and

(2) in section 3, as redesignated by this section—

(A) by inserting after the section enumerator the following: ''**AUTHORIZATION OF APPROPRIATIONS**.''; and

(B) by inserting ''or modern former President'' after ''former President'' each place that term appears.

SEC. 1123. RULE OF CONSTRUCTION.

Nothing in this subtitle or an amendment made by this subtitle shall be construed to affect—

(1) any provision of law relating to the security or protection of a former President or modern former President, or a member of the family of a former President or modern former President; or

(2) funding, under the Former Presidents Act of 1958 or any other law, to carry out any provision of law described in paragraph (1).

SEC. 1124. APPLICABILITY.

Section 2 of the Former Presidents Act of 1958, as added by section 1122(a)(3) of this subtitle, shall not apply to—

(1) any individual who is a former President on the date of enactment of this Act; or

(2) the widow or widower of an individual described in paragraph (1).

SA 1907. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORT BY COMPTROLLER GENERAL OF THE UNITED STATES ON DIVERSITY AND INCLUSION WITHIN THE CIVILIAN WORKFORCE OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—[*Not later than 1 year after enactment of this act* _____], the Comptroller General of the United States shall submit to Congress a report on issues related to diversity and inclusion within the civilian workforce of the Department of Defense.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the demographic composition of the civilian workforce of the Department.

(2) An assessment of any differences in promotion outcomes among demographic groups of the civilian workforce of the Department.

(3) An assessment of the extent to which the Department has identified barriers to diversity in its civilian workforce.

SA 1908. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, insert the following:

SEC. ___. NATIONAL INFORMATION AND COMMUNICATIONS TECHNOLOGY INDUSTRIAL BASE STRATEGY.

(a) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and once every 4 years thereafter, the President shall coordinate with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Commerce, the Secretary of State, and the Director of National Intelligence, and consult with private sector entities, to develop a comprehensive national strategy for the information and communications technology (ICT) industrial base for the following 4-year period, or a longer period, if appropriate.

(2) ELEMENTS.—The strategy required under paragraph (1) shall—

(A) delineate a national ICT industrial base strategy consistent with—

(i) the most recent national security strategy report submitted pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 3043);

(ii) the strategic plans of other relevant departments and agencies of the United States; and

(iii) other relevant national-level strategic plans;

(B) assess the ICT industrial base, to include identifying—

(i) critical technologies, trusted components, products, and materials that comprise or support the ICT industrial base;

(ii) industrial capacity of the United States, as well as its allied and partner nations necessary for the manufacture and development of ICT deemed critical to the United States national and economic security; and

(iii) areas of supply risk to ICT critical technologies, trusted components, products, and materials that comprise or support the ICT industrial base;

(C) identify national ICT strategic priorities and estimate Federal monetary and human resources necessary to fulfill such priorities and areas where strategic financial investment in ICT research and development is necessary for national and economic security; and

(D) assess the Federal government's structure, resourcing, and authorities for evaluating ICT components, products, and materials and promoting availability and integrity of trusted technologies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after developing the strategy under subsection (a), the President shall submit a report to the appropriate congressional committees with the strategy.

(2) FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(c) DEFINITIONS.—In this section:

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

(A) the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term ''information and communications technology'' means information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, protection, or transmission of electronic data and information, as well as any associated content.

SA 1909. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 CONTROLLED CAPTURE IMAGE VERIFICATION TECHNOLOGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of the Defense Advanced Research Projects Agency, shall establish a pilot program on controlled capture image verification technology integrated into smartphones.

(b) PURPOSE.—The purpose of the pilot program is to collect information on the following:

(1) Risk and cost reduction in information gathering in both permissive and nonpermissive environments.

(2) Risk and cost reduction in program or project monitoring and evaluation in both permissive and nonpermissive environments.

(3) Reducing the risk of malicious visual disinformation created by artificial intelligence on United States and global security interests, including global disinformation dissemination.

(c) EVALUATION METRICS.—In establishing the pilot program under subsection (a), the Secretary shall, in consultation with the Director, establish metrics to evaluate the effectiveness of the pilot program.

(d) TERMINATION OF PILOT PROGRAM.—The pilot program under section (a) shall terminate not later than the date that is two years after the date of the commencement of the pilot program.

(e) FINAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the completion of the pilot program under subsection (a), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the pilot program.

(2) ELEMENTS.—The report required by subparagraph (1) shall include the following:

(A) A description of the pilot program.

(B) A description of the evaluation metrics established under subsection (c).

(C) An assessment of the effectiveness of the pilot program, including risk and cost reduction in—

(i) information gathering in both permissive and nonpermissive environments;

(ii) program or project monitoring and evaluation in both permissive and nonpermissive environments;

(iii) malicious synthetic media on United States and global security interests, including global disinformation dissemination; and

(iv) evaluation of costs of, or alternatives to, this specific technology and protection of personal information.

(D) An assessment of the cost of the pilot program and an estimate of the cost of making the pilot program a permanent part of the budget of the Department of Defense.

(E) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program, including recommendations for extending or making permanent the authority for the pilot program.

SA 1910. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. STUDY ON ALTERNATIVES AND RECOMMENDATIONS FOR PROVIDING A CYBER PROTECTION PROGRAM FOR THE DEFENSE INDUSTRIAL BASE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to explore alternatives and recommendations for providing a cyber protection program for the defense industrial base.

(b) ASSESSMENT.—The study conducted under subsection (a) shall include an assessment of the viability and affordability of various options for securing Department of Defense information and defense industrial base development environments, including the roles of the Department members of the defense industrial base, and commercial cybersecurity industry in providing the following effective security capabilities for the defense industrial base.

(c) ELEMENTS.—At a minimum, the study required by subsection (a) shall include the following:

(1) GLOBAL SECURITY OPERATIONS CENTER.—Consideration of a global security operations center, including the following:

(A) Assessment of the feasibility (technical, policy, cost, and etcetera) of offering voluntary defense industrial base protection via a managed global security operations center model. Options considered shall include Department management and provision of [SOC] services or contracting to private industry for managed security services devoted exclusively to the defense industrial base.

(B) Determination of minimum functions to be provided and whether those functions are either met by existing defense industrial base entities or not. Possible functions considered shall include dissemination of cyber threat intelligence, cyber situation monitoring, development and testing of advanced analytics, alerting and incident response, and coordination with other [SOC]s and computer security incident response teams (CSIRTS).

(C) Definition and analysis of options for global security operations center management and oversight (such as public entity, private entity, cleared defense contractor, Department entity, or joint venture), operations and support to defense industrial base entities, staffing, and funding.

(D) Evaluation of the current state of managed security services to determine their suitability for this role.

(2) REDUCED-RATE LICENSING FOR COMMERCIAL CYBER SECURITY PRODUCTS THAT MEET MINIMUM COMPLIANCE WITH NIST 800-171.—Consideration of a reduced-rate licensing for commercial cyber security products that meet minimum compliance with National Institute of Standards and Technology special publication 800–171, including the following:

(A) Estimation of the cost and identification of the advantages and disadvantages of having the Department subsidize the cost of advanced cybersecurity tools to protect the unclassified networks of defense industrial base contractors. Such estimation and identification shall include tools that are configured to provide sanitized threat data to the global security operations center considered under paragraph (1).

(B) Analysis of any economies of scale cost benefits and reduced compliance barriers for the defense industrial base by using reduced-rate licensing to improve cybersecurity postures.

(3) SECURE HOSTING AND ACCESS TO DEVELOPMENT ENVIRONMENTS AND DATA.—Consideration of secure hosting and access to development environments and data, including secure cloud environments and software development offerings, including the following:

(A) Requiring contractors to provide secure systems and connectivity to all subcontractors.

(B) Department development and provision of secure systems and connectivity to eligible defense industrial base contractors, including secure cloud services.

(C) Providing secure development environments as a service by negotiating with commercial providers to offer consistent, low-priced options to eligible defense industrial base contractors (with possible incentives to commercial providers).

(D) Such other options as may be worthy.

(4) DEPARTMENT DEVELOP SECURE CLOUD COMPUTING ENVIRONMENT.—Consideration of a Department developed secure cloud computing environment providing secure cloud services to eligible Department contractors at reduced and affordable rates.

(d) ADDITIONAL REQUIREMENTS.—In carrying out the study, the Secretary shall—

(1) define the trade-space for options, the evaluation of cyber risk for each proposed capability and option, and determination of Department member eligibility for participating in any program and receiving benefit;

(2) assess legal matters (such as protections for participating defense industrial base companies) and contractual (such as Defense Acquisition Regulations System) ramifications; and

(3) use experts from across the Department, the defense industrial base, and commercial sectors as part of the study team.

SA 1911. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. POLICIES FOR CYBERSECURITY AND RESILIENCE FOR CERTAIN PROGRAMS DEVELOPING APPLICATIONS USING ARTIFICIAL INTELLIGENCE OR MACHINE LEARNING.

(a) POLICIES REQUIRED.—The Secretary of Defense shall issue policies for programs developing applications and systems using artificial intelligence or machine learning and resulting in autonomous control, decision-making, or other safety-critical functions not under control or observation by a human operator to ensure that autonomous systems and decisionmaking algorithms are resilient to deception or other cyber attacks.

(b) RISK MITIGATION.—The policies issued under subsection (a) shall cover risk mitigation that considers that cyber-attacks against systems described in subsection (a) can occur at the following levels:

(1) Adversarial inputs to recognition algorithms, such as visual image manipulation to fool recognition.

(2) Adversarial inputs to planning or decisionmaking algorithms.

(3) More conventional attacks against the software implementations of the system, such as common software weaknesses.

SA 1912. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. ASSESSMENT OF MAJOR THEATER OPERATIONAL PLANS FOR CYBER RISK TO MISSIONS.

(a) ASSESSMENT REQUIRED.—The Secretary of Defense shall conduct an assessment of major theater operational plans for cyber risk to missions.

(b) REQUIREMENTS.—

(1) MISSION IMPACT.—The assessment under subsection (a) shall include an assessment of the mission impact of cyber-attacks that degrade, deny, or destroy United States capabilities.

(2) MANNER CONDUCTED.—Assessments under paragraph (1) shall be conducted by the commanders of the combatant commands and acquisition organizations together, and include the Deputy Assistant Secretary of Defense for Defense Continuity and Mission Assurance for assessing mission risk in relation to the cyber resilience of the infrastructure on which force generation and projection depend.

(3) SUSTAINABLE ANALYSIS AND METHODS.—The Secretary shall ensure that assessments under this section result in sustainable analyses and methods of determining cyber risk and mission assurance to the mission plans of the combatant command.

(4) USE OF EXISTING EXERCISES AND ASSESSMENTS.—The assessments under this section may build upon existing cyber table-top and other exercises and assessments.

(5) COORDINATION.—The Secretary shall ensure that assessments under this section are coordinated with the Commander of the United States Cyber Command.

(6) INSTITUTIONALIZED.—The Secretary shall ensure that the analyses under this section are institutionalized as part of continuing plans, preparations, and exercises.

SA 1913. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 873. STUDY AND REPORT ON CONTRACTS AWARDED TO MINORITY-OWNED AND WOMEN-OWNED SMALL BUSINESSES.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on the number and types of contracts for the procurement of goods or services for the Department of Defense awarded to minority-owned and women-owned businesses during fiscal years 2017 through 2020. In conducting the study, the Comptroller General shall identify minority-owned businesses according to the categories identified in the Federal Procurement Data System (described in section 1122(a)(4)(A) of title 41, United States Code). The study shall include an assessment of the success of government programs aimed at increasing defense contracting among minority-owned and women-owned small businesses.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the congressional defense committees a report on the results of the study under subsection (a).

SA 1914. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. BRIEFING ON UNITED STATES-INDIA JOINT DEFENSE AND RELATED INDUSTRIAL AND TECHNOLOGY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing on joint defense and related industrial and technology research and development and personnel exchange opportunities between the United States and India.

(b) MATTERS TO BE INCLUDED.—The briefing under subsection (a) shall include the following:

(1) A status update on the Defense Technology and Trade Initiative and its efforts to increase private sector industrial cooperation.

(2) An assessment of whether additional funds are necessary for the Defense Technology and Trade Initiative for seed funding and personnel exchanges.

(3) An assessment of whether the Israel-U.S. Binational Industrial Research and Development Foundation and Fund provides a model for United States and India private sector collaboration on defense and critical technologies.

(4) A status update on the collaboration between the Department of Defense Innovation Unit and the Innovations for Defence Excellence program of the Ministry of Defence of India to enhance the capacity of the Department of Defense and Ministry of Defence of India to identify and source solutions to military requirements by accessing cutting-edge commercial technology through non-traditional processes.

SA 1915. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PLAN FOR ESTABLISHING AN ELEMENT OF THE INTELLIGENCE COMMUNITY WITHIN THE UNITED STATES SPACE FORCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence and the Under Secretary of Defense for Intelligence and Security, in coordination with the Secretary of the Air Force and the Chief of Space Operations, shall submit to the appropriate committees of Congress a plan for establishing an element of the intelligence community within the United States Space Force.

(b) ELEMENTS.—The plan required by subsection (a) shall address the following:

(1) Creation of an element of the intelligence community and any proposed national intelligence center related to space matters.

(2) Identification of the documents that will establish the element and center.

(3) The authorities, personnel, resources, and physical infrastructure required from the National Intelligence Program and the Military Intelligence Program.

(4) The effects on the Air Force element of the intelligence community and the National Air and Space Intelligence Center.

(c) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—For purposes of this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SA 1916. Mr. HEINRICH (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. INCREASING HUMAN RESOURCES WORKFORCE LITERACY IN ARTIFICIAL INTELLIGENCE.

(a) FINDING.—Congress finds that the National Security Commission on Artificial Intelligence made the following recommendation in their March 2020 Report to Congress:

(b) INCREASING HUMAN RESOURCES WORKFORCE LITERACY IN ARTIFICIAL INTELLIGENCE.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense may develop a training and certification program on software development, data science, and artificial intelligence that is tailored to the needs of the covered human resources workforce of the Department of Defense.

(2) ELEMENTS.—The program course required by paragraph (1) shall—

(A) provide a generalist's introduction to software development and business processes, data management practices relating to machine learning, deep learning, artificial intelligence, and artificial intelligence workforce roles; and

(B) address hiring options and processes available for software developers, data scientists, and artificial intelligence professionals, including direct hiring authorities, excepted service authorities, the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.), and authorities for hiring special government employees and highly qualified experts.

(3) OBJECTIVE.—It shall be the objective of the Department to provide the training under the program developed pursuant to paragraph (1) to the covered human resources workforce in such a manner that—

(A) in the first year, 20 percent of the workforce is certified as having successfully completed the training; and

(B) in each year thereafter, an additional 10 percent of the workforce is certified, until the Department achieves and maintains a status in which 80 percent of the covered human resources workforce is so certified.

(c) COVERED HUMAN RESOURCES WORKFORCE.—In this section, the term ''covered human resources workforce'' means human resources professionals, hiring managers, and recruiters who are or will be responsible for hiring software developers, data scientists, or artificial intelligence professionals.

SA 1917. Ms. HASSAN (for herself, Mr. CORNYN, Mr. PORTMAN, and Mr. PETERS) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. CYBERSECURITY STATE COORDINATOR ACT.

(a) SHORT TITLE.—This section may be cited as the ''Cybersecurity State Coordinator Act of 2020''.

(b) CYBERSECURITY STATE COORDINATOR.—

(1) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended—

(A) in section 2202(c) (6 U.S.C. 652(c))—

(i) in paragraph (10), by striking ''and'' at the end;

(ii) by redesignating paragraph (11) as paragraph (12); and

(iii) by inserting after paragraph (10) the following:

''(11) appoint a Cybersecurity State Coordinator in each State, as described in section 2215; and''; and

(B) by adding at the end the following:

''SEC. 2215. CYBERSECURITY STATE COORDINATOR.

''(a) APPOINTMENT.—The Director shall appoint an employee of the Agency in each State, with the appropriate cybersecurity qualifications and expertise, who shall serve as the Cybersecurity State Coordinator.

''(b) DUTIES.—The duties of a Cybersecurity State Coordinator appointed under subsection (a) shall include—

''(1) building strategic relationships across Federal and, on a voluntary basis, non-Federal entities by advising on establishing governance structures to facilitate the development and maintenance of secure and resilient infrastructure;

''(2) serving as a Federal cybersecurity risk advisor and coordinating between Federal and, on a voluntary basis, non-Federal entities to support preparation, response, and remediation efforts relating to cybersecurity risks and incidents;

''(3) facilitating the sharing of cyber threat information between Federal and, on a voluntary basis, non-Federal entities to improve understanding of cybersecurity risks and situational awareness of cybersecurity incidents;

''(4) raising awareness of the financial, technical, and operational resources available from the Federal Government to non-Federal entities to increase resilience against cyber threats;

''(5) supporting training, exercises, and planning for continuity of operations to expedite recovery from cybersecurity incidents, including ransomware;

''(6) serving as a principal point of contact for non-Federal entities to engage, on a voluntary basis, with the Federal Government on preparing, managing, and responding to cybersecurity incidents;

''(7) assisting non-Federal entities in developing and coordinating vulnerability disclosure programs consistent with Federal and information security industry standards; and

''(8) performing such other duties as determined necessary by the Director to achieve the goal of managing cybersecurity risks in the United States and reducing the impact of cyber threats to non-Federal entities.

''(c) FEEDBACK.—The Director shall consult with relevant State and local officials regarding the appointment, and State and local officials and other non-Federal entities regarding the performance, of the Cybersecurity State Coordinator of a State.''.

(2) OVERSIGHT.—The Director of the Cybersecurity and Infrastructure Security Agency shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a briefing on the placement and efficacy of the Cybersecurity State Coordinators appointed under section 2215 of the Homeland Security Act of 2002, as added by paragraph (1)—

(A) not later than 1 year after the date of enactment of this Act; and

(B) not later than 2 years after providing the first briefing under this paragraph.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection or the amendments made by this subsection shall be construed to affect or otherwise modify the authority of Federal law enforcement agencies with respect to investigations relating to cybersecurity incidents.

(4) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Cybersecurity State Coordinator.''.

SA 1918. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1003. MANDATORY TRANSFER.

Notwithstanding any other provision of law, the Secretary of the Treasury shall transfer 0.1 percent of the funds authorized to be appropriated under this division for fiscal year 2021 from the Department of Defense to the Department of State for educational and cultural exchange program expenses.

SA 1919. Mr. SANDERS (for himself, Mr. LEE, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. _____. PROHIBITION ON SUPPORT OR MILITARY PARTICIPATION AGAINST THE HOUTHIS IN YEMEN.

(a) PROHIBITION RELATING TO SUPPORT.—None of the funds authorized to be appropriated by this Act may be made available to

provide United States support for Saudi-led or United Arab Emirates-led coalition forces against the Houthis in Yemen, including for any of the following:

(1) Intelligence sharing or logistical support activities for coalition airstrikes.

(2) Maintenance and spare parts transfers to warplanes engaged in anti-Houthi bombings.

(b) PROHIBITION RELATING TO MILITARY PARTICIPATION.—None of the funds authorized to be appropriated by this Act may be made available for any uniformed or non-uniformed member of the United States Armed Forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of the Saudi-led and United Arab Emirates-led coalition forces in hostilities against the Houthis in Yemen or in situations in which there exists an imminent threat that such coalition forces become engaged in such hostilities, unless and until the President has obtained specific statutory authorization, in accordance with section 8(a) of the War Powers Resolution (50 U.S.C. 1547(a)).

SA 1920. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. ESTABLISHING A NATIONAL PROGRAM TO DISTRIBUTE FACE MASKS DURING THE COVID–19 EMERGENCY.

(a) ESTABLISHMENT OF PROGRAM.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the President, acting through the Administrator, in coordination with the Secretary, the Postmaster General, and the heads of any other relevant Federal agencies, and in consultation with Governors and appropriate labor unions, shall establish a program to provide, and deliver through the United States Postal Service, a monthly supply of face masks, free of charge, to every individual and household in the United States, until the date described in paragraph (4).

(2) ADDITIONAL DELIVERIES.—In developing the program under paragraph (1), the President, acting through the Administrator, in coordination with the Secretary, shall work with States and units of local government to ensure a monthly supply of masks is provided to individuals who do not receive masks that are delivered to households by the United States Postal Service, including—

(A) all individuals who are experiencing homelessness; and

(B) all individuals who are living in group quarters, as defined by the Census Bureau for the purposes of the most recent decennial census.

(3) PROHIBITION ON IDENTIFICATION REQUIREMENT.—The program developed under paragraph (1) shall not require any individual in the United States to provide identification or proof of citizenship in order to receive masks.

(4) DATE DESCRIBED.—The date described in this subsection is the date on which no new cases of COVID–19 are reported in the United States for a period of not less than 14 consecutive days.

(b) USE OF AUTHORITIES.—

(1) IN GENERAL.—To carry out this section, the President shall make use of any and all available authorities at the disposal of the Federal Government to procure, manufacturer, and support the domestic manufacturing of face masks, including emergency authorities, such as the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), and the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(2) REQUIREMENT.—Any face masks procured or manufactured for purposes of carrying out this section shall be purchased in accordance with Federal Acquisition Regulation guidance on fair and reasonable pricing.

(c) FUNDING.—

(1) APPROPRIATION.—There is appropriated, out of amounts in the Treasury not otherwise appropriated, $75,000,000,000 to the Administrator to carry out this section.

(2) LIMITATION.—No funds made available under this subsection shall be provided to—

(A) any person who is a Federal elected official or serving in a Senior Executive Service position; or

(B) any entity that is controlled in whole or in part by a Federal elected official or serving in a Senior Executive Service position.

(3) EMERGENCY DESIGNATION.—

(A) IN GENERAL.—The amounts provided under this section are designated as an emergency requirement pursuant to section 4(g) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(g)).

(B) DESIGNATION IN SENATE.—In the Senate, this section is designated as an emergency requirement pursuant to section 4112(a) of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018.

(d) REPORTS TO CONGRESS.—Beginning 7 days after the date of enactment of this Act, and every 7 days thereafter until the date described in subsection (a)(4), the Administrator and the Secretary shall jointly submit to Congress a detailed report on the implementation of and activities authorized by this section, including—

(1) detailed plans to establish and implement the program required under this section;

(2) information on—

(A) the use of funds under this section;

(B) the current and projected supply of face masks, and the sources of such masks;

(C) the distribution of face masks by State, geographic area, and need;

(D) the prices paid by the Federal Government and to which suppliers such amounts were paid; and

(3) any other information requested by Congress.

(e) EFFECT ON STATE REQUESTS FOR PPE.—Any face masks delivered under this section shall not be taken into account for purposes of the Federal Government responding to State or health provider requests for personal protective equipment or other supplies related to COVID–19.

(f) REQUIRED CONSULTATION.—The consultation with appropriate labor unions required under subsection (a)(1) shall include consultation with labor organizations representing employees of the United States Postal Service, including regarding the safety of such employees who carry out the activities authorized under this section.

(g) EXCESS MASKS.—Any face masks in the possession of the Federal Emergency Management Agency or the Department of Health and Human Services for purposes of carrying out this section that have not been distributed as of the date described in subsection (a)(4) shall be added to the strategic national stockpile.

(h) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Federal Emergency Management Agency.

(2) FACE MASK.—The term ''face mask'' means—

(A) a surgical mask; or

(B) if there is a shortage of surgical masks, a tight-weave cloth mask.

(3) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304(e)).

(4) MONTHLY SUPPLY.—The term ''monthly supply'' means not less than 5 face masks per month per individual.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Health and Human Services.

(6) SENIOR EXECUTIVE SERVICE POSITION.—The term ''Senior Executive Service position'' has the meaning given that term in section 3132(a) of title 5, United States Code.

(7) UNITED STATES.—The term ''United States'' means—

(A) each of the several States of the United States;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands;

(G) the Federated States of Micronesia;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau;

(J) the United States Virgin Islands; and

(K) each Indian Tribe.

SA 1921. Mr. MERKLEY (for himself, Mr. CORNYN, Mr. MARKEY, Mr. SCOTT of Florida, Mr. CARDIN, Mr. GARDNER, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. CERTIFICATION REQUIRED FOR TERMINATION OF PROHIBITION ON COMMERCIAL EXPORT OF CERTAIN MUNITIONS TO HONG KONG POLICE FORCE.

Section 3 of the Act entitled ''An Act to prohibit the commercial export of covered munitions items to the Hong Kong Police Force'', approved November 27, 2019 (Public Law 116–77; 133 Stat. 1174), is amended to read as follows:

''SEC. 3. CERTIFICATION REQUIRED FOR TERMINATION.

''The prohibition under section 2 shall remain in effect until the date on which the Secretary of State submits to Congress under section 205 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725) a certification that indicates that Hong Kong continues to warrant treatment under United States law in the same manner as United States laws were applied to Hong Kong before July 1, 1997.''.

SA 1922. Mr. MERKLEY (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. PREVENTING SAUDI ARABIAN DIPLOMATS FROM AIDING AND ABETTING FLIGHTS FROM JUSTICE.

(a) DETERMINATION ON FLIGHTS FROM JUSTICE.—Not later than 120 days after the date of the enactment of this Act, the President shall determine whether any citizen of Saudi Arabia who enjoys diplomatic immunity from criminal jurisdiction in the United States has assisted in the unlawful removal of any national of Saudi Arabia in the United States for the purposes of evading criminal prosecution or otherwise evading a criminal sentence in the United States.

(b) PENALTIES.—If the determination required under subsection (a) concludes that one or more officials of the Government of Saudi Arabia has aided, abetted, or assisted in the unlawful removal of a national of Saudi Arabia from the United States or has harbored a national of Saudi Arabia in the United States for the purpose of avoiding criminal prosecution or evading law enforcement authorities, any such official shall be subject to the following:

(1) The submittal of a request for a waiver of immunity from the United States to Saudi Arabia for the purposes of pursuing criminal prosecution within the United States.

(2) A declaration that such official is persona non grata and is expelled from the United States, without replacement of that position.

(3) The revocation of any existing visa or other relevant entry documentation, which may include denial of future visa requests.

(c) ADDITIONAL PENALTIES IMPOSED BY PRESIDENT.—If the determination required under subsection (a) concludes that one or more officials of the Government of Saudi Arabia has aided, abetted, or assisted in the unlawful removal of a national of Saudi Arabia from the United States or has harbored a national of Saudi Arabia in the United States for the purpose of avoiding criminal prosecution or evading law enforcement authorities, the President may enforce any of the following penalties:

(1) DENIAL OF USE OF CERTAIN DIPLOMATIC FACILITIES.—Notwithstanding any other provision of law, the President may deny access to, and use by the Government of Saudi Arabia of, the Saudi-owned diplomatic facilities and properties located at the following addresses:

(A) 2045 Sawtelle Boulevard, Los Angeles, California.

(B) 8500 Hilltop Road, Fairfax, Virginia.

(2) SUSPENSION OF FLIGHTS TO AND FROM THE UNITED STATES BY SAUDI ARABIAN AIR CARRIERS.—

(A) SUSPENSION OF OPERATING PERMIT.—

(i) IN GENERAL.—Notwithstanding any agreement between the United States and Saudi Arabia relating to air services, the President may suspend the permit of a foreign air carrier owned or controlled, directly or indirectly, by the Government of Saudi Arabia to operate in foreign air transportation under chapter 413 of title 49, United States Code.

(ii) PROCEDURES.—If the President determines under clause (i) to suspend the permit of an air carrier described in that clause—

(I) the President shall notify the Government of Saudi Arabia of the intention of the President to suspend the permit; and

(II) not later than 10 days after the President provides such notification, the Secretary of Transportation shall take such measures as may be necessary to suspend the permit on the earliest possible date.

(B) SUSPENSION OF AIR SERVICE AGREEMENT.—

(i) IN GENERAL.—The President may direct the Secretary of State to terminate any agreement between the United States and Saudi Arabia relating to air services in accordance with the provisions of the agreement.

(ii) SUSPENSION OF OPERATING PERMIT.—Upon termination of an agreement under clause (i), the Secretary of Transportation may take such measures as may be necessary to revoke, on the earliest possible date, the permit of any foreign air carrier owned or controlled, directly or indirectly, by the Government of Saudi Arabia to operate in foreign air transportation under chapter 413 of title 49, United States Code.

(C) EXCEPTIONS.—The Secretary of Transportation may provide for such exceptions to subparagraphs (A) and (B) as the Secretary considers necessary to address emergencies in which the safety of an aircraft or the crew or passengers on an aircraft is threatened.

(D) FOREIGN AIR CARRIER AND FOREIGN AIR TRANSPORTATION DEFINED.—In this paragraph, the terms ''foreign air carrier'' and ''foreign air transportation'' have the meanings given the terms in section 40102(a) of title 49, United States Code.

(3) IMPOSITION OF SANCTIONS.—

(A) IN GENERAL.—The President may exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign official described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements under section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of subparagraph (A).

(C) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(i) IN GENERAL.—The authority to block and prohibit all transactions in all property and interests in property under subparagraph (A) shall not include the authority to impose sanctions on the importation of goods.

(ii) GOOD DEFINED.—In this subparagraph, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(D) IMPLEMENTATION; PENALTIES.—

(i) IMPLEMENTATION.—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out the provisions of this paragraph.

(ii) PENALTIES.—The penalties under subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of subparagraph (A), or any regulation, license, or order issued to carry out that subparagraph, to the same extent that such penalties apply to a person that commits an unlawful act described in subsection (a) of such section.

SA 1923. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATO SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

SA 1924. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. AGREEMENT FOR NATO MEMBERS NOT TO ACQUIRE DEFENSE TECHNOLOGY INCOMPATIBLE WITH THE SECURITY OF NATO SYSTEMS.

The U.S. Mission to NATO shall pursue an agreement that members will not acquire defense technology incompatible with the security of NATO systems.

SA 1925. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. UNITED STATES STRATEGY WITH RESPECT TO THE NUCLEAR FORCES OF PEOPLE'S REPUBLIC OF CHINA.

(a) STATEMENT OF POLICY.—Congress declares that making long-term strategic competition with the People's Republic of China a principal priority for the United States elevates the importance of strategic stability dialogue aimed at reducing the risk of inadvertent nuclear war.

(b) STRATEGY REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a strategy with respect to the nuclear forces of the People's Republic of China.

(2) ELEMENTS OF STRATEGY.—The strategy required by paragraph (1) shall include the following:

(A) Updates to the tailored strategy for the People's Republic of China articulated in the 2018 Nuclear Posture Review.

(B) Objectives of strategic stability and arms control dialogues with the People's Republic of China.

(C) An assessment of actions that could be interpreted by the United States or the People's Republic of China as provocative or requiring a strategic response.

(D) Measures to avoid inadvertent escalation of conflict between the United States and the People's Republic of China.

(E) Consideration of actions the United States anticipates the People's Republic of China seeking in bilateral or multilateral arms control negotiations.

(F) A description of engagements with the People's Republic of China on issues related to strategic stability.

(G) An assessment of whether sufficient personnel are currently dedicated to strategic stability and arms control with the People's Republic of China.

(H) A description of the steps required to negotiate a bilateral or multilateral arms control agreement with the People's Republic of China.

(3) FORM.—The strategy required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(c) STUDY REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on avoiding inadvertent nuclear war with the People's Republic of China.

(2) ELEMENTS OF STUDY.—The study required by paragraph (1) shall, at a minimum—

(A) provide a detailed description of the current composition of the nuclear forces of the People's Republic of China, including the quantity of nuclear warheads and nuclear-capable delivery systems, as well as anticipated changes in its nuclear force structure through fiscal year 2030;

(B) assess the nuclear doctrine of the People's Republic of China; and

(C) identify potential pathways to inadvertent escalation to nuclear war.

(3) SUBMISSION TO DEPARTMENT OF DEFENSE.—Not later than 240 days after the date of the enactment of this Act, the federally funded research and development center described in paragraph (1) shall submit to the Secretary a report containing the results of the study conducted under that paragraph.

(4) SUBMISSION TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the report required by paragraph (3), without making any changes.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SA 1926. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. REVOLVING DOOR RESTRICTIONS ON EMPLOYEES MOVING INTO THE PRIVATE SECTOR.

(a) IN GENERAL.—Section 207 of title 18, United States Code, is amended—

(1) in subsection (c)—

(A) in the subsection heading, by striking ''ONE-YEAR'' and inserting ''TWO-YEAR'';

(B) in paragraph (1)—

(i) by striking ''1 year'' each place it appears and inserting ''2 years''; and

(ii) by inserting '', or conducts any lobbying activity (as defined in section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602)) to facilitate any communication to or appearance before,'' after ''any communication to or appearance before''; and

(C) in paragraph (2)(B), by striking ''1-year'' and inserting ''2-year''; and

(2) by striking subsection (h).

(b) APPLICATION.—The amendments made by subsection (a) shall apply to any individual covered by subsection (c) of section 207 of title 18, United States Code, separating from service on or after the date of enactment of this Act.

SA 1927. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1242. STATEMENT OF POLICY WITH RESPECT TO THE NEW START TREATY.

(a) IN GENERAL.—It is the policy of the United States to extend the New START Treaty an additional five years until February 2026, as is permitted under Article XIV of the Treaty, unless—

(1) the President determines that the Russian Federation is in material breach of its obligations under the Treaty; or

(2) the United States and the Russian Federation enter into a new bilateral agreement that places equal or greater verifiable constraints on the nuclear forces of the Russian Federation.

(b) NEW START TREATY; TREATY DEFINED.—The terms ''New START Treaty'' and ''Treaty'' mean the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.

SA 1928. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. REQUIREMENTS FOR CIVILIAN NUCLEAR COOPERATION AGREEMENT WITH SAUDI ARABIA.

The United States may not enter into a civilian nuclear cooperation agreement under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), commonly known as a ''123 Agreement'', unless the agreement—

(1) prohibits the Kingdom of Saudi Arabia from enriching uranium or separating plutonium on Saudi Arabian territory in keeping with the strongest possible nonproliferation ''gold standard''; and

(2) requires the Kingdom of Saudi Arabia to bring into force the Additional Protocol with the International Atomic Energy Agency.

SA 1929. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 355. REPORT ON NON-PERMISSIVE, GLOBAL POSITIONING SYSTEM DENIED AIRFIELD CAPABILITIES.

(a) IN GENERAL.—Not later than February 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report assessing the ability of each combatant command to conduct all-weather, day-night airfield operations in a non-permissive, global positioning system denied environment.

(b) ELEMENTS.—The report required under subsection (a) shall include, at a minimum, the following:

(1) An assessment of current air traffic control and landing systems at existing airfields and contingency airfields.

(2) An assessment of the ability of each combatant command to conduct all-weather, day-night airfield flight operations in a non-permissive, global positioning system denied environment at existing and contingency airfields, including aircraft tracking and precision landing.

(3) An assessment of the ability of each combatant command to rapidly set up and conduct operations at alternate airfields, including the ability to receive and deploy forces in a non-permissive, global positioning system denied environment.

(4) A list of backup systems in place or prepositioned to be able to reconstitute operations after an attack.

SA 1930. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 of division A, add the following:

SEC. 1287. PROHIBITION ON INTRODUCTION OF UNITED STATES ARMED FORCES INTO HOSTILITIES WITH RESPECT TO VENEZUELA.

(a) SHORT TITLE.—This section may be cited as the ''Prohibiting Unauthorized Military Action in Venezuela Resolution of 2020''.

(b) PROHIBITION.—Except as consistent with the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.), none of the amounts authorized to be appropriated or otherwise made available for the Department of Defense, or for any other department or agency of the United States Government, may be used to introduce the Armed Forces of the United States into hostilities with respect to Venezuela, except pursuant to a specific statutory authorization by Congress enacted after the date of the enactment of this Act.

SA 1931. Mrs. SHAHEEN (for herself, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CARPER, Mr. CASEY, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HASSAN, Mr. HEINRICH, Mr. LEAHY, Mr. SANDERS,

Mr. SCHUMER, Mr. VAN HOLLEN, Ms. WARREN, Mr. MARKEY, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. TREATMENT OF PERFLUOROOCTANE SULFONATE AND PERFLUOROOCTANOIC ACID AS HAZARDOUS AND A POLLUTANT OR CONTAMINANT.

Section 2701(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) PFOS AND PFOA CONTAMINATION.—For purposes of this subsection, perfluorooctane sulfonate and perfluorooctanoic acid shall be deemed to be hazardous and a pollutant or contaminant.''.

SA 1932. Mrs. GILLIBRAND (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

PART III—DISPOSITION OF CHARGES AND CONVENING OF COURTS-MARTIAL FOR CERTAIN UCMJ OFFENSES

SEC. 539. SHORT TITLE.

This part may be cited as the ''Military Justice Improvement Act of 2020''.

SEC. 539A. IMPROVEMENT OF DETERMINATIONS ON DISPOSITION OF CHARGES FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IMPROVEMENT OF DETERMINATIONS.—

(1) MILITARY DEPARTMENTS.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c), the Secretary of Defense shall require the Secretaries of the military departments to provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the preferral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(2) HOMELAND SECURITY.—With respect to charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense specified in subsection (b) and not excluded under subsection (c) against a member of the Coast Guard (when it is not operating as a service in the Navy), the Secretary of Homeland Security shall provide as described in subsection (d) for the determinations as follows:

(A) Determinations under section 830 of such chapter (article 30(a) of the Uniform Code of Military Justice) on the preferral of charges.

(B) Determinations under section 830 of such chapter (article 30 of the Uniform Code of Military Justice) on the disposition of charges.

(C) Determinations under section 834 of such chapter (article 34 of the Uniform Code of Military Justice) on the referral of charges.

(b) COVERED OFFENSES.—An offense specified in this subsection is an offense as follows:

(1) An offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), for which the maximum punishment authorized under that chapter includes confinement for more than one year.

(2) A conspiracy to commit an offense specified in paragraph (1) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(3) A solicitation to commit an offense specified in paragraph (1) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(4) An attempt to commit an offense specified in paragraph (1) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(c) EXCLUDED OFFENSES.—Subsection (a) does not apply to an offense as follows:

(1) An offense under sections 883 through 917 of title 10, United States Code (articles 83 through 117 of the Uniform Code of Military Justice), but not an offense under section 893a or 917a of such title (articles 93a and 117a of the Uniform Code of Military Justice) or the offense of child pornography, negligent homicide, indecent conduct, or pandering and prostitution as punishable under the general punitive article in 934 of such title (article 134 of the Uniform Code of Military Justice).

(2) An offense under section 922a, 923, or 923a of title 10, United States Code (articles 122a, 123, and 123a of the Uniform Code of Military Justice).

(3) An offense under section 933 or 934 of title 10, United States Code (articles 133 and 134 of the Uniform Code of Military Justice).

(4) A conspiracy to commit an offense specified in paragraphs (1) through (3) as punishable under section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice).

(5) A solicitation to commit an offense specified in paragraphs (1) through (3) as punishable under section 882 of title 10, United States Code (article 82 of the Uniform Code of Military Justice).

(6) An attempt to commit an offense specified in paragraphs (1) through (3) as punishable under section 880 of title 10, United States Code (article 80 of the Uniform Code of Military Justice).

(d) REQUIREMENTS AND LIMITATIONS.—The disposition of charges covered by subsection (a) shall be subject to the following:

(1) The determination whether to prefer such charges or refer such charges to a court-martial for trial, as applicable, shall be made by a commissioned officer of the Armed Forces designated in accordance with regulations prescribed for purposes of this subsection from among commissioned officers of the Armed Forces in grade O–6 or higher who—

(A) are available for detail as trial counsel under section 827 of title 10, United States Code (article 27 of the Uniform Code of Military Justice);

(B) have significant experience in trials by general or special court-martial; and

(C) are outside the chain of command of the member subject to such charges.

(2) Upon a determination under paragraph (1) to refer charges to a court-martial for trial, the officer making that determination shall determine whether to refer such charges for trial by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), or a special court-martial convened under section 823 of title 10, United States Code (article 23 of the Uniform Code of Military Justice).

(3) A determination under paragraph (1) to prefer charges or refer charges to a court-martial for trial, as applicable, shall cover all known offenses, including lesser included offenses.

(4) The determination to prefer charges or refer charges to a court-martial for trial, as applicable, under paragraph (1), and the type of court-martial to which to refer under paragraph (2), shall be binding on any applicable convening authority for the referral of such charges.

(5) The actions of an officer described in paragraph (1) in determining under that paragraph whether or not to prefer charges or refer charges to a court-martial for trial, as applicable, shall be free of unlawful or unauthorized influence or coercion.

(6) The determination under paragraph (1) not to refer charges to a general or special court-martial for trial shall not operate to terminate or otherwise alter the authority of commanding officers to refer charges for trial by summary court-martial convened under section 824 of title 10, United States Code (article 24 of the Uniform Code of Military Justice), or to impose non-judicial punishment in connection with the conduct covered by such charges as authorized by section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice).

(e) CONSTRUCTION WITH CHARGES ON OTHER OFFENSES.—Nothing in this section shall be construed to alter or affect the preferral, disposition, or referral authority of charges under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that allege an offense for which the maximum punishment authorized under that chapter includes confinement for one year or less.

(f) POLICIES AND PROCEDURES.—

(1) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall revise policies and procedures as necessary to comply with this section.

(2) UNIFORMITY.—The General Counsel of the Department of Defense and the General Counsel of the Department of Homeland Security shall jointly review the policies and procedures revised under this subsection in order to ensure that any lack of uniformity in policies and procedures, as so revised, among the military departments and the Department of Homeland Security does not render unconstitutional any policy or procedure, as so revised.

(g) MANUAL FOR COURTS-MARTIAL.—The Secretary of Defense shall recommend such changes to the Manual for Courts-Martial as are necessary to ensure compliance with this section.

SEC. 539B. MODIFICATION OF OFFICERS AUTHORIZED TO CONVENE GENERAL AND SPECIAL COURTS-MARTIAL FOR CERTAIN OFFENSES UNDER UCMJ WITH AUTHORIZED MAXIMUM SENTENCE OF CONFINEMENT OF MORE THAN ONE YEAR.

(a) IN GENERAL.—Subsection (a) of section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice), is amended—

(1) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(2) by inserting after paragraph (7) the following new paragraph (8):

''(8) with respect to offenses to which section 539A(a) of the Military Justice Improvement Act of 2020 applies, the officers in the offices established pursuant to section 539B(c) of that Act or officers in the grade of O–6 or higher who are assigned such responsibility by the Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, or the Commandant of the Coast Guard;''.

(b) NO EXERCISE BY OFFICERS IN CHAIN OF COMMAND OF ACCUSED OR VICTIM.—Such section (article) is further amended by adding at the end the following new subsection:

''(c) An officer specified in subsection (a)(8) may not convene a court-martial under this section if the officer is in the chain of command of the accused or the victim.''.

(c) OFFICES OF CHIEFS OF STAFF ON COURTS-MARTIAL.—

(1) OFFICES REQUIRED.—Each Chief of Staff of the Armed Forces or Commandant specified in paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as amended by subsection (a), shall establish an office to do the following:

(A) To convene general and special courts-martial under sections 822 and 823 of title 10, United States Code (articles 22 and 23 of the Uniform Code of Military Justice), pursuant to paragraph (8) of section 822(a) of title 10, United States Code (article 22(a) of the Uniform Code of Military Justice), as so amended, with respect to offenses to which section 539A(a) applies.

(B) To detail under section 825 of title 10, United States Code (article 25 of the Uniform Code of Military Justice), members of courts-martial convened as described in subparagraph (A).

(2) PERSONNEL.—The personnel of each office established under paragraph (1) shall consist of such members of the Armed Forces and civilian personnel of the Department of Defense, or such members of the Coast Guard or civilian personnel of the Department of Homeland Security, as may be detailed or assigned to the office by the Chief of Staff or Commandant concerned. The members and personnel so detailed or assigned, as the case may be, shall be detailed or assigned from personnel billets in existence as of the effective date for this part specified in section 539E.

SEC. 539C. DISCHARGE USING OTHERWISE AUTHORIZED PERSONNEL AND RESOURCES.

(a) IN GENERAL.—The Secretaries of the military departments and the Secretary of Homeland Security (with respect to the Coast Guard when it is not operating as a service in the Navy) shall carry out sections 539A and 539B using personnel, funds, and resources otherwise authorized by law.

(b) NO AUTHORIZATION OF ADDITIONAL PERSONNEL OR RESOURCES.—Sections 539A and 539B shall not be construed as authorizations for personnel, personnel billets, or funds for the discharge of the requirements in such sections.

SEC. 539D. MONITORING AND ASSESSMENT OF MODIFICATION OF AUTHORITIES BY DEFENSE ADVISORY COMMITTEE ON INVESTIGATION, PROSECUTION, AND DEFENSE OF SEXUAL ASSAULT IN THE ARMED FORCES.

Section 546(c) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 1561 note) is amended—

(1) in paragraph (1)—

(A) by striking ''on the investigation'' and inserting ''on the following:

''(A) The investigation''; and

(B) by adding at the end the following new subparagraph:

''(B) The implementation and efficacy of sections 539A through 539C of the Military Justice Improvement Act of 2020 and the amendments made by such sections.''; and

(2) in paragraph (2), by striking ''paragraph (1)'' and inserting ''paragraph (1)(A)''.

SEC. 539E. EFFECTIVE DATE AND APPLICABILITY.

(a) EFFECTIVE DATE AND APPLICABILITY.—This part and the amendments made by this part shall take effect 180 days after the date of the enactment of this Act, and shall apply with respect to any allegation of charges of an offense specified in subsection (a) of section 539A, and not excluded under subsection (c) of section 539A, which offense occurs on or after such effective date.

(b) REVISIONS OF POLICIES AND PROCEDURES.—Any revision of policies and procedures required of the military departments or the Department of Homeland Security as a result of this part and the amendments made by this part shall be completed so as to come into effect together with the coming into effect of this part and the amendments made by this part in accordance with subsection (a).

SA 1933. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. NATIONAL BIODEFENSE STRATEGY UPDATES.

(a) UPDATED BIODEFENSE THREAT ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Director of National Intelligence, shall—

(A) conduct an assessment of current and potential biological threats against the United States, both naturally occurring and man-made, either accidental or deliberate, including the potential for catastrophic biological threats on the scale of the COVID-19 pandemic or greater;

(B) not later than 6 months after the date of enactment of this section, submit the findings of the assessment conducted under subparagraph (A) to the Federal officials described in subsection (b)(1);

(C) not later than 30 days of the date on which the assessment is submitted under subparagraph (B), conduct a briefing for the appropriate congressional committees on the findings of the assessment;

(D) update the assessment under subparagraph (A) biennially as appropriate, and provide the findings of such updated assessments to the Federal officials described in subsection (b)(1); and

(E) conduct briefings for the appropriate congressional committees as needed any time an assessment under this paragraph is updated.

(2) CLASSIFICATION AND FORMAT.—Assessments under paragraph (1) shall be submitted in an unclassified format and include a classified annex.

(b) UPDATED IMPLEMENTATION PLAN FOR NATIONAL BIODEFENSE STRATEGY.—

(1) IN GENERAL.—The Secretary of Health and Human Services, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Homeland Security, and all other Departments and agencies with responsibilities for biodefense shall jointly—

(A) consider the assessment in subsection (a);

(B) seek input from relevant external stakeholders;

(C) provide an updated comprehensive Implementation Plan for the National Biodefense Strategy (referred to in this section as the ''Strategy''), under section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104), which shall include—

(i) short-, medium-, and long-term goals and objectives for executing the Strategy;

(ii) metrics for meeting each objective of the Strategy;

(iii) the specific roles and responsibilities of each relevant Federal agency in the execution of the Strategy;

(iv) a resource plan to staff, support, and sustain efforts to execute the Strategy;

(v) guidance on the decision-making process for individual agency budgets and for identifying and enforcing enterprise-wide decisions and priorities under the Strategy;

(vi) guidance and methods for analyzing the data collected from relevant agencies, including ensuring that non-Federal resources and capabilities are accounted for in analysis under the Strategy; and

(vii) guidance for identifying biodefense spending allotments within individual agency budget submissions to the Office of Management and Budget, aligned with the objectives in the Strategy; and

(D) not later than 1 year after the date of enactment of this section, submit such Implementation Plan to the appropriate congressional committees.

(2) CLASSIFICATION AND FORMAT.—Assessments under paragraph (1) shall be submitted in an unclassified format and include a classified annex.

(c) PORTAL FOR REPORTING BIODEFENSE READINESS INFORMATION.—

(1) IN GENERAL.—The Secretary of Health and Human Services shall—

(A) establish a public-facing website that publishes, and updates on a monthly basis—

(i) each objective in the Strategy;

(ii) the specific Federal agencies responsible for meeting each objective;

(iii) the metrics for each objective; and

(iv) the previous efforts and current status of efforts to meet each objective, using, at a minimum, the metric described in clause (iii), and including whether or not the objective has been achieved; and

(B) annually submit to the appropriate congressional committees a report detailing the implementation status of the Strategy.

(2) PUBLICATION OF PROGRESS.—Each agency with responsibilities within the Strategy shall routinely submit their progress on meeting each objective described in paragraph (1) to the Secretary of Health and Human Services to be published on the website.

(d) DEFINITION.—In this section, the term ''appropriate congressional committees'' means those committees described in section

1086(f) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104(f)).

SA 1934. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. LIST OF CRITICAL DRUGS FOR DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a list of critical drugs for the Department of Defense compiled by the Director of the Defense Logistics Agency, in coordination with the Director of the Defense Health Agency.

(b) DRUG DEFINED.—In this section, the term ''drug'' has the meaning given that term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

SA 1935. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. STUDY ON HEALTH READINESS CONTRACTS OF DEPARTMENT OF DEFENSE TO ASSESS RELIANCE ON FOREIGN SOURCES OF ACTIVE PHARMACEUTICAL INGREDIENTS, DRUGS, AND MEDICAL DEVICES.

(a) STUDY ON HEALTH READINESS CONTRACTS.—Not later than 18 months after the date of the enactment of this Act, the Director of the Defense Logistics Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives the results of a study on contracts entered into by the Director relating to health readiness of the Armed Forces to assess—

(1) the reliance by the Department of Defense on foreign sources of active pharmaceutical ingredients, drugs, and medical devices; and

(2) the redundancy planning of the Department to mitigate shortages of drugs and medical devices.

(b) DEFINITIONS.— In this section:

(1) DRUG.—The term ''drug'' has the meaning given that term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(2) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in such section 201.

SA 1936. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 590 and insert the following:

SEC. 590. PILOT PROGRAMS ON REMOTE PROVISION BY NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARDS OF OTHER STATES OF CYBERSECURITY TECHNICAL ASSISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS.

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may each, in coordination with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of a capability within the National Guard through which a National Guard of a State remotely provides State governments and National Guards of other States (whether or not in the same Armed Force as the providing National Guard) with cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an ''administering Secretary'' for purposes of this section, and any reference in this section to ''the pilot program'' shall be treated as a reference to the pilot program conducted by such Secretary.

(b) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—

(A) existing cyber response capacities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (a); and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

(c) ELEMENTS.—A pilot program under subsection (a) shall include the following:

(1) A technical capability that enables the National Guard of a State to remotely provide cybersecurity technical assistance to State governments and National Guards of other States, without the need to deploy outside its home State.

(2) Policies, processes, procedures, and authorities for use of such a capability, including with respect to the following:

(A) The roles and responsibilities of both requesting and deploying State governments and National Guards with respect to such technical assistance, taking into account the matters specified in subsection (f).

(B) Necessary updates to the Defense Cyber Incident Coordinating Procedure, or any other applicable Department of Defense instruction, for purposes of implementing the capability.

(C) Program management and governance structures for deployment and maintenance of the capability.

(D) Security when performing remote support, including such in matters such as authentication and remote sensing.

(3) The conduct, in coordination with the Chief of the National Guard Bureau and the Secretary of Homeland Security and in consultation with the Director of the Federal Bureau of Investigation, other Federal agencies, and appropriate non-Federal entities, of at least one exercise to demonstrate the capability, which exercise shall include the following:

(A) Participation of not fewer than two State governments and their National Guards.

(B) Circumstances designed to test and validate the policies, processes, procedures, and authorities developed pursuant to paragraph (2).

(C) An after action review of the exercise.

(d) USE OF EXISTING TECHNOLOGY.—An administering Secretary may use an existing platform, technology, or capability to provide the capability described in subsection (a) under the pilot program.

(e) ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(f) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITIES.—

(1) COMMAND AUTHORITIES.—Nothing in a pilot program under subsection (a) may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(2) EMERGENCY MANAGEMENT ASSISTANCE COMPACT.—Nothing in a pilot program may be construed as affecting or altering any current agreement under the Emergency Management Assistance Compact, or any other State agreements, or as determinative of the future content of any such agreement.

(g) EVALUATION METRICS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau and the Secretary of Homeland Security, establish metrics to evaluate the effectiveness of the pilot program.

(h) TERM.—A pilot program under subsection (a) shall terminate on the date that is three years after the date of the commencement of the pilot program.

(i) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the commencement of the pilot program, the administering Secretary, in coordination with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report setting forth a description of the pilot program and such other matters in connection with the pilot program as the Secretary considers appropriate.

(2) FINAL REPORT.—Not later than 180 days after the termination of the pilot program, the administering Secretary, in coordination with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the pilot program. The report shall include the following:

(A) A description of the pilot program, including any partnerships entered into by the Chief of the National Guard Bureau under the pilot program.

(B) A summary of the assessment performed prior to the commencement of the pilot program in accordance with subsection (b).

(C) A summary of the evaluation metrics established in accordance with subsection (g).

(D) An assessment of the effectiveness of the pilot program, and of the capability described in subsection (a) under the pilot program.

(E) A description of costs associated with the implementation and conduct of the pilot program.

(F) A recommendation as to the termination or extension of the pilot program, or

the making of the pilot program permanent with an expansion nationwide.

(G) An estimate of the costs of making the pilot program permanent and expanding it nationwide in accordance with the recommendation in subparagraph (F).

(H) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

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

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

(j) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SA 1937. Mr. PETERS (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. AMENDMENTS TO THE PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE.

(a) APPROPRIATIONS.—Title V of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended, in the matter under the heading ''PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE'' under the heading ''INDEPENDENT AGENCIES'', by striking ''funds provided in this Act'' and inserting ''covered funds and the Coronavirus response (as those terms are defined in paragraphs (6) and (7), respectively, of section 15010(a) of this Act), including efforts''.

(b) APPOINTMENT OF CHAIRPERSON.—Section 15010(c) of division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended—

(1) in paragraph (1), by striking ''and (D)'' and inserting ''(D), and (E)''; and

(2) in paragraph (2)(E), by inserting ''of the Council'' after ''Chairperson''.

(c) DEFINITION OF COVERED FUNDS.—Section 15010(a)(6) of division B of the Coronavirus, Aid, Relief, and Economic Security Act (Public Law 116–136) is amended—

(1) in subparagraph (A), by striking ''this Act'' and inserting ''notwithstanding section 3, division A or B of this Act''; and

(2) in subparagraph (D), by striking ''primarily making appropriations'' and inserting ''making appropriations or authorizing Federal spending''.

(d) RETROACTIVE REPORTING ON LARGE COVERED FUNDS.—

(1) DEFINITIONS.—In this subsection, the terms ''agency'' and ''large covered funds'' have the meanings given those terms in section 15011 of division B of the Coronavirus, Aid, Relief, and Economic Security Act (Public Law 116–136).

(2) GUIDANCE.—

(A) IN GENERAL.—Not later than 14 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue guidance for agencies to ensure the collection and timely reporting for the obligation and expenditure of large covered funds under division A of the CARES Act (Public Law 116–136) on and after the date of enactment of that Act.

(B) REQUIREMENT.—The guidance issued under subparagraph (A) shall require that, not later than 120 days after the date of enactment of this Act, agencies shall make all reports required under section 15011 of division B of the CARES Act (Public Law 116–136) relating to large covered funds under division A of such Act that have been expended or obligated during the period beginning on the date of enactment of the CARES Act (Public Law 116–136) and ending on the day before the date of enactment of this Act.

(C) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to affect the deadlines for reporting under section 15011 of division B of the CARES Act (Public Law 116–136) relating to large covered funds that have been expended or obligated under division A or B of such Act on or after the date of enactment of this Act.

SA 1938. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. OFFICE OF GOVERNMENT ETHICS INFORMATION.

Section 406 of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended to read as follows:

''SEC. 406. TRANSMITTAL OF INFORMATION TO CONGRESS.

''(a) IN GENERAL.—Notwithstanding any other provision of law, including any regulation, upon the request of any committee or subcommittee of Congress, the Director shall transmit to Congress information and views on the functions of, responsibilities of, or other matters relating to the Office of Government Ethics.

''(b) FORMAT.—The Director may transmit information and views under subsection (a) by report, testimony, or otherwise.

''(c) WITHOUT REVIEW.—The Director shall transmit information and views to Congress under subsection (a) without review, clearance, or approval by any administrative authority.''.

SA 1939. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. GUIDANCE ON HOW TO PREVENT EXPOSURE TO AND RELEASE OF PFAS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Emergency Management Agency, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, the Director of the National Institute for Occupational Safety and Health, and the heads of any other relevant agencies, shall—

(1) develop and publish guidance for firefighters and other emergency response personnel on training, education programs, and best practices to—

(A) reduce the exposure to per- and polyfluoroalkyl substances (commonly referred to as ''PFAS'') from firefighting foam and personal protective equipment; and

(B) limit or prevent the release of PFAS from firefighting foam into the environment;

(2) develop and issue guidance to firefighters and other emergency response personnel on alternative foams, personal protective equipment, and other firefighting tools and equipment that do not contain PFAS; and

(3) create an online public repository, which shall be updated on a regular basis, on tools and best practices for firefighters and other emergency response personnel to reduce, limit, and prevent the release of and exposure to PFAS.

(b) REQUIRED CONSULTATION.—In developing the guidance required under subsection (a), the Administrator of the Federal Emergency Management Agency shall consult with appropriate interested entities, including—

(1) firefighters and other emergency response personnel, including national fire service and emergency response organizations;

(2) impacted communities dealing with PFAS contamination;

(3) scientists, including public and occupational health and safety experts, who are studying PFAS and PFAS alternatives in firefighting foam;

(4) voluntary standards organizations engaged in developing standards for firefighter and firefighting equipment;

(5) State fire training academies;

(6) State fire marshals;

(7) manufacturers of firefighting tools and equipment; and

(8) any other relevant entities, as determined by the Administrator of the Federal Emergency Management Agency and the Administrator of the United States Fire Administration.

(c) REVIEW OF GUIDANCE.—Not later than 3 years after the date on which the guidance required under subsection (a) is issued, and not less frequently than once every 2 years thereafter, the Administrator of the Federal Emergency Management Agency, in consultation with the Administrator of the United States Fire Administration, the Administrator of the Environmental Protection Agency, and the Director of the National Institute for Occupational Safety and Health, shall review the guidance and, as appropriate, issue updates to the guidance.

(d) APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to this section.

SA 1940. Ms. ROSEN (for herself and Ms. ERNST) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. SMALL BUSINESS LOANS FOR NONPROFIT CHILD CARE PROVIDERS.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

''(10) NONPROFIT CHILD CARE PROVIDERS.—

''(A) DEFINITION.—In this paragraph, the term 'covered nonprofit child care provider' means an organization—

''(i) that—

''(I) is in compliance with licensing requirements for child care providers of the State in which the organization is located;

''(II) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

''(III) is primarily engaged in providing child care for children from birth to compulsory school age;

''(ii) for which each employee and regular volunteer complies with the criminal background check requirements under section 658H(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f(b)); and

''(iii) that may—

''(I) provide care for school-age children outside of school hours or outside of the school year; or

''(II) offer preschool or prekindergarten educational programs.

''(B) ELIGIBILITY FOR LOAN PROGRAMS.—Notwithstanding any other provision of this subsection, a covered nonprofit child care provider shall be deemed to be a small business concern for purposes of any program under this Act or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) under which—

''(i) the Administrator may make loans to small business concerns;

''(ii) the Administrator may guarantee timely payment of loans to small business concerns; or

''(iii) the recipient of a loan made or guaranteed by the Administrator may make loans to small business concerns.''.

SA 1941. Ms. KLOBUCHAR (for herself, Mr. ROUNDS, Ms. DUCKWORTH, Mr. SULLIVAN, Mr. COONS, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. MENENDEZ, Mrs. BLACKBURN, Ms. WARREN, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7___. EXPOSURE TO OPEN BURN PITS AND TOXIC AIRBORNE CHEMICALS OR OTHER AIRBORNE CONTAMINANTS AS PART OF HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES AND VETERANS DURING A PANDEMIC AND INCLUSION OF INFORMATION IN REGISTRY.

(a) HEALTH ASSESSMENT.—The Secretary of Defense and Secretary of Veterans Affairs shall ensure that the first health assessment conducted for a member of the Armed Forces or veteran after the individual tested positive for a virus certified by the Federal government as a pandemic includes an evaluation of whether the individual has been—

(1) based or stationed at a location where an open burn pit was used; or

(2) exposed to toxic airborne chemicals or other airborne contaminants relating to service in the Armed Forces, including an evaluation of any information recorded as part of the Airborne Hazards and Open Burn Pit Registry.

(b) INCLUSION OF INDIVIDUALS IN REGISTRY.—If an evaluation conducted under subsection (a) with respect to an individual establishes that the individual was based or stationed at a location where an open burn pit was used, or that the individual was exposed to toxic airborne chemicals or other airborne contaminants, the individual shall be enrolled in the Airborne Hazards and Open Burn Pit Registry unless the member elects to not enroll in such registry.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to preclude eligibility of a veteran for benefits under the laws administered by the Secretary of Veterans Affairs by reason of the history of exposure of the veteran to an open burn pit not being recorded in an evaluation conducted under subsection (a).

(d) DEFINITIONS.—In this section:

(1) AIRBORNE HAZARDS AND OPEN BURN PIT REGISTRY.—The term ''Airborne Hazards and Open Burn Pit Registry'' means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SEC. 7___. STUDY ON IMPACT OF VIRAL PANDEMICS ON MEMBERS OF ARMED FORCES AND VETERANS WHO HAVE EXPERIENCED TOXIC EXPOSURE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall conduct a study, through the Airborne Hazards and Burn Pits Center of Excellence (in this section referred to as the ''Center''), on the health impacts of infection with a virus designated as a global pandemic, including a coronavirus, to members of the Armed Forces and veterans who have been exposed to open burn pits and other toxic exposures for the purposes of understanding the health impacts of the virus and whether individuals infected with the virus are at increased risk of severe symptoms due to previous conditions linked to toxic exposure.

(b) PREPARATION FOR FUTURE PANDEMIC.—The Secretary, through the Center, shall analyze potential lessons learned through the study conducted under subsection (a) to assist in preparing the Department of Veterans Affairs for potential future pandemics.

(c) DEFINITIONS.—In this section:

(1) CORONAVIRUS.—The term ''coronavirus'' has the meaning given that term in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–123).

(2) OPEN BURN PIT.—The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

SA 1942. Ms. KLOBUCHAR (for herself, Mr. TILLIS, Ms. SINEMA, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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___. IMPROVEMENT OF HEALTH CARE SERVICES PROVIDED TO NEWBORN CHILDREN BY DEPARTMENT OF VETERANS AFFAIRS.

Section 1786 of title 38, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''seven days'' and inserting ''14 days''; and

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

''(c) ANNUAL REPORT.—Not later than 31 days after the end of each fiscal year, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the health care services provided under subsection (a) during such fiscal year, including the number of newborn children who received such services during such fiscal year.''.

SA 1943. Ms. KLOBUCHAR (for herself, Mr. TILLIS, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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___. AUTHORIZATION OF APPROPRIATIONS FOR AIRBORNE HAZARDS AND BURN PITS CENTER OF EXCELLENCE OF DEPARTMENT OF VETERANS AFFAIRS.

There is authorized to be appropriated to the Secretary of Veterans Affairs to carry out the Airborne Hazards and Burn Pits Center of Excellence of the Department of Veterans Affairs $5,000,000 for each of fiscal years 2021 through 2025.

SA 1944. Ms. KLOBUCHAR (for herself and Mr. TILLIS) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. DECREASE IN REQUIRED DISTANCE AWAY FROM HOME FOR ABOVE-THE-LINE DEDUCTION FOR TRAVEL EXPENSES OF MEMBERS OF A RESERVE COMPONENT OF THE ARMED FORCES.

(a) IN GENERAL.—Section 62(a)(2)(E) of the Internal Revenue Code of 1986 is amended by striking ''100 miles'' and inserting ''50 miles''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2019.

SA 1945. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department

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

At the appropriate place, insert the following:

DIVISION __—SAFE ACT PROVISIONS

SEC. 100. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Securing America's Federal Elections Act'' or the ''SAFE Act''.

(b) TABLE OF CONTENTS.—The table of contents of this division is as follows:

TITLE I—FINANCIAL SUPPORT FOR ELECTION INFRASTRUCTURE

Subtitle A—Voting System Security Improvement Grants

PART 1—PROMOTING ACCURACY, INTEGRITY, AND SECURITY THROUGH VOTER-VERIFIABLE PERMANENT PAPER BALLOT

SEC. 101. SHORT TITLE.

This subtitle may be cited as the ''Voter Confidence and Increased Accessibility Act of 2020''.

SEC. 102. PAPER BALLOT AND MANUAL COUNTING REQUIREMENTS.

(a) IN GENERAL.—Section 301(a)(2) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(2)) is amended to read as follows:

''(2) PAPER BALLOT REQUIREMENT.—

''(A) VOTER-VERIFIABLE PAPER BALLOTS.—

''(i) PAPER BALLOT REQUIREMENT.—

''(I) IN GENERAL.—The voting system shall require the use of an individual, durable, voter-verifiable paper ballot of the voter's vote selections that shall be marked and made available for inspection and verification by the voter before the voter's ballot is cast and counted. For purposes of this subclause, the term 'individual, durable, voter-verifiable paper ballot' means a paper ballot marked by the voter by hand or a paper ballot marked through the use of a nontabulating ballot marking device, so long as the voter shall have the option to mark his or her ballot by hand.

''(II) REQUIREMENTS FOR BALLOT MARKING DEVICES.—Except as required to meet the accessibility requirements under paragraph (3), in the case of a ballot marking device—

''(aa) the printed or marked paper ballot shall be presented to the voter for physical inspection and verification before the ballot is counted and preserved in accordance with clause (ii);

''(bb) the paper ballot shall be printed or marked in such a way that vote selections, including all vote selections scanned by ballot tabulation devices, can be inspected and verified by the voter without training or instruction or audited by election officials without the aid of any machine or other equipment; and

''(cc) the ballot marking device shall be designed and built in a manner in which it is mechanically impossible for the device to add or change the vote selections on a printed or marked ballot at any time after the ballot has been presented to the voter for inspection and verification under item (aa).

''(III) CONFIDENTIALITY.—The voting system shall not preserve or mark the individual, durable, voter-verifiable paper ballots in any manner that makes it possible, at any time after the ballot has been cast, to associate a voter with the record of the voter's vote selections without the voter's consent.

''(ii) PRESERVATION AS OFFICIAL RECORD.—The individual, durable, voter-verifiable paper ballot used in accordance with clause (i) shall constitute the official ballot and shall be preserved and used as the official ballot for purposes of any recount or audit conducted with respect to any election for Federal office in which the voting system is used.

''(iii) MANUAL COUNTING REQUIREMENTS FOR RECOUNTS.—

''(I) Each paper ballot used pursuant to clause (i) shall be counted by hand in any recount conducted with respect to any election for Federal office.

''(II) In the event of any inconsistencies or irregularities between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verifiable paper ballots used pursuant to clause (i), and subject to subparagraph (B), the individual, durable, voter-verifiable paper ballots shall be the true and correct record of the votes cast.

''(iv) APPLICATION TO ALL BALLOTS.—The requirements of this subparagraph shall apply to all ballots cast in elections for Federal office, including ballots cast by absent uniformed services voters and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act and other absentee voters.

''(B) SPECIAL RULE FOR TREATMENT OF DISPUTES WHEN PAPER BALLOTS HAVE BEEN SHOWN TO BE COMPROMISED.—

''(i) IN GENERAL.—In the event that—

''(I) there is any inconsistency between any electronic vote tallies and the vote tallies determined by counting by hand the individual, durable, voter-verifiable paper ballots used pursuant to subparagraph (A)(i) with respect to any election for Federal office; and

''(II) it is demonstrated by clear and convincing evidence (as determined in accordance with the applicable standards in the jurisdiction involved) in any recount, audit, or contest of the result of the election that the paper ballots have been compromised (by damage or mischief or otherwise) and that a sufficient number of the ballots have been so compromised that the result of the election could be changed,

the determination of the appropriate remedy with respect to the election shall be made in accordance with applicable State and Federal law, except that the electronic tally shall not be used as the exclusive basis for determining the official certified result.

''(ii) RULE FOR CONSIDERATION OF BALLOTS ASSOCIATED WITH EACH VOTING MACHINE.—For purposes of clause (i), only the paper ballots deemed compromised, if any, shall be considered in the calculation of whether or not the result of the election could be changed due to the compromised paper ballots.''.

(b) CONFORMING AMENDMENT CLARIFYING APPLICABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4)) is amended by inserting ''(including the paper ballots required to be used under paragraph (2))'' after ''voting system''.

(c) OTHER CONFORMING AMENDMENTS.—Section 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amended—

(1) in subparagraph (A)(i), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(2) in subparagraph (A)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)'';

(3) in subparagraph (A)(iii), by striking ''counted'' each place it appears and inserting ''counted, in accordance with paragraphs (2) and (3)''; and

(4) in subparagraph (B)(ii), by striking ''counted'' and inserting ''counted, in accordance with paragraphs (2) and (3)''.

SEC. 103. ACCESSIBILITY AND BALLOT VERIFICATION FOR INDIVIDUALS WITH DISABILITIES.

(a) IN GENERAL.—Section 301(a)(3)(B) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)(3)(B)) is amended to read as follows:

''(B)(i) ensure that individuals with disabilities and others are given an equivalent opportunity to vote, including with privacy and independence, in a manner that produces a voter-verifiable paper ballot as for other voters;

''(ii) satisfy the requirement of subparagraph (A) through the use of as many ballot

marking devices at each polling place as necessary (but not less than 1) to reasonably accommodate the number of voters with accessibility needs expected to vote at the polling place) that—

''(I) is equipped for individuals with disabilities, including nonvisual and enhanced visual accessibility for the blind and visually impaired and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired;

''(II) in the case of any election for Federal office occurring after the date that is 6 years after the date of the enactment of the Securing America's Federal Elections Act—

''(aa) marks ballots that are identical in size, ink, and paper stock to those ballots that would either be marked by hand or be marked by a ballot marking device made generally available to voters; and

''(bb) combines ballots produced by any ballot marking devices reserved for individuals with disabilities with ballots that have either been marked by voters by hand or marked by ballot marking devices made generally available to voters, in a way that prevents identification of the ballots that were cast using any ballot marking device that was reserved for individuals with disabilities; and

''(III) is made available for use by any voter who requests to use it; and

''(iii) in the case of any election for Federal office occurring after the date that is 6 years after the date of the enactment of the Securing America's Federal Elections Act, meet the requirements of subparagraph (A) and paragraph (2)(A) by using a system that—

''(I) allows the voter to privately and independently verify the accuracy of the permanent paper ballot through the presentation, in accessible form, of the printed or marked vote selections from the same printed or marked information that would be used for any vote tabulation or auditing; and

''(II) allows the voter to privately and independently verify and cast the permanent paper ballot without requiring the voter to manually handle the paper ballot; and''.

(b) CLARIFICATION WITH RESPECT TO APPLICATION OF REQUIREMENT TO BALLOTS MARKED AT HOME.—Section 301(a)(3) of such Act (52 U.S.C. 21081(a)(3)) is amended by adding at the end the following new flush sentence:

''Nothing in subparagraph (B) shall be construed to prohibit the use of an accessible ballot that may be printed or marked by the voter at home.''.

(c) REQUIREMENT FOR POLL WORKERS TO INFORM VOTES OF ACCESSIBLE VOTING SYSTEMS.—

(1) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 301 the following new section:

''SEC. 301A. INFORMATION ON ACCESSIBLE VOTING SYSTEMS.

''(a) IN GENERAL.—Every individual who votes in person in an election for Federal office shall be informed by the individual administering such election of—

''(1) the availability of accessible voting systems under section 301(a)(3)(B); and

''(2) the right of the individual to use such voting systems upon request.

''(b) EFFECTIVE DATE.—The requirements of this section shall apply to elections for Federal office held in 2021 or any succeeding year.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 301 the following new item:

''Sec. 301A. Information on accessible voting systems.''.

(3) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''sections 301, 302, and 303'' and inserting ''subtitle A of title III''.

(d) SPECIFIC REQUIREMENT OF STUDY, TESTING, AND DEVELOPMENT OF ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.—

(1) STUDY AND REPORTING.—Subtitle C of title II of such Act (52 U.S.C. 21081 et seq.) is amended—

(A) by redesignating section 247 as section 248; and

(B) by inserting after section 246 the following new section:

''SEC. 247. STUDY AND REPORT ON ACCESSIBLE PAPER BALLOT VERIFICATION MECHANISMS.

''(a) STUDY AND REPORT.—The Director of the National Science Foundation shall make grants to not fewer than three eligible entities to study, test, and develop accessible paper ballot voting, verification, and casting mechanisms and devices and best practices to enhance the accessibility of paper ballot voting and verification mechanisms for individuals with disabilities, for voters whose primary language is not English, and for voters with difficulties in literacy, including best practices for the mechanisms themselves and the processes through which the mechanisms are used.

''(b) ELIGIBILITY.—An entity is eligible to receive a grant under this part if it submits to the Director (at such time and in such form as the Director may require) an application containing—

''(1) certifications that the entity shall specifically investigate enhanced methods or devices, including non-electronic devices, that will assist such individuals and voters in marking voter-verifiable paper ballots and presenting or transmitting the information printed or marked on such ballots back to such individuals and voters, and casting such ballots;

''(2) a certification that the entity shall complete the activities carried out with the grant not later than December 31, 2021; and

''(3) such other information and certifications as the Director may require.

''(c) AVAILABILITY OF TECHNOLOGY.—Any technology developed with the grants made under this section shall be treated as nonproprietary and shall be made available to the public, including to manufacturers of voting systems.

''(d) COORDINATION WITH GRANTS FOR TECHNOLOGY IMPROVEMENTS.—The Director shall carry out this section so that the activities carried out with the grants made under subsection (a) are coordinated with the research conducted under the grant program carried out by the Commission under section 271, to the extent that the Director and Commission determine necessary to provide for the advancement of accessible voting technology.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a) $5,000,000, to remain available until expended.''.

(2) CLERICAL AMENDMENT.—The table of contents of such Act is amended—

(A) by redesignating the item relating to section 247 as relating to section 248; and

(B) by inserting after the item relating to section 246 the following new item:

''Sec. 247. Study and report on accessible paper ballot verification mechanisms.''.

(e) CLARIFICATION OF ACCESSIBILITY STANDARDS UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In adopting any voluntary guidance under subtitle B of title III of the Help America Vote Act with respect to the accessibility of the paper ballot verification requirements for individuals with disabilities, the Election Assistance Commission shall include and apply the same accessibility standards applicable under the voluntary guidance adopted for accessible voting systems under such subtitle.

(f) PERMITTING USE OF FUNDS FOR PROTECTION AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO ENFORCE ELECTION-RELATED DISABILITY ACCESS.—Section 292(a) of the Help America Vote Act of 2002 (52 U.S.C. 21062(a)) is amended by striking ''; except that'' and all that follows and inserting a period.

SEC. 104. DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)) is amended by adding at the end the following new paragraph:

''(7) DURABILITY AND READABILITY REQUIREMENTS FOR BALLOTS.—

''(A) DURABILITY REQUIREMENTS FOR PAPER BALLOTS.—

''(i) IN GENERAL.—All voter-verifiable paper ballots required to be used under this Act shall be marked or printed on durable paper.

''(ii) DEFINITION.—For purposes of this Act, paper is 'durable' if it is capable of withstanding multiple counts and recounts by hand without compromising the fundamental integrity of the ballots, and capable of retaining the information marked or printed on them for the full duration of a retention and preservation period of 22 months.

''(B) READABILITY REQUIREMENTS FOR PAPER BALLOTS MARKED BY BALLOT MARKING DEVICE.—All voter-verifiable paper ballots completed by the voter through the use of a ballot marking device shall be clearly readable by the voter without assistance (other than eyeglasses or other personal vision enhancing devices) and by a ballot tabulation device or other device equipped for individuals with disabilities.''.

SEC. 105. PAPER BALLOT PRINTING REQUIREMENTS.

(a) REQUIRING PAPER BALLOTS TO BE PRINTED ON RECYCLED PAPER MANUFACTURED IN UNITED STATES.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 104, is amended by adding at the end the following new paragraph:

''(8) PRINTING REQUIREMENTS FOR BALLOTS.—

''(A) IN GENERAL.—All paper ballots used in an election for Federal office shall be printed in the United States on recycled paper manufactured in the United States.

''(B) EXCEPTION.—If a State or jurisdiction that certifies to the Commission that some or all of the ballot marking devices or ballot tabulation devices used in the State or jurisdiction in Federal elections cannot process or retain ballots printed on recycled paper, subparagraph (A) shall be applied to such State or jurisdiction without regard to whether the ballot is printed on recycled paper for any election for Federal office during the period beginning on the date that is 60 days after such certification is made and ending on the first date on which the State or jurisdiction replaces such ballot marking devices or ballot tabulation devices.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections occurring on or after January 1, 2022.

SEC. 106. UPDATED STUDY AND REPORT ON OPTIMAL BALLOT DESIGN.

(a) STUDY.—The Election Assistance Commission shall update any studies conducted on ballot designs under section 241 of the Help America Vote Act of 2002 (52 U.S.C. 20981). The updated study shall include—

(1) designs for paper ballots and electronic or digital ballots, including designs for user interfaces the primary purpose of which is to assist in the casting of electronic or digital ballots; and

(2) designs to minimize confusion and user errors.

(b) REPORT.—Not later than January 1, 2021, the Commission shall submit the report required to be submitted under section 241(c) of the Help America Vote Act of 2002 (52 U.S.C. 20981(c)) on the study conducted under subsection (a).

SEC. 107. EFFECTIVE DATE FOR NEW REQUIREMENTS.

Section 301(d) of the Help America Vote Act of 2002 (52 U.S.C. 21081(d)) is amended to read as follows:

''(d) EFFECTIVE DATE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.

''(2) SPECIAL RULE FOR CERTAIN REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in section 105(b) of the Securing America's Federal Elections Act, clauses (ii)(II) and (iii) of subsection (a)(3)(B), and subparagraphs (B) and (C), the requirements of this section which are first imposed on a State and jurisdiction pursuant to the amendments made by such Act shall apply with respect to voting systems used for any election for Federal office held in 2021 or any succeeding year.

''(B) DELAY FOR JURISDICTIONS USING CERTAIN PAPER RECORD PRINTERS OR CERTAIN SYSTEMS USING OR PRODUCING VOTER-VERIFIABLE PAPER RECORDS IN 2018.—

''(i) DELAY.—In the case of a jurisdiction described in clause (ii), subparagraph (A) shall apply to a voting system in the jurisdiction as if the reference in such subparagraph to '2021' were a reference to '2022', but only with respect to the following requirements of this section:

''(I) Paragraph (2)(A)(i)(I) or (II) of subsection (a) (relating to the use of voter-verifiable paper ballots).

''(II) Paragraph (7) of subsection (a) (relating to durability and readability requirements for ballots).

''(ii) JURISDICTIONS DESCRIBED.—A jurisdiction described in this clause is a jurisdiction—

''(I) which used voter-verifiable paper record printers attached to direct recording electronic voting machines, or which used other voting systems that used or produced paper records of the vote selections verifiable by voters but that are not in compliance with paragraphs (2)(A)(i)(I), (2)(A)(i)(II), and (7) of subsection (a) (as amended or added by the Securing America's Federal Elections Act), for the administration of the regularly scheduled general election for Federal office held in November 2018; and

''(II) which will continue to use such printers or systems for the administration of elections for Federal office held in years before 2022.

''(iii) MANDATORY AVAILABILITY OF PAPER BALLOTS AT POLLING PLACES USING GRANDFATHERED PRINTERS AND SYSTEMS.—

''(I) REQUIRING BALLOTS TO BE OFFERED AND PROVIDED.—The appropriate election official at each polling place that uses a printer or system described in clause (ii)(I) for the administration of elections for Federal office shall offer each individual who is eligible to cast a vote in the election at the polling place the opportunity to cast the vote using a blank paper ballot which the individual may mark by hand. The official shall provide the individual with the ballot and the supplies necessary to mark the ballot, and shall ensure (to the greatest extent practicable) that the waiting period for the individual to cast a vote is the lesser of 30 minutes or the average waiting period for an individual who does not agree to cast the vote using such a paper ballot under this clause.

''(II) TREATMENT OF BALLOT.—Any paper ballot which is cast by an individual under this clause shall be counted and otherwise treated as a regular ballot for all purposes (including by incorporating it into the final unofficial vote count (as defined by the State) for the precinct) and not as a provisional ballot, unless the individual casting the ballot would have otherwise been required to cast a provisional ballot.

''(III) POSTING OF NOTICE.—The appropriate election official shall ensure there is prominently displayed at each polling place a notice that describes the obligation of the official to offer individuals the opportunity to cast votes using a blank paper ballot.

''(IV) TRAINING OF ELECTION OFFICIALS.—The chief State election official shall ensure that election officials at polling places in the State are aware of the requirements of this clause, including the requirement to display a notice under subclause (III), and are aware that it is a violation of the requirements of this title for an election official to fail to offer an individual the opportunity to cast a vote using a blank paper ballot.

''(V) PERIOD OF APPLICABILITY.—The requirements of this clause apply only during the period in which the delay is in effect under clause (i).''.

PART 2—GRANTS TO CARRY OUT IMPROVEMENTS

SEC. 111. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

(a) AVAILABILITY OF GRANTS.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.) is amended by adding at the end the following new part:

''PART 7—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''SEC. 297. GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS.

''(a) AVAILABILITY AND USE OF GRANT.—The Commission shall make a grant to each eligible State—

''(1) to replace a voting system—

''(A) which does not meet the requirements which are first imposed on the State pursuant to the amendments made by the Securing America's Federal Elections Act with a voting system which does meet such requirements, for use in elections for Federal office held in 2021; or

''(B) which does meet such requirements but which is not in compliance with the most recent voluntary voting system guidelines issued by the Commission prior to elections for Federal office held in 2021 with another system which does meet such requirements and is in compliance with such guidelines; and

''(2) to carry out voting system security improvements described in section 297A with respect to elections for Federal office held in 2021 and each succeeding year.

''(b) AMOUNT OF GRANT.—The amount of a grant made to a State under this section shall be such amount as the Commission determines to be appropriate, except that such amount may not be less than the product of $1 and the average of the number of individuals who cast votes in any of the two most recent regularly scheduled general elections for Federal office held in the State.

''(c) PRO RATA REDUCTIONS.—If the amount of funds appropriated for grants under this part is insufficient to ensure that each State receives the amount of the grant calculated under subsection (b), the Commission shall make such pro rata reductions in such amounts as may be necessary to ensure that the entire amount appropriated under this part is distributed to the States.

''(d) SURPLUS APPROPRIATIONS.—If the amount of funds appropriated for grants authorized under section 297D(a)(2) exceed the amount necessary to meet the requirements of subsection (b), the Commission shall consider the following in making a determination to award remaining funds to a State:

''(1) The record of the State in carrying out the following with respect to the administration of elections for Federal office:

''(A) Providing voting machines that are less than 10 years old.

''(B) Implementing strong chain of custody procedures for the physical security of voting equipment and paper records at all stages of the process.

''(C) Conducting pre-election testing on every voting machine and ensuring that paper ballots are available wherever electronic machines are used.

''(D) Maintaining offline backups of voter registration lists.

''(E) Providing a secure voter registration database that logs requests submitted to the database.

''(F) Publishing and enforcing a policy detailing use limitations and security safeguards to protect the personal information of voters in the voter registration process.

''(G) Providing secure processes and procedures for reporting vote tallies.

''(H) Providing a secure platform for disseminating vote totals.

''(2) Evidence of established conditions of innovation and reform in providing voting system security and the proposed plan of the State for implementing additional conditions.

''(3) Evidence of collaboration between relevant stakeholders, including local election officials, in developing the grant implementation plan described in section 297B.

''(4) The plan of the State to conduct a rigorous evaluation of the effectiveness of the activities carried out with the grant.

''(e) ABILITY OF REPLACEMENT SYSTEMS TO ADMINISTER RANKED CHOICE ELECTIONS.—To the greatest extent practicable, an eligible State which receives a grant to replace a voting system under this section shall ensure that the replacement system is capable of administering a system of ranked choice voting under which each voter shall rank the candidates for the office in the order of the voter's preference.

''SEC. 297A. VOTING SYSTEM SECURITY IMPROVEMENTS DESCRIBED.

''(a) PERMITTED USES.—A voting system security improvement described in this section is any of the following:

''(1) The acquisition of goods and services from qualified election infrastructure vendors by purchase, lease, or such other arrangements as may be appropriate.

''(2) Cyber and risk mitigation training.

''(3) A security risk and vulnerability assessment of the State's election infrastructure which is carried out by a provider of cybersecurity services under a contract entered into between the chief State election official and the provider.

''(4) The maintenance of election infrastructure, including addressing risks and vulnerabilities which are identified under either of the security risk and vulnerability assessments described in paragraph (3), except that none of the funds provided under this part may be used to renovate or replace a building or facility which is used primarily for purposes other than the administration of elections for public office.

''(5) Providing increased technical support for any information technology infrastructure that the chief State election official

deems to be part of the State's election infrastructure or designates as critical to the operation of the State's election infrastructure.

''(6) Enhancing the cybersecurity and operations of the information technology infrastructure described in paragraph (4).

''(7) Enhancing the cybersecurity of voter registration systems.

''(b) QUALIFIED ELECTION INFRASTRUCTURE VENDORS DESCRIBED.—

''(1) IN GENERAL.—For purposes of this part, a 'qualified election infrastructure vendor' is any person who provides, supports, or maintains, or who seeks to provide, support, or maintain, election infrastructure on behalf of a State, unit of local government, or election agency, who meets the criteria described in paragraph (2).

''(2) CRITERIA.—The criteria described in this paragraph are such criteria as the Chairman, in coordination with the Secretary of Homeland Security, shall establish and publish, and shall include each of the following requirements:

''(A) The vendor must be owned and controlled by a citizen or permanent resident of the United States.

''(B) The vendor must disclose to the Chairman and the Secretary, and to the chief State election official of any State to which the vendor provides any goods and services with funds provided under this part, of any sourcing outside the United States for parts of the election infrastructure.

''(C) The vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

''(D) The vendor agrees to maintain its information technology infrastructure in a manner that is consistent with the cybersecurity best practices issued by the Technical Guidelines Development Committee.

''(E) The vendor agrees to meet the requirements of paragraph (3) with respect to any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor pursuant to a grant under this part.

''(F) The vendor agrees to permit independent security testing by the Commission (in accordance with section 231(a)) and by the Secretary of the goods and services provided by the vendor pursuant to a grant under this part.

''(3) CYBERSECURITY INCIDENT REPORTING REQUIREMENTS.—

''(A) IN GENERAL.—A vendor meets the requirements of this paragraph if, upon becoming aware of the possibility that an election cybersecurity incident has occurred involving any of the goods and services provided by the vendor pursuant to a grant under this part—

''(i) the vendor promptly assesses whether or not such an incident occurred, and submits a notification meeting the requirements of subparagraph (B) to the Secretary and the Chairman of the assessment as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred);

''(ii) if the incident involves goods or services provided to an election agency, the vendor submits a notification meeting the requirements of subparagraph (B) to the agency as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred), and cooperates with the agency in providing any other necessary notifications relating to the incident; and

''(iii) the vendor provides all necessary updates to any notification submitted under clause (i) or clause (ii).

''(B) CONTENTS OF NOTIFICATIONS.—Each notification submitted under clause (i) or clause (ii) of subparagraph (A) shall contain the following information with respect to any election cybersecurity incident covered by the notification:

''(i) The date, time, and time zone when the election cybersecurity incident began, if known.

''(ii) The date, time, and time zone when the election cybersecurity incident was detected.

''(iii) The date, time, and duration of the election cybersecurity incident.

''(iv) The circumstances of the election cybersecurity incident, including the specific election infrastructure systems believed to have been accessed and information acquired, if any.

''(v) Any planned and implemented technical measures to respond to and recover from the incident.

''(vi) In the case of any notification which is an update to a prior notification, any additional material information relating to the incident, including technical data, as it becomes available.

''SEC. 297B. ELIGIBILITY OF STATES.

''A State is eligible to receive a grant under this part if the State submits to the Commission, at such time and in such form as the Commission may require, an application containing—

''(1) a description of how the State will use the grant to carry out the activities authorized under this part;

''(2) a certification and assurance that, not later than 5 years after receiving the grant, the State will carry out voting system security improvements, as described in section 297A; and

''(3) such other information and assurances as the Commission may require.

''SEC. 297C. REPORTS TO CONGRESS.

''Not later than 90 days after the end of each fiscal year, the Commission shall submit a report to the appropriate congressional committees, including the Committees on Homeland Security, House Administration, and the Judiciary of the House of Representatives and the Committees on Homeland Security and Governmental Affairs, the Judiciary, and Rules and Administration of the Senate, on the activities carried out with the funds provided under this part.

''SEC. 297D. AUTHORIZATION OF APPROPRIATIONS.

''(a) AUTHORIZATION.—There are authorized to be appropriated for grants under this part—

''(1) $600,000,000 for fiscal year 2021; and

''(2) $175,000,000 for each of the fiscal years 2022, 2024, 2026, and 2028.

''(b) CONTINUING AVAILABILITY OF AMOUNTS.—Any amounts appropriated pursuant to the authorization of this section shall remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 7—GRANTS FOR OBTAINING COMPLIANT PAPER BALLOT VOTING SYSTEMS AND CARRYING OUT VOTING SYSTEM SECURITY IMPROVEMENTS

''Sec. 297. Grants for obtaining compliant paper ballot voting systems and carrying out voting system security improvements.

''Sec. 297A. Voting system security improvements described.

''Sec. 297B. Eligibility of States.

''Sec. 297C. Reports to Congress.

''Sec. 297D. Authorization of appropriations.''.

SEC. 112. GRANTS FOR ACCESSIBLE BALLOT MARKING DEVICES.

(a) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 111(a), is amended by adding at the end the following new part:

''PART 8—FUNDING FOR ACCESSIBLE BALLOT MARKING DEVICES

''SEC. 298. ACQUISITION OF ACCESSIBLE BALLOT MARKING DEVICES FOR VOTERS WITH DISABILITIES.

''(a) IN GENERAL.—The Commission shall pay to States the amount of eligible accessible ballot marking device costs.

''(b) ELIGIBLE ACCESSIBLE BALLOT MARKING DEVICE COSTS.—

''(1) IN GENERAL.—For purposes of this section, the term 'eligible accessible ballot marking device costs' means costs paid or incurred by a State or local government to acquire an accessible ballot marking device.

''(2) ACCESSIBLE BALLOT MARKING DEVICE DEFINED.—For purposes of this section, the term 'accessible ballot marking device' means a ballot marking device that is used by the State or local government exclusively to comply with the requirements of section 301(a)(3) (as applied to elections for Federal office occurring after the date that is 6 years after the date of the enactment of the Securing America's Federal Elections Act).

''(c) PAYMENTS.—

''(1) LIMITATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Commission shall not pay eligible accessible ballot marking device costs with respect to more than 1 accessible ballot marking device in any precinct.

''(B) EXCEPTION.—The Commission may pay for more than 1 accessible ballot marking device in any precinct if the State demonstrates the need for more accessible ballot marking devices in such precinct due to the number of voters with disabilities voting in such precinct compared to other precincts.

''(2) RULES AND PROCEDURES.—The Commission shall establish rules and procedures for submission of eligible accessible ballot marking device costs for payments under this section.

''(3) INSUFFICIENT FUNDS.—In any case in which the amounts appropriated under subsection (d) are insufficient to pay all eligible accessible ballot marking device costs submitted by States with respect to any Federal election, the amount of such costs paid under subsection (a) to any State shall be equal to the amount that bears the same ratio to the amount which would be paid to such State (determined without regard to this paragraph) as—

''(A) the number of individuals who voted in such Federal election in such State; bears to

''(B) the total number of individuals who voted in such Federal election in all States submitting a claim for eligible accessible ballot marking device costs.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is hereby authorized to be appropriated to the Commission to carry out this section $250,000,000 for fiscal years 2021 through 2027.

''(2) AVAILABILITY.—Any amounts appropriated pursuant to paragraph (1) shall remain available without fiscal year limitation until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Help America Vote Act of 2002 (52 U.S.C. 30101 et seq.), as amended by section 111(b), is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 8—FUNDING FOR ACCESSIBLE BALLOT MARKING DEVICES

''Sec. 298. Acquisition of accessible ballot marking devices for voters with disabilities.''.

SEC. 113. GRANTS FOR BALLOT DESIGN AND PRINTING.

(a) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by sections 111(a) and 112(a), is amended by adding at the end the following new part:

''PART 9—FUNDING FOR BALLOT DESIGN AND PRINTING

''SEC. 299. PAYMENTS FOR BALLOT DESIGN AND PRINTING.

''(a) IN GENERAL.—The Commission shall pay to States the amount of eligible ballot design and printing costs.

''(b) ELIGIBLE DESIGN AND PRINTING COSTS.—For purposes of this section, the term 'eligible ballot design and printing costs' means, with respect to any State, costs paid or incurred by the State or any local government within the State for the design and printing of any ballot that—

''(1) is used in an election for Federal office occurring after the date of the enactment of this part; and

''(2) meets such minimum standards for usability and accessibility as established by the Commission, in consultation with the Director of the National Institute of Standards and Technology, for purposes of this section.

''(c) SPECIAL RULES.—

''(1) RULES AND PROCEDURES.—The Commission shall establish rules and procedures for submission of eligible ballot design and printing costs for payments under this section.

''(2) INSUFFICIENT FUNDS.—In any case in which the amounts appropriated under subsection (d) are insufficient to pay all eligible ballot design and printing costs submitted by States with respect to any Federal election, the amount of such costs paid under subsection (a) to any State shall be equal to the amount that bears the same ratio to the amount which would be paid to such State (determined without regard to this paragraph) as—

''(A) the number of individuals who voted in such Federal election in such State; bears to

''(B) the total number of individuals who voted in such Federal election in all States submitting a claim for eligible ballot design and printing costs.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is hereby authorized to be appropriated to the Commission such sums as are necessary to carry out this part.

''(2) AVAILABILITY.—Any amounts appropriated pursuant to paragraph (1) shall remain available without fiscal year limitation until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Help America Vote Act of 2002 (52 U.S.C. 30101 et seq.), as amended by sections 111(b) and 112(b), is amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 9—FUNDING FOR BALLOT DESIGN AND PRINTING

''Sec. 299. Payments for ballot design and printing.''.

SEC. 114. COORDINATION OF VOTING SYSTEM SECURITY ACTIVITIES WITH USE OF REQUIREMENTS PAYMENTS AND ELECTION ADMINISTRATION REQUIREMENTS UNDER HELP AMERICA VOTE ACT OF 2002.

(a) DUTIES OF ELECTION ASSISTANCE COMMISSION.—Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended in the matter preceding paragraph (1) by striking ''by'' and inserting ''and the security of election infrastructure by''.

(b) MEMBERSHIP OF SECRETARY OF HOMELAND SECURITY ON BOARD OF ADVISORS OF ELECTION ASSISTANCE COMMISSION.—Section 214(a) of such Act (52 U.S.C. 20944(a)) is amended—

(1) by striking ''37 members'' and inserting ''38 members''; and

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

''(17) The Secretary of Homeland Security or the Secretary's designee.''.

(c) REPRESENTATIVE OF DEPARTMENT OF HOMELAND SECURITY ON TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(c)(1) of such Act (52 U.S.C. 20961(c)(1)) is amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph:

''(E) A representative of the Department of Homeland Security.''.

(d) GOALS OF PERIODIC STUDIES OF ELECTION ADMINISTRATION ISSUES; CONSULTATION WITH SECRETARY OF HOMELAND SECURITY.—Section 241(a) of such Act (52 U.S.C. 20981(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''the Commission shall'' and inserting ''the Commission, in consultation with the Secretary of Homeland Security (as appropriate), shall'';

(2) by striking ''and'' at the end of paragraph (3);

(3) by redesignating paragraph (4) as paragraph (5); and

(4) by inserting after paragraph (3) the following new paragraph:

''(4) will be secure against attempts to undermine the integrity of election systems by cyber or other means; and''.

(e) REQUIREMENTS PAYMENTS.—

(1) USE OF PAYMENTS FOR VOTING SYSTEM SECURITY IMPROVEMENTS.—Section 251(b) of such Act (52 U.S.C. 21001(b)) is amended by adding at the end the following new paragraph:

''(4) PERMITTING USE OF PAYMENTS FOR VOTING SYSTEM SECURITY IMPROVEMENTS.—A State may use a requirements payment to carry out any of the following activities:

''(A) Cyber and risk mitigation training.

''(B) Providing increased technical support for any information technology infrastructure that the chief State election official deems to be part of the State's election infrastructure or designates as critical to the operation of the State's election infrastructure.

''(C) Enhancing the cybersecurity and operations of the information technology infrastructure described in subparagraph (B).

''(D) Enhancing the security of voter registration databases.''.

(2) INCORPORATION OF ELECTION INFRASTRUCTURE PROTECTION IN STATE PLANS FOR USE OF PAYMENTS.—Section 254(a)(1) of such Act (52 U.S.C. 21004(a)(1)) is amended by striking the period at the end and inserting '', including the protection of election infrastructure.''.

(3) COMPOSITION OF COMMITTEE RESPONSIBLE FOR DEVELOPING STATE PLAN FOR USE OF PAYMENTS.—Section 255 of such Act (52 U.S.C. 21005) is amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following new subsection:

''(b) GEOGRAPHIC REPRESENTATION.—The members of the committee shall be a representative group of individuals from the State's counties, cities, towns, and Indian tribes, and shall represent the needs of rural as well as urban areas of the State, as the case may be.''.

(f) ENSURING PROTECTION OF COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a)(3) of such Act (52 U.S.C. 21083(a)(3)) is amended by striking the period at the end and inserting '', as well as other measures to prevent and deter cybersecurity incidents, as identified by the Commission, the Secretary of Homeland Security, and the Technical Guidelines Development Committee.''.

SEC. 115. INCORPORATION OF DEFINITIONS.

(a) IN GENERAL.—Section 901 of the Help America Vote Act of 2002 (52 U.S.C. 21141) is amended to read as follows:

''SEC. 901. DEFINITIONS.

''In this Act, the following definitions apply:

''(1) The term 'cybersecurity incident' has the meaning given the term 'incident' in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 659).

''(2) The term 'election agency' means any component of a State, or any component of a unit of local government in a State, which is responsible for the administration of elections for Federal office in the State.

''(3) The term 'election infrastructure' means storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office, as well as related information and communications technology (including the technology used by or on behalf of election officials to produce and distribute voter guides to elections), including voter registration databases, voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.

''(4) The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by amending the item relating to section 901 to read as follows:

''Sec. 901. Definitions.''.

Subtitle B—Risk-Limiting Audits

SEC. 121. RISK-LIMITING AUDITS.

(a) IN GENERAL.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended by inserting after section 303 the following new section:

''SEC. 303A. RISK-LIMITING AUDITS.

''(a) DEFINITIONS.—In this section:

''(1) RISK-LIMITING AUDIT.—The term 'risk-limiting audit' means, with respect to any election contest, a post-election process that—

''(A) has a probability of at least 95 percent of correcting the reported outcome if the reported outcome is not the correct outcome;

''(B) will not change the outcome if the reported outcome is the correct outcome; and

''(C) involves a manual adjudication of voter intent from some or all of the ballots validly cast in the election contest.

''(2) REPORTED OUTCOME; CORRECT OUTCOME; OUTCOME.—

''(A) REPORTED OUTCOME.—The term 'reported outcome' means the outcome of an election contest which is determined according to the canvass and which will become the official, certified outcome unless it is revised by an audit, recount, or other legal process.

''(B) CORRECT OUTCOME.—The term 'correct outcome' means the outcome that would be determined by a manual adjudication of

voter intent for all votes validly cast in the election contest.

''(C) OUTCOME.—The term 'outcome' means the winner or set of winners of an election contest.

''(3) MANUAL ADJUDICATION OF VOTER INTENT.—The term 'manual adjudication of voter intent' means direct inspection and determination by humans, without assistance from electronic or mechanical tabulation devices, of the ballot choices marked by voters on each voter-verifiable paper record.

''(4) BALLOT MANIFEST.—The term 'ballot manifest' means a record maintained by each jurisdiction that—

''(A) is created without reliance on any part of the voting system used to tabulate votes;

''(B) functions as a sampling frame for conducting a risk-limiting audit; and

''(C) accounts for all ballots validly cast regardless of how they were tabulated and includes a precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.

''(b) REQUIREMENTS.—

''(1) IN GENERAL.—

''(A) AUDITS.—

''(i) IN GENERAL.—Each State and jurisdiction shall administer risk-limiting audits of the results of all election contests for Federal office held in the State in accordance with the requirements of paragraph (2).

''(ii) EXCEPTION.—Clause (i) shall not apply to any election contest for which the State or jurisdiction conducts a full recount through a manual adjudication of voter intent.

''(B) FULL MANUAL TABULATION.—If a risk-limiting audit conducted under subparagraph (A) corrects the reported outcome of an election contest, the State or jurisdiction shall use the results of the manual adjudication of voter intent conducted as part of the risk-limiting audit as the official results of the election contest.

''(2) AUDIT REQUIREMENTS.—

''(A) RULES AND PROCEDURES.—

''(i) IN GENERAL.—Not later than 1 year after the date of the enactment of this section, the chief State election official of the State shall establish rules and procedures for conducting risk-limiting audits.

''(ii) MATTERS INCLUDED.—The rules and procedures established under clause (i) shall include the following:

''(I) Rules and procedures for ensuring the security of ballots and documenting that prescribed procedures were followed.

''(II) Rules and procedures for ensuring the accuracy of ballot manifests produced by jurisdictions.

''(III) Rules and procedures for governing the format of ballot manifests and other data involved in risk-limiting audits.

''(IV) Methods to ensure that any cast vote records used in a risk-limiting audit are those used by the voting system to tally the results of the election contest sent to the chief State election official of the State and made public.

''(V) Rules and procedures for the random selection of ballots to be inspected manually during each audit.

''(VI) Rules and procedures for the calculations and other methods to be used in the audit and to determine whether and when the audit of each election contest is complete.

''(VII) Rules and procedures for testing any software used to conduct risk-limiting audits.

''(B) PUBLIC REPORT.—

''(i) IN GENERAL.—After the completion of the risk-limiting audit and at least 5 days before the election contest is certified by the State, the State shall make public and submit to the Commission a report on the results of the audit, together with such information as necessary to confirm that the audit was conducted properly.

''(ii) FORMAT OF DATA.—All data published with the report under clause (i) shall be published in machine-readable, open data formats.

''(iii) PROTECTION OF ANONYMITY OF VOTES.—Information and data published by the State under this subparagraph shall not compromise the anonymity of votes.

''(iv) REPORT MADE AVAILABLE BY COMMISSION.—After receiving any report submitted under clause (i), the Commission shall make such report available on its website.

''(c) EFFECTIVE DATE.—

''(1) IN GENERAL.—Each State and jurisdiction shall be required to comply with the requirements of this section for the first regularly scheduled election for Federal office held more than 1 year after the date of the enactment of the Securing America's Federal Elections Act and for each subsequent election for Federal office.

''(2) WAIVER.—If a State or jurisdiction certifies to Commission not later than 1 year after the date of the enactment of the Securing America's Federal Elections Act that the State or jurisdiction will not meet the deadline described in paragraph (1) for good cause and includes in the certification a reason for the inability to meet such deadline, paragraph (1) shall be applied by as if the reference in such paragraph to '1 year' were a reference to '3 years'.''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 303 the following new item:

''Sec. 303A. Risk-limiting audits.''.

SEC. 122. FUNDING FOR CONDUCTING POST-ELECTION RISK-LIMITING AUDITS.

(a) PAYMENTS TO STATES.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by sections 111(a), 112(a), and 113(a), is amended by adding at the end the following new part:

''PART 10—FUNDING FOR POST-ELECTION RISK-LIMITING AUDITS

''SEC. 299A. PAYMENTS FOR POST-ELECTION RISK-LIMITING AUDITS.

''(a) IN GENERAL.—The Commission shall pay to States the amount of eligible post-election audit costs.

''(b) ELIGIBLE POST-ELECTION AUDIT COSTS.—For purposes of this section, the term 'eligible post-election audit costs' means, with respect to any State, costs paid or incurred by the State or local government within the State for—

''(1) the conduct of any risk-limiting audit (as defined in section 303A) with respect to an election for Federal office occurring after the date of the enactment of this part; and

''(2) any equipment, software, personnel, or services necessary for the conduct of any such risk-limiting audit.

''(c) SPECIAL RULES.—

''(1) RULES AND PROCEDURES.—The Commission shall establish rules and procedures for submission of eligible post-election audit costs for payments under this section.

''(2) INSUFFICIENT FUNDS.—In any case in which the amounts appropriated under subsection (d) are insufficient to pay all eligible post-election audit costs submitted by States with respect to any Federal election, the amount of such costs paid under subsection (a) to any State shall be equal to the amount that bears the same ratio to the amount which would be paid to such State (determined without regard to this paragraph) as—

''(A) the number of individuals who voted in such Federal election in such State; bears to

''(B) the total number of individuals who voted in such Federal election in all States submitting a claim for eligible post-election audit costs.

''(d) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is hereby authorized to be appropriated to the Commission such sums as are necessary to carry out this part.

''(2) AVAILABILITY.—Any amounts appropriated pursuant to paragraph (1) shall remain available without fiscal year limitation until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by sections 111(b), 112(b), and 113(b), is further amended by adding at the end of the items relating to subtitle D of title II the following:

''PART 10—FUNDING FOR POST-ELECTION RISK-LIMITING AUDITS

''Sec. 299A. Payments for post-election risk-limiting audits.''.

SEC. 123. GAO ANALYSIS OF EFFECTS OF AUDITS.

(a) ANALYSIS.—Not later than 6 months after the first elections for Federal office is held for which States must conduct risk-limiting audits under section 303A of the Help America Vote Act of 2002 (as added by section 121), the Comptroller General of the United States shall conduct an analysis of the extent to which such audits have improved the administration of such elections and the security of election infrastructure in the States receiving such grants.

(b) REPORT.—The Comptroller General of the United States shall submit a report on the analysis conducted under subsection (a) to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

TITLE II—PROMOTING CYBERSECURITY THROUGH IMPROVEMENTS IN ELECTION ADMINISTRATION

SEC. 201. CYBERSECURITY REQUIREMENTS FOR AND TESTING AND CERTIFICATION OF VOTING SYSTEMS.

(a) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

''SEC. 2215. MANDATORY CYBERSECURITY REQUIREMENTS FOR SYSTEMS USED IN FEDERAL ELECTIONS.

''Not later than 180 days after the date of enactment of Securing America's Federal Elections Act, the Secretary, acting through the Director and in consultation with the Director of the National Institute of Standards and Technology and the Technical Guidelines Development Committee established under section 221 of the Help America Vote Act of 2002 (52 U.S.C. 20961), shall establish mandatory cybersecurity standards for the use in Federal elections of the following:

''(1) Ballot tabulation devices (within the meaning of section 301(a)(9) of the Help America Vote Act of 2002).

''(2) Ballot marking devices (within the meaning of section 301(a)(12) of such Act).

''(3) Election management systems, including those systems used—

''(A) to configure ballot tabulation devices and ballot marking devices;

''(B) to aggregate election results; and

''(C) to design paper ballots.

''(4) Electronic poll books;

''(5) Any government database, website, or associated information system used by voters or government agencies for voter registration (including the management of voter registration status).

''(6) Systems used to deliver or publish election results.

''(7) Such other components of voting systems (as defined in section 301(b) of such Act) as is determined appropriate by the Director.

''SEC. 2216. TESTING AND CERTIFICATION OF BALLOT MARKING AND BALLOT TABULATION DEVICE CYBERSECURITY.

''(a) IN GENERAL.—Any State or jurisdiction which intends to use a ballot marking device or a ballot tabulation device in an election for Federal office may submit an application to the Director for cybersecurity testing and certification of the hardware and software of such device under this section.

''(b) APPLICATION, ASSIGNMENT, AND TESTING.—

''(1) ASSIGNMENT.—

''(A) IN GENERAL.—Upon receipt of an application for testing under this section, the Director, in consultation with the Director of the National Institute of Standards and Technology, shall contract with a qualified laboratory for the testing of whether—

''(i) in the case of a ballot tabulation device intended to be used by the State or jurisdiction, the device meets the requirements of section 301(a)(9)(B) of the Help America Vote Act of 2002; and

''(ii) in the case of a ballot marking device intended to be used by the State or jurisdiction, the device meets the requirements of section 301(a)(12)(A) of such Act.

''(B) OPTIONAL TESTING OF STATE REQUIREMENTS.—In the case of a ballot marking device or ballot tabulation device for which the source code has been published under an open source license, the contract under subparagraph (A) shall also include, at the request of any State or jurisdiction, testing of whether such device meets any applicable requirements of the State or jurisdiction.

''(2) REQUIREMENTS FOR TESTING.—Any contract described in paragraph (1) shall require the qualified research laboratory to—

''(A) not later than 30 days before testing begins, submit to the Director for approval the protocol for the simulated election scenario used for testing the security of the ballot marking device or ballot tabulation device, as the case may be;

''(B) use only protocols approved by the Director in conducting such security testing; and

''(C) submit to the Director a report on the results of the security testing.

''(3) QUALIFIED RESEARCH LABORATORY.—For purposes of this section, the term 'qualified research laboratory' means a laboratory accredited under this subsection by the Director, in consultation with the Director of the National Institute of Standards and Technology.

''(c) REPORTING AND CERTIFICATION.—The Director shall—

''(1) publish on the website of the Cybersecurity and Infrastructure Security Agency the results of the testing conducted under subsection (b); and

''(2) certify—

''(A) a ballot tabulation device if the ballot tabulation device is determined by the qualified research laboratory to meet the requirements of section 301(a)(9)(B) of the Help America Vote Act of 2002; and

''(B) a ballot marking device if the ballot marking device is determined by the qualified research laboratory to meet the requirements of section 301(a)(12)(A) of such Act.

''(d) PROHIBITION ON FEES.—The Director may not charge any fee to a State or jurisdiction, a developer or manufacturer of a ballot marking device or ballot tabulation device, or any other person in connection with testing and certification under this section (including any testing conducted under subsection (b)(1)(B)).''.

(b) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Mandatory cybersecurity requirements for systems used in Federal elections.

''Sec. 2216. Testing and certification of ballot marking and ballot tabulation device cybersecurity.''.

SEC. 202. VOTING SYSTEM CYBERSECURITY REQUIREMENTS.

(a) BALLOT TABULATION DEVICES.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by section 104 and section 105, is further amended by adding at the end the following new paragraph:

''(9) BALLOT TABULATION METHODS.—

''(A) IN GENERAL.—The voting system tabulates ballots by hand or through the use of a ballot tabulation device that meets the requirements of subparagraph (B).

''(B) REQUIREMENTS FOR BALLOT TABULATION DEVICES.—Except as provided in subparagraph (C), the requirements of this subparagraph are as follows:

''(i) The device is designed and built in a manner in which it is mechanically impossible for the device to add or change the vote selections on a printed or marked ballot.

''(ii) The device is capable of exporting its data (including vote tally data sets and cast vote records) in a machine-readable, open data standard format required by the Commission, in consultation with the Director of the National Institute of Standards and Technology.

''(iii) The device consists of hardware that—

''(I) is certified under section 2216 of the Homeland Security Act; and

''(II) demonstrably conforms to a hardware component manifest describing point-of-origin information (including upstream hardware supply chain information for each component) that—

''(aa) has been provided to the Commission, the Director of Cybersecurity and Infrastructure Security, and the chief State election official for each State in which the device is used; and

''(bb) may be shared by any entity to whom it has been provided under item (aa) with independent experts for cybersecurity analysis.

''(iv) The device utilizes technology that prevents the operation of the device if any hardware components do not meet the requirements of clause (iii).

''(v) The device operates using software—

''(I) that is certified under section 2216 of the Homeland Security Act; and

''(II) for which the source code, system build tools, and compilation parameters—

''(aa) have been provided to the Commission, the Director of Cybersecurity and Infrastructure Security, and the chief State election official for each State in which the device is used; and

''(bb) may be shared by any entity to whom it has been provided under item (aa) with independent experts for cybersecurity analysis.

''(vi) The device utilizes technology that prevents the running of software on the device that does not meet the requirements of clause (v).

''(vii) The device utilizes technology that enables election officials, cybersecurity researchers, and voters to verify that the software running on the device—

''(I) was built from a specific, untampered version of the code that is described in clause (v); and

''(II) uses the system build tools and compilation parameters that are described in clause (v).

''(viii) The device contains such other security requirements as established by the Director of Cybersecurity and Infrastructure Security, in consultation with the Director of the National Institute of Standards and Technology and the Technical Guidelines Development Committee.

''(C) WAIVER.—

''(i) IN GENERAL.—The Director of Cybersecurity and Infrastructure Security, in consultation with the Director of the National Institute of Standards and Technology, may waive one or more of the requirements of subparagraph (B) (other than the requirement of clause (i) thereof) with respect to any device for a period of not to exceed 2 years.

''(ii) PUBLICATION.—Information relating to any waiver granted under clause (i) shall be made publicly available on the internet.

''(D) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.''.

(b) OTHER CYBERSECURITY REQUIREMENTS.—Section 301(a) of such Act (52 U.S.C. 21081(a)), as amended by section 104, section 105, and subsection (a), is further amended by adding at the end the following new paragraphs:

''(10) PROHIBITION OF USE OF WIRELESS COMMUNICATIONS DEVICES IN SYSTEMS OR DEVICES.—

''(A) IN GENERAL.—No system or device upon which ballot marking devices or ballot tabulation devices are configured, upon which ballots are marked by voters (except as necessary for individuals with disabilities to use ballot marking devices that meet the accessibility requirements of paragraph (3)), or upon which votes are cast, tabulated, or aggregated shall contain, use, or be accessible by any wireless, power-line, or concealed communication device.

''(B) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.

''(11) PROHIBITING CONNECTION OF SYSTEM TO THE INTERNET.—

''(A) IN GENERAL.—No system or device upon which ballot marking devices or ballot tabulation devices are configured, upon which ballots are marked by voters, or upon which votes are cast, tabulated, or aggregated shall be connected to the internet or any non-local computer system via telephone or other communication network at any time.

''(B) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.''.

(c) BALLOT MARKING DEVICES.—Section 301(a) of such Act (52 U.S.C. 21081(a)), as amended by section 104, section 105, and subsections (a) and (b), is further amended by adding at the end the following new paragraph:

''(12) BALLOT MARKING DEVICES.—

''(A) IN GENERAL.—In the case of a voting system that uses a ballot marking device, the ballot marking device shall be a device that—

''(i) is not capable of tabulating votes; and

''(ii) is certified under section 2216 of the Homeland Security Act as meeting the requirements of clauses (iii) through (viii) of section 301(a)(9)(B).

''(B) EFFECTIVE DATE.—Each State and jurisdiction shall be required to comply with the requirements of this paragraph for elections for Federal office held in 2021 or any subsequent year.''.

SEC. 203. TESTING OF EXISTING VOTING SYSTEMS TO ENSURE COMPLIANCE WITH ELECTION CYBERSECURITY GUIDELINES AND OTHER GUIDELINES.

(a) REQUIRING TESTING OF EXISTING VOTING SYSTEMS.—

(1) IN GENERAL.—Section 231(a) of the Help America Vote Act of 2002 (52 U.S.C. 20971(a)) is amended by adding at the end the following new paragraph:

''(3) TESTING TO ENSURE COMPLIANCE WITH GUIDELINES.—

''(A) TESTING.—Not later than 9 months before the date of each regularly scheduled general election for Federal office, the Commission shall provide for the testing by accredited laboratories under this section of the voting system hardware and software which was certified for use in the most recent such election, on the basis of the most recent voting system guidelines applicable to such hardware or software (including election cybersecurity guidelines) issued under this Act.

''(B) DECERTIFICATION OF HARDWARE OR SOFTWARE FAILING TO MEET GUIDELINES.—If, on the basis of the testing described in subparagraph (A), the Commission determines that any voting system hardware or software does not meet the most recent guidelines applicable to such hardware or software issued under this Act, the Commission shall decertify such hardware or software.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to elections for Federal office held in 2021 or any subsequent year.

(b) ISSUANCE OF CYBERSECURITY GUIDELINES BY TECHNICAL GUIDELINES DEVELOPMENT COMMITTEE.—Section 221(b) of the Help America Vote Act of 2002 (52 U.S.C. 20961(b)) is amended by adding at the end the following new paragraph:

''(3) ELECTION CYBERSECURITY GUIDELINES.—Not later than 6 months after the date of the enactment of the Securing America's Federal Elections Act, the Development Committee shall issue election cybersecurity guidelines, including standards and best practices for procuring, maintaining, testing, operating, and updating election systems to prevent and deter cybersecurity incidents.''.

SEC. 204. REQUIRING USE OF SOFTWARE AND HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.

(a) REQUIREMENT.—Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by sections 104, 105, 202(a), 202(b), and 202(c), is amended by adding at the end the following new paragraph:

''(13) REQUIRING USE OF SOFTWARE AND HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.—

''(A) REQUIRING USE OF SOFTWARE FOR WHICH SOURCE CODE IS DISCLOSED BY MANUFACTURER.—

''(i) IN GENERAL.—In the operation of voting systems in an election for Federal office, a State may only use software for which the manufacturer makes the source code (in the form in which will be used at the time of the election) publicly available online under a license that grants a worldwide, royalty-free, non-exclusive, perpetual, sub-licensable license to all intellectual property rights in such source code, except that the manufacturer may prohibit a person who obtains the software from using the software in a manner that is primarily intended for or directed toward commercial advantage or private monetary compensation that is unrelated to carrying out legitimate research or cybersecurity activity.

''(ii) EXCEPTIONS.—Clause (i) does not apply with respect to—

''(I) widely used operating system software which is not specific to voting systems and for which the source code or baseline functionality is not altered; or

''(II) widely used cybersecurity software which is not specific to voting systems and for which the source code or baseline functionality is not altered.

''(B) REQUIRING USE OF HARDWARE FOR WHICH INFORMATION IS DISCLOSED BY MANUFACTURER.—

''(i) REQUIRING DISCLOSURE OF HARDWARE.—A State may not use a voting system in an election for Federal office unless the manufacturer of the system publicly discloses online the identification of the hardware used to operate the system.

''(ii) ADDITIONAL DISCLOSURE REQUIREMENTS FOR CUSTOM OR ALTERED HARDWARE.—To the extent that the hardware used to operate a voting system or any component thereof is not widely used, or is widely used but is altered, the State may not use the system in an election for Federal office unless—

''(I) the manufacturer of the system publicly discloses online the components of the hardware, the design of such components, and how such components are connected in the operation of the system; and

''(II) the manufacturer makes the design (in the form which will be used at the time of the election) publicly available online under a license that grants a worldwide, royalty-free, non-exclusive, perpetual, sub-licensable license to all intellectual property rights in the design of the hardware or the component, except that the manufacturer may prohibit a person who obtains the design from using the design in a manner that is primarily intended for or directed toward commercial advantage or private monetary compensation that is unrelated to carrying out legitimate research or cybersecurity activity.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections for Federal office held in 2021 or any succeeding year.

SEC. 205. TREATMENT OF ELECTRONIC POLL BOOKS AS PART OF VOTING SYSTEMS.

(a) INCLUSION IN DEFINITION OF VOTING SYSTEM.—Section 301(b) of the Help America Vote Act of 2002 (52 U.S.C. 21081(b)) is amended—

(1) in the matter preceding paragraph (1), by striking ''this section'' and inserting ''this Act'';

(2) by striking ''and'' at the end of paragraph (1);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following new paragraph:

''(2) any electronic poll book used with respect to the election; and''.

(b) DEFINITION.—Section 301 of such Act (52 U.S.C. 21081) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e); and

(2) by inserting after subsection (b) the following new subsection:

''(c) ELECTRONIC POLL BOOK DEFINED.—In this Act, the term 'electronic poll book' means the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used—

''(1) to retain the list of registered voters at a polling location, or vote center, or other location at which voters cast votes in an election for Federal office; and

''(2) to identify registered voters who are eligible to vote in an election.''.

(c) EFFECTIVE DATE.—Section 301(e) of such Act (52 U.S.C. 21081(e)), as amended by section 107 and as redesignated by subsection (b), is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

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

''(3) SPECIAL RULE FOR ELECTRONIC POLL BOOKS.—In the case of the requirements of subsection (c) (relating to electronic poll books), each State and jurisdiction shall be required to comply with such requirements on or after January 1, 2021.''.

SEC. 206. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

(a) REQUIRING STATES TO SUBMIT REPORTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended by section 103(c), is amended by inserting after section 301A the following new section:

''SEC. 301B. PRE-ELECTION REPORTS ON VOTING SYSTEM USAGE.

''(a) REQUIRING STATES TO SUBMIT REPORTS.—Not later than 120 days before the date of each regularly scheduled general election for Federal office, the chief State election official of a State shall submit a report to the Commission containing a detailed voting system usage plan for each jurisdiction in the State which will administer the election, including a detailed plan for the usage of electronic poll books and other equipment and components of such system.

''(b) EFFECTIVE DATE.—Subsection (a) shall apply with respect to the regularly scheduled general election for Federal office held in November 2022 and each succeeding regularly scheduled general election for Federal office.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 103(c), is amended by inserting after the item relating to section 301A the following new item:

''Sec. 301B. Pre-election reports on voting system usage.''.

SEC. 207. STREAMLINING COLLECTION OF ELECTION INFORMATION.

Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended—

(1) by striking ''The Commission'' and inserting ''(a) IN GENERAL.—The Commission''; and

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

''(b) WAIVER OF CERTAIN REQUIREMENTS.—Subchapter I of chapter 35 of title 44, United States Code, shall not apply to the collection of information for purposes of maintaining the clearinghouse described in paragraph (1) of subsection (a).''.

TITLE III—USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES

SEC. 301. USE OF VOTING MACHINES MANUFACTURED IN THE UNITED STATES.

Section 301(a) of the Help America Vote Act of 2002 (52 U.S.C. 21081(a)), as amended by sections 104, 105, 202(a), 202(b), 202(c), and 204(a), is further amended by adding at the end the following new paragraph:

''(14) VOTING MACHINE REQUIREMENTS.—Each State shall seek to ensure that any voting machine used in an election for Federal office held in 2021 or any subsequent year is manufactured in the United States.''.

TITLE IV—SEVERABILITY

SEC. 401. SEVERABILITY.

If any provision of this division or amendment made by this division, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this division and amendments made by this division, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.

SA 1946. Ms. KLOBUCHAR submitted an amendment intended to be proposed

by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. WAIVER OF MATCHING REQUIREMENT.

The last proviso under the heading ''Election Assistance Commission, Election Security Grants'' in the Financial Services and General Government Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2461) shall not apply with respect to any payment made to a State using funds appropriated or otherwise made available to the Election Assistance Commission under the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

SA 1947. Ms. KLOBUCHAR (for herself, Ms. WARREN, and Mr. BENNET) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle G of title V, add the following:

SEC. _____. PROMOTION OF DIGITAL AND MEDIA LITERACY TO COMBAT FOREIGN INFLUENCE CAMPAIGNS.

(a) FINDINGS.—Congress finds the following:

(1) People in the United States rely on information from mass media, social media, and digital media to make decisions about all aspects of social, economic, and political life, including products and services consumption, employment, career and professional development, family and leisure choices, health and wellness, and democratic engagement. Ensuring that people in the United States possess the skills to make these informed decisions based on media begins early in life.

(2) Adversaries from Russia, China, and Iran are using information warfare to influence democracies across the world, and terrorist organizations often use digital communications to recruit members. The Unites States can fight these influences by ensuring that citizens of the United States possess the necessary skills to discern disinformation and misinformation and think critically about their digital activities.

(3) Influence campaigns by foreign adversaries reached tens of millions of voters during the 2016 and 2018 elections with racially and divisively targeted messages. The Select Committee on Intelligence of the Senate found in its investigation of the interference in the 2016 election that social media posts by Russia's Internet Research Agency (IRA) reached tens of millions of voters in 2016 and were meant to pit people of the United States against one another and sow discord. The preservation of elections free of foreign influence is of utmost importance, and therefore Congress must take steps to counter influence campaigns with digital and media literacy.

(4) Researchers have documented persistent, pervasive, and coordinated online targeting of members of the Armed Forces, veterans, and their families by foreign adversaries seeking to undermine the democracy of the United States. Veterans and the social-media followers of several congressionally chartered veterans service organizations were specifically targeted by the Internet Research Agency with at least 113 advertisement during and after the 2016 election. This represents a fraction of the Russian activity that targeted this community with divisive propaganda.

(5) The Cyberspace Solarium Commission, a bicameral and bipartisan commission, established in the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232), concluded in its finished report that the ''U.S. government should promote digital literacy, civics education, and public awareness to build societal resilience to foreign, malign cyber-enabled information operations and that the U.S. government must ensure that individual Americans have both the digital literacy tools and the civics education they need to secure their networks and their democracy from cyber-enabled information operations.'' The report recommended that Congress authorize a grant program ''to study how best to improve digital citizenship and to incorporate effective digital literacy curricula in American classrooms at the K-12 level and beyond''.

(6) In addition to bolstering national security by building societal resistance to foreign influence campaigns, digital and media literacy education is critical to allow young people to make informed decisions about products and services, education, health and wellness, and democratic decisions associated with public policy. Digital and media literacy education must be inclusive and accessible for all students, including students with disabilities. Digital and media literacy empowers young people and gives them the agency to make informed decisions about their future, advertisements, the use of controlled substances, nutrition, and physical health. Equipping students with the skills to make informed decisions in these areas contributes to the betterment of mental health and public health.

(7) A successful and inclusive digital and media literacy program must be directed at students beginning in kindergarten and should continue throughout the completion of postsecondary education. Learning to critically analyze and create digital content and media is a lifelong process that can be developed by integrating media literacy competencies into academic curriculum across content areas and disciplines.

(8) Digital and media literacy also allows young people to develop the critical thinking skills that will help them become informed voters. The right to vote is a fundamental right afforded to United States citizens by the Constitution. The unimpeded free exercise of this right is essential to the functioning of our democracy. The process to protect our democracy begins with educating young people in the United States to ensure that the young people possess the skills to engage in civic activities, engage with communities, and eventually become informed voters.

(b) SENSE CONGRESS.—It is the sense of Congress that, given the threat foreign influence campaigns pose for American democracy and the recommendations of the Cyberspace Solarium Commission, Congress must immediately act to pass legislative measures to increase digital and media literacy among Americans.

(c) DIGITAL AND MEDIA LITERACY EDUCATION GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ESEA DEFINITIONS.—The terms ''child with a disability'', ''local educational agency'', ''State educational agency'', ''specialized instructional support personnel'', and ''universal design for learning'' have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(B) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(i) a State educational agency; or

(ii) a local educational agency.

(C) DIGITAL CITIZENSHIP.—The term ''digital citizenship'' means the ability to—

(i) safely, responsibly, and ethically use communication technologies and digital information technology tools and platforms;

(ii) create and share media content using principles of social and civic responsibility and with awareness of the legal and ethical issues involved; and

(iii) participate in the political, economic, social, and cultural aspects of life related to technology, communications, and the digital world by consuming and creating digital content, including media.

(D) DIRECTOR.—The term ''Director'' means the Director of the Digital and Media Literacy Education Grant Program who shall be appointed by the Secretary of Defense.

(E) MEDIA LITERACY.—The term ''media literacy'' means the ability to—

(i) access relevant and accurate information through media in a variety of forms;

(ii) critically analyze media content and the influences of different forms of media;

(iii) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;

(iv) make educated decisions based on information obtained from media and digital sources;

(v) operate various forms of technology and digital tools; and

(vi) reflect on how the use of media and technology may affect private and public life.

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The Director shall establish a program to promote digital and media literacy, through which the Director shall award grants to eligible entities to enable those eligible entities to carry out the activities described in paragraph (4).

(B) DESIGNATION.—The program established under subparagraph (A) shall be known as the ''Digital and Media Literacy Education Grant Program''.

(3) APPLICATION.—An eligible entity that desires a grant under this subsection shall submit an application to the Director at such time and in such manner as the Director may require, including, at a minimum—

(A) a description of the activities the eligible entity intends to carry out with the grant funds;

(B) an estimate of the costs associated with such activities; and

(C) such other information and assurances as the Director may require.

(4) USE OF FUNDS.—

(A) STATE EDUCATIONAL AGENCIES.—

(i) IN GENERAL.—An eligible entity that is a State educational agency receiving a grant under this subsection shall use grant funds to carry out one or more of the following activities:

(I) Creating and supporting a media literacy advisory council to—

(aa) provide recommendations about digital citizenship and media literacy guidelines;

(bb) identify barriers and opportunities for implementing media literacy in kindergarten through grade 12 in public schools in the State for all students, including students who are children with disabilities;

(cc) identify best practices and effective models for media literacy education, including incorporating universal design for learning and providing additional accommodations for students who are children with disabilities when needed;

(dd) identify existing models of curriculum and existing policies in different States that are aimed at overcoming the barriers identified in item (bb);

(ee) gather data or conduct research to assess the media literacy and digital citizenship competencies of students, teachers, or specialized instructional support personnel;

(ff) submit a report to the State educational agency containing findings and recommendations regarding the items identified under this subclause; and

(gg) annually update those findings and recommendations.

(II) Assisting local educational agencies in the development of units of instruction on media literacy, either as a new subject or as a part of the existing curriculum.

(III) Assisting local agencies in developing means of evaluating student learning in media literacy.

(IV) Assisting local agencies in developing or providing professional development for teachers that relates to media literacy.

(ii) MEDIA LITERACY ADVISORY COUNCIL.—

(I) MEMBERS.—The media literacy advisory council described in clause (i)(I) shall include experts in media literacy, including academic experts, individuals from nonprofit organizations, individuals with expertise in education for students who are children with disabilities, teachers, librarians, representatives from parent organizations, educators, administrators, students, and other stakeholders.

(II) DIVERSITY OF REPRESENTATION.—Such membership shall include representation from rural and urban local educational agencies, small and large schools, high- and low-resource schools, teachers of students with disabilities, and schools in communities from diverse racial and ethnic backgrounds.

(iii) GUIDELINES.—

(I) IN GENERAL.—A State educational agency that creates a media literacy advisory council under clause (i)(I) shall, only after consideration of the findings and recommendations described in clause (i)(I)(aa) and (ff), develop and publish on the State educational agency website inclusive digital citizenship and media literacy guidelines for students in kindergarten through grade 12 in public schools in the State.

(II) REQUIREMENTS.—The guidelines described in subclause (I) shall be designed to develop media literacy and digital citizenship competencies by promoting students'—

(aa) research and information fluency;

(bb) critical thinking and problem solving skills;

(cc) technology operations and concepts;

(dd) information and technological literacy;

(ee) concepts of media representation and stereotyping;

(ff) understanding of explicit and implicit media messages;

(gg) understanding of values and points of view that are included and excluded in media content;

(hh) understanding of how media may influence ideas and behaviors;

(ii) understanding of the importance of obtaining information from multiple media sources and evaluating sources for quality;

(jj) understanding how information on digital platforms can be altered through algorithms, editing, and augmented reality; and

(kk) ability to create media in civically and socially responsible ways.

(B) LOCAL EDUCATIONAL AGENCIES.—An eligible entity that is a local educational agency receiving a grant under this subsection shall use grant funds to carry out one or more of the following activities:

(i) Incorporating digital citizenship and media literacy into the existing curriculum (across content and disciplinary areas) or establishing new educational opportunities to learn about media literacy.

(ii) Employing specialized instructional support personnel, such as a librarian or other personnel who can provide instructional services in media literacy.

(iii) Providing funding to educators who are carrying out activities described in clause (i) to further their professional development in relation to media literacy, including funding for traveling to media literacy conferences to share knowledge with regional and national stakeholders.

(iv) Other activities, including student led efforts, to support, develop, or promote the implementation of media literacy education programs, policies, teacher preparation, curriculum, or standards.

(5) REPORTING.—

(A) REPORTS BY ELIGIBLE ENTITIES.—Not later than 1 year after the date the eligible entity receives grant funds under this subsection, each eligible entity shall prepare and submit to the Director a report describing the activities the eligible entity carried out using grant funds and the effectiveness of those activities.

(B) REPORT BY THE DIRECTOR.—Not later than 90 days after the Director receives the report described in subparagraph (A) from the last eligible entity to submit such a report, the Director shall prepare and submit a report to Congress describing the activities carried out under this subsection and the effectiveness of those activities.

(6) SENSE OF CONGRESS.—It is the sense of Congress that the Director should establish and maintain a list of eligible entities that receive a grant under this subsection, and individuals designated by those eligible entities as participating individuals. The Director should make that list available to those eligible entities and participating individuals in order to promote communication and further exchange of information regarding sound digital citizenship and media literacy practices among recipients of a grant under this subsection.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2020, 2022, and 2024.

(d) VETERANS GRANT PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ENTITY.—The term ''eligible entity'' includes—

(i) a civil society organization, including a community group, a nongovernmental organization, a nonprofit organization, a labor union, an indigenous group, a charitable organization, a professional association, and a foundation; and

(ii) an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

(B) DIGITAL CITIZENSHIP.—The term ''digital citizenship'' means the ability to—

(i) safely, responsibly, and ethically use communication technologies and digital information technology tools and platforms;

(ii) create and share media content using principles of social and civic responsibility and with awareness of the legal and ethical issues involved; and

(iii) participate in the political, economic, social, and cultural aspects of life related to technology, communications, and the digital world by consuming and creating digital content, including media.

(C) SECRETARY.—The term ''Secretary'' means the Secretary of Veterans Affairs.

(D) MEDIA LITERACY.—The term ''media literacy'' means the ability to—

(i) access relevant and accurate information through media in a variety of forms;

(ii) critically analyze media content and the influences of different forms of media;

(iii) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;

(iv) make educated decisions based on information obtained from media and digital sources;

(v) operate various forms of technology and digital tools; and

(vi) reflect on how the use of media and technology may affect private and public life.

(2) IN GENERAL.—The Secretary shall establish a program to promote digital citizenship and media literacy, through which the Director shall award grants to eligible entities to enable those eligible entities to carry out the activities described in paragraph (4).

(3) APPLICATION.—An eligible entity that desires a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require, including, at a minimum—

(A) a description of the activities the eligible entity intends to carry out with the grant funds;

(B) an estimate of the costs associated with such activities; and

(C) such other information and assurances as the Secretary may require.

(4) USE OF FUNDS.—An eligible entity receiving a grant under this subsection shall use the grant funds to carry out one or more of the following activities to increase digital and media literacy among veterans to develop media literacy and digital citizenship competencies and improve personal cybersecurity by promoting veterans'—

(A) research and information fluency;

(B) critical thinking and problem solving skills;

(C) technology operations and concepts;

(D) information and technological literacy;

(E) concepts of media and digital representation and stereotyping;

(F) understanding of explicit and implicit media and digital messages;

(G) understanding of values and points of view that are included and excluded in media and digital content;

(H) understanding of how media and digital content may influence ideas and behaviors;

(I) understanding of the importance of obtaining information from multiple media sources and evaluating sources for quality;

(J) understanding how information on digital platforms can be altered through algorithms, editing, and augmented reality;

(K) ability to create media and digital content in civically and socially responsible ways;

(L) understanding of influence campaigns conducted by foreign adversaries and the tactics employed by foreign adversaries for conducting influence campaigns;

(M) ability to implement and maintain safe cybersecurity practices;

(N) ability to mitigate cyber vulnerabilities;

(O) ability to recognize cyber threats; and

(P) ability to identify instances of online manipulation.

(5) REPORTING.—

(A) REPORTS BY ELIGIBLE ENTITIES.—Not later than 1 year after the date an eligible entity receives a grant funds under this subsection, such eligible entity shall prepare and submit to the Secretary a report describing the activities the eligible entity carried out using the grant funds and the effectiveness of those activities.

(B) REPORT BY THE SECRETARY.—Not later than 90 days after the date on which the Secretary receives a report under subparagraph (A) from the last eligible entity receiving a grant under this subsection and required to submit a report under such subparagraph, the Secretary shall submit to Congress a report describing the activities carried out under this subsection and the effectiveness of those activities.

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

(A) the Secretary should establish and maintain a list of—

(i) eligible entities that receive a grant under this subsection; and

(ii) the individuals designated by those eligible entities as participating individuals; and

(B) the Secretary should make such list available to those eligible entities and participating individuals in order to promote communication and further exchange of information regarding sound digital citizenship and media literacy practices among recipients of a grant under this subsection.

(7) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2020, 2022, and 2024.

(B) SUPPLEMENT, NOT SUPPLANT.—Amounts appropriated pursuant to subparagraph (A) shall supplement, not supplant, amounts otherwise appropriated for the Department of Veterans Affairs.

SA 1948. Ms. KLOBUCHAR submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 593. STUDY ON IMPROVEMENT OF ACCESS TO VOTING FOR MEMBERS OF THE ARMED FORCES OVERSEAS.

(a) STUDY REQUIRED.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on means of improving access to voting for members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2022, the Director shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for such members, including through the establishment of unit-level assistance mechanisms or permanent voting assistance offices.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Officers in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officer program.

(c) FUNDING.—Of the amount authorized to be appropriated for fiscal year 2021 for the Department of Defense by section 301 and available for operation and maintenance, Defense-wide activities, as specified in the funding table in section 4301, $1,300,000 may be available for the study required by subsection (a).

SA 1949. Ms. KLOBUCHAR (for herself, Ms. HIRONO, Ms. BALDWIN, Mr. VAN HOLLEN, Mrs. SHAHEEN, Ms. SMITH, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION __—SHIELD ACT PROVISIONS

SEC. 100. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Stopping Harmful Interference in Elections for a Lasting Democracy Act'' or the ''SHIELD Act''.

(b) TABLE OF CONTENTS.—The table of contents of this division is as follows:

TITLE I—ENHANCED REPORTING REQUIREMENTS

Subtitle A—Establishing Duty To Report Foreign Election Interference

SEC. 101. FEDERAL CAMPAIGN REPORTING OF FOREIGN CONTACTS.

(a) INITIAL NOTICE.—

(1) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE OF REPORTABLE FOREIGN CONTACTS.—

''(1) COMMITTEE OBLIGATION TO NOTIFY.—Not later than 1 week after a reportable foreign contact, each political committee shall notify the Federal Bureau of Investigation and the Commission of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

''(2) INDIVIDUAL OBLIGATION TO NOTIFY.—Not later than 3 days after a reportable foreign contact—

''(A) each candidate shall notify the treasurer or other designated official of the principal campaign committee of such candidate of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact; and

''(B) each official, employee, or agent of a political committee shall notify the treasurer or other designated official of the committee of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

''(3) REPORTABLE FOREIGN CONTACT.—In this subsection:

''(A) IN GENERAL.—The term 'reportable foreign contact' means any direct or indirect contact or communication that—

''(i) is between—

''(I) a candidate, a political committee, or any official, employee, or agent of such committee; and

''(II) an individual that the person described in subclause (I) knows, has reason to know, or reasonably believes is a covered foreign national; and

''(ii) the person described in clause (i)(I) knows, has reason to know, or reasonably believes involves—

''(I) an offer or other proposal for a contribution, donation, expenditure, disbursement, or solicitation described in section 319; or

''(II) coordination or collaboration with, an offer or provision of information or services to or from, or persistent and repeated contact with, a covered foreign national in connection with an election.

''(B) EXCEPTION.—The term 'reportable foreign contact' shall not include any contact or communication with a covered foreign national by an elected official or an employee of an elected official solely in an official capacity as such an official or employee. For purposes of the previous sentence, a contact or communication by an elected official or an employee of an elected official shall not be considered to be made solely in an official

capacity if the contact or communication involves a contribution, donation, expenditure, disbursement, or solicitation described in section 319.

''(C) COVERED FOREIGN NATIONAL DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'covered foreign national' means—

''(I) a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)) that is a government of a foreign country or a foreign political party;

''(II) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal described in subclause (I) or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal described in subclause (I); or

''(III) any person included in the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to authorities relating to the imposition of sanctions relating to the conduct of a foreign principal described in subclause (I).

''(ii) CLARIFICATION REGARDING APPLICATION TO CITIZENS OF THE UNITED STATES.—In the case of a citizen of the United States, subclause (II) of clause (i) applies only to the extent that the person involved acts within the scope of that person's status as the agent of a foreign principal described in subclause (I) of clause (i).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to reportable foreign contacts which occur on or after the date of the enactment of this Act.

(b) INFORMATION INCLUDED ON REPORT.—

(1) IN GENERAL.—Section 304(b) of such Act (52 U.S.C. 30104(b)) is amended—

(A) by striking ''and'' at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(9) for any reportable foreign contact (as defined in subsection (j)(3))—

''(A) the date, time, and location of the contact;

''(B) the date and time of when a designated official of the committee was notified of the contact;

''(C) the identity of individuals involved; and

''(D) a description of the contact, including the nature of any contribution, donation, expenditure, disbursement, or solicitation involved and the nature of any activity described in subsection (j)(3)(A)(ii)(II) involved.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to reports filed on or after the expiration of the 60-day period which begins on the date of the enactment of this Act.

SEC. 102. FEDERAL CAMPAIGN FOREIGN CONTACT REPORTING COMPLIANCE SYSTEM.

(a) IN GENERAL.—Section 302 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102) is amended by adding at the end the following new subsection:

''(j) REPORTABLE FOREIGN CONTACTS COMPLIANCE POLICY.—

''(1) REPORTING.—Each political committee shall establish a policy that requires all officials, employees, and agents of such committee to notify the treasurer or other appropriate designated official of the committee of any reportable foreign contact (as defined in section 304(j)) not later than 3 days after such contact was made.

''(2) RETENTION AND PRESERVATION OF RECORDS.—Each political committee shall establish a policy that provides for the retention and preservation of records and information related to reportable foreign contacts (as so defined) for a period of not less than 3 years.

''(3) CERTIFICATION.—

''(A) IN GENERAL.—Upon filing its statement of organization under section 303(a), and with each report filed under section 304(a), the treasurer of each political committee (other than an authorized committee) shall certify that—

''(i) the committee has in place policies that meet the requirements of paragraphs (1) and (2);

''(ii) the committee has designated an official to monitor compliance with such policies; and

''(iii) not later than 1 week after the beginning of any formal or informal affiliation with the committee, all officials, employees, and agents of such committee will—

''(I) receive notice of such policies;

''(II) be informed of the prohibitions under section 319; and

''(III) sign a certification affirming their understanding of such policies and prohibitions.

''(B) AUTHORIZED COMMITTEES.—With respect to an authorized committee, the candidate shall make the certification required under subparagraph (A).''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to political committees which file a statement of organization under section 303(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30103(a)) on or after the date of the enactment of this Act.

(2) TRANSITION RULE FOR EXISTING COMMITTEES.—Not later than 30 days after the date of the enactment of this Act, each political committee under the Federal Election Campaign Act of 1971 shall file a certification with the Federal Election Commission that the committee is in compliance with the requirements of section 302(j) of such Act (as added by subsection (a)).

SEC. 103. CRIMINAL PENALTIES.

Section 309(d)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)(1)) is amended by adding at the end the following new subparagraphs:

''(E) Any person who knowingly and willfully commits a violation of subsection (j) or (b)(9) of section 304 or section 302(j) shall be fined not more than $500,000, imprisoned not more than 5 years, or both.

''(F) Any person who knowingly and willfully conceals or destroys any materials relating to a reportable foreign contact (as defined in section 304(j)) shall be fined not more than $1,000,000, imprisoned not more than 5 years, or both.''.

SEC. 104. RULE OF CONSTRUCTION.

Nothing in this subtitle or the amendments made by this subtitle shall be construed—

(1) to impede legitimate journalistic activities; or

(2) to impose any additional limitation on the right to express political views or to participate in public discourse of any individual who—

(A) resides in the United States;

(B) is not a citizen of the United States or a national of the United States, as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22)); and

(C) is not lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).

Subtitle B—Strengthening Oversight of Online Political Advertising

SEC. 111. SHORT TITLE.

This subtitle may be cited as the ''Honest Ads Act''.

SEC. 112. PURPOSE.

The purpose of this subtitle is to enhance the integrity of American democracy and national security by improving disclosure requirements for online political advertisements in order to uphold the Supreme Court's well-established standard that the electorate bears the right to be fully informed.

SEC. 113. EXPANSION OF DEFINITION OF PUBLIC COMMUNICATION.

(a) IN GENERAL.—Paragraph (22) of section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101(22)) is amended by striking ''or satellite communication'' and inserting ''satellite, paid internet, or paid digital communication''.

(b) TREATMENT OF CONTRIBUTIONS AND EXPENDITURES.—Section 301 of such Act (52 U.S.C. 30101) is amended—

(1) in paragraph (8)(B)—

(A) by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' in clause (v) and inserting ''in any public communication'';

(B) by striking ''broadcasting, newspaper, magazine, billboard, direct mail, or similar type of general public communication or political advertising'' in clause (ix)(1) and inserting ''public communication''; and

(C) by striking ''but not including the use of broadcasting, newspapers, magazines, billboards, direct mail, or similar types of general public communication or political advertising'' in clause (x) and inserting ''but not including use in any public communication''; and

(2) in paragraph (9)(B)—

(A) by amending clause (i) to read as follows:

''(i) any news story, commentary, or editorial distributed through the facilities of any broadcasting station or any print, online, or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, print, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''; and

(B) in clause (iv), by striking ''on broadcasting stations, or in newspapers, magazines, or similar types of general public political advertising'' and inserting ''in any public communication''.

(c) DISCLOSURE AND DISCLAIMER STATEMENTS.—Subsection (a) of section 318 of such Act (52 U.S.C. 30120) is amended—

(1) by striking ''financing any communication through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''financing any public communication''; and

(2) by striking ''solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, mailing, or any other type of general public political advertising'' and inserting ''solicits any contribution through any public communication''.

SEC. 114. EXPANSION OF DEFINITION OF ELECTIONEERING COMMUNICATION.

(a) EXPANSION TO ONLINE COMMUNICATIONS.—

(1) APPLICATION TO QUALIFIED INTERNET AND DIGITAL COMMUNICATIONS.—

(A) IN GENERAL.—Subparagraph (A) of section 304(f)(3) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104(f)(3)(A)) is amended by striking ''or satellite communication'' each place it appears in clauses (i) and (ii) and inserting ''satellite, or qualified internet or digital communication''.

(B) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—Paragraph (3) of section 304(f) of such Act (52 U.S.C. 30104(f)) is amended by adding at the end the following new subparagraph:

''(D) QUALIFIED INTERNET OR DIGITAL COMMUNICATION.—The term 'qualified internet or digital communication' means any communication which is placed or promoted for a fee on an online platform (as defined in subsection (k)(3)).''.

(2) NONAPPLICATION OF RELEVANT ELECTORATE TO ONLINE COMMUNICATIONS.—Section 304(f)(3)(A)(i)(III) of such Act (52 U.S.C. 30104(f)(3)(A)(i)(III)) is amended by inserting ''any broadcast, cable, or satellite'' before ''communication''.

(3) NEWS EXEMPTION.—Section 304(f)(3)(B)(i) of such Act (52 U.S.C. 30104(f)(3)(B)(i)) is amended to read as follows:

''(i) a communication appearing in a news story, commentary, or editorial distributed through the facilities of any broadcasting station or any online or digital newspaper, magazine, blog, publication, or periodical, unless such broadcasting, online, or digital facilities are owned or controlled by any political party, political committee, or candidate;''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to communications made on or after January 1, 2021.

SEC. 115. APPLICATION OF DISCLAIMER STATEMENTS TO ONLINE COMMUNICATIONS.

(a) CLEAR AND CONSPICUOUS MANNER REQUIREMENT.—Subsection (a) of section 318 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30120(a)) is amended—

(1) by striking ''shall clearly state'' each place it appears in paragraphs (1), (2), and (3) and inserting ''shall state in a clear and conspicuous manner''; and

(2) by adding at the end the following flush sentence: ''For purposes of this section, a communication does not make a statement in a clear and conspicuous manner if it is difficult to read or hear or if the placement is easily overlooked.''.

(b) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

(1) IN GENERAL.—Section 318 of such Act (52 U.S.C. 30120) is amended by adding at the end the following new subsection:

''(e) SPECIAL RULES FOR QUALIFIED INTERNET OR DIGITAL COMMUNICATIONS.—

''(1) SPECIAL RULES WITH RESPECT TO STATEMENTS.—In the case of any communication to which this section applies which is a qualified internet or digital communication (as defined in section 304(f)(3)(D)) which is disseminated through a medium in which the provision of all of the information specified in this section is not possible, the communication shall, in a clear and conspicuous manner—

''(A) state the name of the person who paid for the communication; and

''(B) provide a means for the recipient of the communication to obtain the remainder of the information required under this section with minimal effort and without receiving or viewing any additional material other than such required information.

''(2) SAFE HARBOR FOR DETERMINING CLEAR AND CONSPICUOUS MANNER.—A statement in a qualified internet or digital communication (as defined in section 304(f)(3)(D)) shall be considered to be made in a clear and conspicuous manner as provided in subsection (a) if the communication meets the following requirements:

''(A) TEXT OR GRAPHIC COMMUNICATIONS.—In the case of a text or graphic communication, the statement—

''(i) appears in letters at least as large as the majority of the text in the communication; and

''(ii) meets the requirements of paragraphs (2) and (3) of subsection (c).

''(B) AUDIO COMMUNICATIONS.—In the case of an audio communication, the statement is spoken in a clearly audible and intelligible manner at the beginning or end of the communication and lasts at least 3 seconds.

''(C) VIDEO COMMUNICATIONS.—In the case of a video communication which also includes audio, the statement—

''(i) is included at either the beginning or the end of the communication; and

''(ii) is made both in—

''(I) a written format that meets the requirements of subparagraph (A) and appears for at least 4 seconds; and

''(II) an audible format that meets the requirements of subparagraph (B).

''(D) OTHER COMMUNICATIONS.—In the case of any other type of communication, the statement is at least as clear and conspicuous as the statement specified in subparagraph (A), (B), or (C).''.

(2) NONAPPLICATION OF CERTAIN EXCEPTIONS.—The exceptions provided in section 110.11(f)(1)(i) and (ii) of title 11, Code of Federal Regulations, or any successor to such rules, shall have no application to qualified internet or digital communications (as defined in section 304(f)(3)(D) of the Federal Election Campaign Act of 1971, as added by this Act).

(c) MODIFICATION OF ADDITIONAL REQUIREMENTS FOR CERTAIN COMMUNICATIONS.—Section 318(d) of such Act (52 U.S.C. 30120(d)) is amended—

(1) in paragraph (1)(A)—

(A) by striking ''which is transmitted through radio'' and inserting ''which is in an audio format''; and

(B) by striking ''BY RADIO'' in the heading and inserting ''AUDIO FORMAT'';

(2) in paragraph (1)(B)—

(A) by striking ''which is transmitted through television'' and inserting ''which is in video format''; and

(B) by striking ''BY TELEVISION'' in the heading and inserting ''VIDEO FORMAT''; and

(3) in paragraph (2)—

(A) by striking ''transmitted through radio or television'' and inserting ''made in audio or video format''; and

(B) by striking ''through television'' in the second sentence and inserting ''in video format''.

SEC. 116. POLITICAL RECORD REQUIREMENTS FOR ONLINE PLATFORMS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104), as amended by section 101(a), is further amended by adding at the end the following new subsection:

''(k) DISCLOSURE OF CERTAIN ONLINE ADVERTISEMENTS.—

''(1) IN GENERAL.—

''(A) REQUIREMENTS FOR ONLINE PLATFORMS.—An online platform shall maintain, and make available for online public inspection in machine readable format, a complete record of any request to purchase on such online platform a qualified political advertisement which is made by a person whose aggregate requests to purchase qualified political advertisements on such online platform during the calendar year exceeds $500.

''(B) REQUIREMENTS FOR ADVERTISERS.—Any person who requests to purchase a qualified political advertisement on an online platform shall provide the online platform with such information as is necessary for the online platform to comply with the requirements of subparagraph (A).

''(2) CONTENTS OF RECORD.—A record maintained under paragraph (1)(A) shall contain—

''(A) a digital copy of the qualified political advertisement;

''(B) a description of the audience targeted by the advertisement, the number of views generated from the advertisement, and the date and time that the advertisement is first displayed and last displayed; and

''(C) information regarding—

''(i) the average rate charged for the advertisement;

''(ii) the name of the candidate to which the advertisement refers and the office to which the candidate is seeking election, the election to which the advertisement refers, or the national legislative issue to which the advertisement refers (as applicable);

''(iii) in the case of a request made by, or on behalf of, a candidate, the name of the candidate, the authorized committee of the candidate, and the treasurer of such committee; and

''(iv) in the case of any request not described in clause (iii), the name of the person purchasing the advertisement, the name, address, and phone number of a contact person for such person, and a list of the chief executive officers or members of the executive committee or of the board of directors of such person.

''(3) ONLINE PLATFORM.—For purposes of this subsection, the term 'online platform' means any public-facing website, web application, or digital application (including a social network, ad network, or search engine) which—

''(A) sells qualified political advertisements; and

''(B) has 50,000,000 or more unique monthly United States visitors or users for a majority of months during the preceding 12 months.

''(4) QUALIFIED POLITICAL ADVERTISEMENT.—For purposes of this subsection, the term 'qualified political advertisement' means any advertisement (including search engine marketing, display advertisements, video advertisements, native advertisements, and sponsorships) that—

''(A) is made by or on behalf of a candidate; or

''(B) communicates a message relating to any political matter of national importance, including—

''(i) a candidate;

''(ii) any election to Federal office; or

''(iii) a national legislative issue of public importance.

''(5) TIME TO MAINTAIN FILE.—The information required under this subsection shall be made available as soon as possible and shall be retained by the online platform for a period of not less than 4 years.

''(6) PENALTIES.—For penalties for failure by online platforms, and persons requesting to purchase a qualified political advertisement on online platforms, to comply with the requirements of this subsection, see section 309.''.

(b) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Federal Election Commission shall establish rules—

(1) requiring common data formats for the record required to be maintained under section 304(k) of the Federal Election Campaign Act of 1971 (as added by subsection (a)) so that all online platforms submit and maintain data online in a common, machine-readable and publicly accessible format; and

(2) establishing search interface requirements relating to such record, including searches by candidate name, issue, purchaser, and date.

(c) REPORTING.—Not later than 2 years after the date of the enactment of this Act, and biannually thereafter, the Chairman of the Federal Election Commission shall submit a report to Congress on—

(1) matters relating to compliance with and the enforcement of the requirements of section 304(k) of the Federal Election Campaign Act of 1971, as added by subsection (a);

(2) recommendations for any modifications to such section to assist in carrying out its purposes; and

(3) identifying ways to bring transparency and accountability to political advertisements distributed online for free.

SEC. 117. PREVENTING CONTRIBUTIONS, EXPENDITURES, INDEPENDENT EXPENDITURES, AND DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS BY FOREIGN NATIONALS IN THE FORM OF ONLINE ADVERTISING.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121) is amended by adding at the end the following new subsection:

''(c) Each television or radio broadcast station, provider of cable or satellite television, or online platform (as defined in section 304(j)(3)) shall make reasonable efforts to ensure that communications described in section 318(a) and made available by such station, provider, or platform are not purchased by a foreign national, directly or indirectly.''.

TITLE II—CLOSING LOOPHOLES ALLOWING SPENDING BY FOREIGN NATIONALS IN ELECTIONS

SEC. 201. CLARIFICATION OF PROHIBITION ON PARTICIPATION BY FOREIGN NATIONALS IN ELECTION-RELATED ACTIVITIES.

(a) CLARIFICATION OF PROHIBITION.—Section 319(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)) is amended—

(1) by striking ''or'' at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(3) by adding at the end the following new paragraph:

''(3) a foreign national to direct, dictate, control, or directly or indirectly participate in the decision-making process of any person (including a corporation, labor organization, political committee, or political organization) with regard to such person's Federal or non-Federal election-related activity, including any decision concerning the making of contributions, donations, expenditures, or disbursements in connection with an election for any Federal, State, or local office or any decision concerning the administration of a political committee.''.

(b) CERTIFICATION OF COMPLIANCE.—Section 319 of such Act (52 U.S.C. 30121), as amended by section 117, is further amended by adding at the end the following new subsection:

''(d) CERTIFICATION OF COMPLIANCE REQUIRED PRIOR TO CARRYING OUT ACTIVITY.—Prior to the making in connection with an election for Federal office of any contribution, donation, expenditure, independent expenditure, or disbursement for an electioneering communication by a corporation, limited liability corporation, or partnership during a year, the chief executive officer of the corporation, limited liability corporation, or partnership (or, if the corporation, limited liability corporation, or partnership does not have a chief executive officer, the highest ranking official of the corporation, limited liability corporation, or partnership), shall file a certification with the Commission, under penalty of perjury, that a foreign national did not direct, dictate, control, or directly or indirectly participate in the decision-making process relating to such activity in violation of subsection (a)(3), unless the chief executive officer has previously filed such a certification during that calendar year.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect upon the expiration of the 180-day period which begins on the date of the enactment of this Act.

SEC. 202. CLARIFICATION OF APPLICATION OF FOREIGN MONEY BAN TO CERTAIN DISBURSEMENTS AND ACTIVITIES.

(a) APPLICATION TO DISBURSEMENTS TO SUPER PACS.—Section 319(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)) is amended by striking the semicolon and inserting the following: '', including any disbursement to a political committee which accepts donations or contributions that do not comply with the limitations, prohibitions, and reporting requirements of this Act (or any disbursement to or on behalf of any account of a political committee which is established for the purpose of accepting such donations or contributions);''.

(b) CONDITIONS UNDER WHICH CORPORATE PACS MAY MAKE CONTRIBUTIONS AND EXPENDITURES.—Section 316(b) of such Act (52 U.S.C. 30118(b)) is amended by adding at the end the following new paragraph:

''(8) A separate segregated fund established by a corporation may not make a contribution or expenditure during a year unless the fund has certified to the Commission the following during the year:

''(A) Each individual who manages the fund, and who is responsible for exercising decision-making authority for the fund, is a citizen of the United States or is lawfully admitted for permanent residence in the United States.

''(B) No foreign national under section 319 participates in any way in the decision-making processes of the fund with regard to contributions or expenditures under this Act.

''(C) The fund does not solicit or accept recommendations from any foreign national under section 319 with respect to the contributions or expenditures made by the fund.

''(D) Any member of the board of directors of the corporation who is a foreign national under section 319 abstains from voting on matters concerning the fund or its activities.''.

SEC. 203. AUDIT AND REPORT ON ILLICIT FOREIGN MONEY IN FEDERAL ELECTIONS.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is amended by inserting after section 319 the following new section:

''SEC. 319A. AUDIT AND REPORT ON DISBURSEMENTS BY FOREIGN NATIONALS.

''(a) AUDIT.—

''(1) IN GENERAL.—The Commission shall conduct an audit after each Federal election cycle to determine the incidence of illicit foreign money in such Federal election cycle.

''(2) PROCEDURES.—In carrying out paragraph (1), the Commission shall conduct random audits of any disbursements required to be reported under this Act, in accordance with procedures established by the Commission.

''(b) REPORT.—Not later than 180 days after the end of each Federal election cycle, the Commission shall submit to Congress a report containing—

''(1) results of the audit required by subsection (a)(1); and

''(2) recommendations to address the presence of illicit foreign money in elections, as appropriate.

''(c) DEFINITIONS.—As used in this section:

''(1) The term 'Federal election cycle' means the period which begins on the day after the date of a regularly scheduled general election for Federal office and which ends on the date of the first regularly scheduled general election for Federal office held after such date.

''(2) The term 'illicit foreign money' means any disbursement by a foreign national (as defined in section 319(b)) prohibited under such section.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the Federal election cycle that began during November 2018, and each succeeding Federal election cycle.

SEC. 204. PROHIBITION ON CONTRIBUTIONS AND DONATIONS BY FOREIGN NATIONALS IN CONNECTIONS WITH BALLOT INITIATIVES AND REFERENDA.

(a) IN GENERAL.—Section 319(a)(1)(A) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)(A)) is amended by striking ''election'' and inserting the following: ''election, including a State or local ballot initiative or referendum''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to elections held in 2021 or any succeeding year.

SEC. 205. EXPANSION OF LIMITATIONS ON FOREIGN NATIONALS PARTICIPATING IN POLITICAL ADVERTISING.

(a) DISBURSEMENTS DESCRIBED.—Section 319(a)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121(a)(1)) is amended—

(1) by striking ''or'' at the end of subparagraph (B); and

(2) by striking subparagraph (C) and inserting the following:

''(C) an expenditure;

''(D) an independent expenditure;

''(E) a disbursement for an electioneering communication (within the meaning of section 304(f)(3));

''(F) a disbursement for a communication which is placed or promoted for a fee on a website, web application, or digital application that refers to a clearly identified candidate for election for Federal office and is disseminated within 60 days before a general, special, or runoff election for the office sought by the candidate or 30 days before a primary or preference election, or a convention or caucus of a political party that has authority to nominate a candidate for the office sought by the candidate;

''(G) a disbursement for a broadcast, cable or satellite communication, or for a communication which is placed or promoted for a fee on a website, web application, or digital application, that promotes, supports, attacks, or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the communication contains express advocacy or the functional equivalent of express advocacy);

''(H) a disbursement for a broadcast, cable, or satellite communication, or for any communication which is placed or promoted for a fee on an online platform (as defined in section 304(k)(3)), that discusses a national legislative issue of public importance in a year in which a regularly scheduled general election for Federal office is held, but only if the disbursement is made by a covered foreign national described in section 304(j)(3)(C); or

''(I) a disbursement by a covered foreign national described in section 304(j)(3)(C) to compensate any person for internet activity that promotes, supports, attacks, or opposes the election of a clearly identified candidate for Federal, State, or local office (regardless of whether the activity communication contains express advocacy or the functional equivalent of express advocacy);''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to disbursements made on or after the date of the enactment of this Act.

TITLE III—DETERRING FOREIGN INTERFERENCE IN ELECTIONS

Subtitle A—Deterrence Under Federal Election Campaign Act of 1971

SEC. 301. RESTRICTIONS ON EXCHANGE OF CAMPAIGN INFORMATION BETWEEN CANDIDATES AND FOREIGN POWERS.

Section 319 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30121), as amended by section 117 and section 201(b), is further amended by adding at the end the following new subsection:

''(e) RESTRICTIONS ON EXCHANGE OF INFORMATION BETWEEN CANDIDATES AND FOREIGN POWERS.—

''(1) TREATMENT OF OFFER TO SHARE NONPUBLIC CAMPAIGN MATERIAL AS SOLICITATION OF CONTRIBUTION FROM FOREIGN NATIONAL.—If a candidate or an individual affiliated with the campaign of a candidate, or if a political committee or an individual affiliated with a political committee, provides or offers to provide nonpublic campaign material to a covered foreign national or to another person whom the candidate, committee, or individual knows or has reason to know will provide the material to a covered foreign national, the candidate, committee, or individual (as the case may be) shall be considered for purposes of this section to have solicited a contribution or donation described in subsection (a)(1)(A) from a foreign national.

''(2) DEFINITIONS.—In this subsection, the following definitions apply:

''(A) The term 'candidate' means an individual who seeks nomination for, or election to, any Federal, State, or local public office.

''(B) The term 'covered foreign national' has the meaning given such term in section 304(j)(3)(C).

''(C) The term 'individual affiliated with a campaign' means, with respect to a candidate, an employee of any organization legally authorized under Federal, State, or local law to support the candidate's campaign for nomination for, or election to, any Federal, State, or local public office, as well as any independent contractor of such an organization and any individual who performs services on behalf of the organization, whether paid or unpaid.

''(D) The term 'individual affiliated with a political committee' means, with respect to a political committee, an employee of the committee as well as any independent contractor of the committee and any individual who performs services on behalf of the committee, whether paid or unpaid.

''(E) The term 'nonpublic campaign material' means, with respect to a candidate or a political committee, campaign material that is produced by the candidate or the committee or produced at the candidate or committee's expense or request which is not distributed or made available to the general public or otherwise in the public domain, including polling and focus group data and opposition research, except that such term does not include material produced for purposes of consultations relating solely to the candidate's or committee's position on a legislative or policy matter.''.

SEC. 302. CLARIFICATION OF STANDARD FOR DETERMINING EXISTENCE OF COORDINATION BETWEEN CAMPAIGNS AND OUTSIDE INTERESTS.

Section 315(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30116(a)) is amended by adding at the end the following new paragraph:

''(10) For purposes of paragraph (7), an expenditure or disbursement may be considered to have been made in cooperation, consultation, or concert with, or coordinated with, a person without regard to whether or not the cooperation, consultation, or coordination is carried out pursuant to agreement or formal collaboration.''.

Subtitle B—Prohibiting Deceptive Practices and Preventing Voter Intimidation

SEC. 311. SHORT TITLE.

This subtitle may be cited as the ''Deceptive Practices and Voter Intimidation Prevention Act of 2020''.

SEC. 312. PROHIBITION ON DECEPTIVE PRACTICES IN FEDERAL ELECTIONS.

(a) PROHIBITION.—Subsection (b) of section 2004 of the Revised Statutes (52 U.S.C. 10101(b)) is amended—

(1) by striking ''No person'' and inserting the following:

''(1) IN GENERAL.—No person''; and

(2) by inserting at the end the following new paragraphs:

''(2) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time, place, or manner of holding any election described in paragraph (5); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(3) FALSE STATEMENTS REGARDING PUBLIC ENDORSEMENTS.—

''(A) PROHIBITION.—No person, whether acting under color of law or otherwise, shall, within 60 days before an election described in paragraph (5), by any means, including by means of written, electronic, or telephonic communications, communicate, or cause to be communicated, a materially false statement about an endorsement, if such person—

''(i) knows such statement to be false; and

''(ii) has the intent to impede or prevent another person from exercising the right to vote in an election described in paragraph (5).

''(B) DEFINITION OF 'MATERIALLY FALSE'.—For purposes of subparagraph (A), a statement about an endorsement is 'materially false' if, with respect to an upcoming election described in paragraph (5)—

''(i) the statement states that a specifically named person, political party, or organization has endorsed the election of a specific candidate for a Federal office described in such paragraph; and

''(ii) such person, political party, or organization has not endorsed the election of such candidate.

''(4) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—No person, whether acting under color of law or otherwise, shall intentionally hinder, interfere with, or prevent another person from voting, registering to vote, or aiding another person to vote or register to vote in an election described in paragraph (5).

''(5) ELECTION DESCRIBED.—An election described in this paragraph is any general, primary, run-off, or special election held solely or in part for the purpose of nominating or electing a candidate for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a Territory or possession.''.

(b) PRIVATE RIGHT OF ACTION.—

(1) IN GENERAL.—Subsection (c) of section 2004 of the Revised Statutes (52 U.S.C. 10101(c)) is amended—

(A) by striking ''Whenever any person'' and inserting the following:

''(1) Whenever any person''; and

(B) by adding at the end the following new paragraph:

''(2) Any person aggrieved by a violation of subsection (b)(2), (b)(3), or (b)(4) may institute a civil action for preventive relief, including an application in a United States district court for a permanent or temporary injunction, restraining order, or other order. In any such action, the court, in its discretion, may allow the prevailing party a reasonable attorney's fee as part of the costs.''.

(2) CONFORMING AMENDMENTS.—

(A) Subsection (e) of section 2004 of the Revised Statutes (52 U.S.C. 10101(e)) is amended by striking ''subsection (c)'' and inserting ''subsection (c)(1)''.

(B) Subsection (g) of section 2004 of the Revised Statutes (52 U.S.C. 10101(g)) is amended by striking ''subsection (c)'' and inserting ''subsection (c)(1)''.

(c) CRIMINAL PENALTIES.—

(1) DECEPTIVE ACTS.—Section 594 of title 18, United States Code, is amended—

(A) by striking ''Whoever'' and inserting the following:

''(a) INTIMIDATION.—Whoever'';

(B) in subsection (a), as inserted by subparagraph (A), by striking ''at any election'' and inserting ''at any general, primary, run-off, or special election''; and

(C) by adding at the end the following new subsections:

''(b) DECEPTIVE ACTS.—

''(1) FALSE STATEMENTS REGARDING FEDERAL ELECTIONS.—

''(A) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, within 60 days before an election described in subsection (e), by any means, including by means of written, electronic, or telephonic communications, to communicate or cause to be communicated information described in subparagraph (B), or produce information described in subparagraph (B) with the intent that such information be communicated, if such person—

''(i) knows such information to be materially false; and

''(ii) has the intent to mislead voters, or the intent to impede or prevent another person from exercising the right to vote in an election described in subsection (e).

''(B) INFORMATION DESCRIBED.—Information is described in this subparagraph if such information is regarding—

''(i) the time or place of holding any election described in subsection (e); or

''(ii) the qualifications for or restrictions on voter eligibility for any such election, including—

''(I) any criminal penalties associated with voting in any such election; or

''(II) information regarding a voter's registration status or eligibility.

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(c) HINDERING, INTERFERING WITH, OR PREVENTING VOTING OR REGISTERING TO VOTE.—

''(1) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to intentionally hinder, interfere with, or prevent another person

from voting, registering to vote, or aiding another person to vote or register to vote in an election described in subsection (e).

''(2) PENALTY.—Any person who violates paragraph (1) shall be fined not more than $100,000, imprisoned for not more than 5 years, or both.

''(d) ATTEMPT.—Any person who attempts to commit any offense described in subsection (a), (b)(1), or (c)(1) shall be subject to the same penalties as those prescribed for the offense that the person attempted to commit.

''(e) ELECTION DESCRIBED.—An election described in this subsection is any general, primary, run-off, or special election held solely or in part for the purpose of nominating or electing a candidate for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Delegate or Commissioner from a Territory or possession.''.

(2) MODIFICATION OF PENALTY FOR VOTER INTIMIDATION.—Section 594(a) of title 18, United States Code, as amended by paragraph (1), is amended by striking ''fined under this title or imprisoned not more than one year'' and inserting ''fined not more than $100,000, imprisoned for not more than 5 years''.

(3) SENTENCING GUIDELINES.—

(A) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 594 of title 18, United States Code, as amended by this section.

(B) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal Sentencing Guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(4) PAYMENTS FOR REFRAINING FROM VOTING.—Subsection (c) of section 11 of the Voting Rights Act of 1965 (52 U.S.C. 10307) is amended by striking ''either for registration to vote or for voting'' and inserting ''for registration to vote, for voting, or for not voting''.

SEC. 313. CORRECTIVE ACTION.

(a) CORRECTIVE ACTION.—

(1) IN GENERAL.—If the Attorney General receives a credible report that materially false information has been or is being communicated in violation of paragraphs (2) and (3) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 312(a), and if the Attorney General determines that State and local election officials have not taken adequate steps to promptly communicate accurate information to correct the materially false information, the Attorney General shall, pursuant to the written procedures and standards under subsection (b), communicate to the public, by any means, including by means of written, electronic, or telephonic communications, accurate information designed to correct the materially false information.

(2) COMMUNICATION OF CORRECTIVE INFORMATION.—Any information communicated by the Attorney General under paragraph (1)—

(A) shall—

(i) be accurate and objective;

(ii) consist of only the information necessary to correct the materially false information that has been or is being communicated; and

(iii) to the extent practicable, be by a means that the Attorney General determines will reach the persons to whom the materially false information has been or is being communicated; and

(B) shall not be designed to favor or disfavor any particular candidate, organization, or political party.

(b) WRITTEN PROCEDURES AND STANDARDS FOR TAKING CORRECTIVE ACTION.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Attorney General shall publish written procedures and standards for determining when and how corrective action will be taken under this section.

(2) INCLUSION OF APPROPRIATE DEADLINES.—The procedures and standards under paragraph (1) shall include appropriate deadlines, based in part on the number of days remaining before the upcoming election.

(3) CONSULTATION.—In developing the procedures and standards under paragraph (1), the Attorney General shall consult with the Election Assistance Commission, State and local election officials, civil rights organizations, voting rights groups, voter protection groups, and other interested community organizations.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this subtitle.

SEC. 314. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 180 days after each general election for Federal office, the Attorney General shall submit to Congress a report compiling all allegations received by the Attorney General of deceptive practices described in paragraphs (2), (3), and (4) of section 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as added by section 312(a), relating to the general election for Federal office and any primary, run-off, or a special election for Federal office held in the 2 years preceding the general election.

(b) CONTENTS.—

(1) IN GENERAL.—Each report submitted under subsection (a) shall include—

(A) a description of each allegation of a deceptive practice described in subsection (a), including the geographic location, racial and ethnic composition, and language minority-group membership of the persons toward whom the alleged deceptive practice was directed;

(B) the status of the investigation of each allegation described in subparagraph (A);

(C) a description of each corrective action taken by the Attorney General under section 4(a) in response to an allegation described in subparagraph (A);

(D) a description of each referral of an allegation described in subparagraph (A) to other Federal, State, or local agencies;

(E) to the extent information is available, a description of any civil action instituted under section 2004(c)(2) of the Revised Statutes (52 U.S.C. 10101(c)(2)), as added by section 312(b), in connection with an allegation described in subparagraph (A); and

(F) a description of any criminal prosecution instituted under section 594 of title 18, United States Code, as amended by section 3(c), in connection with the receipt of an allegation described in subparagraph (A) by the Attorney General.

(2) EXCLUSION OF CERTAIN INFORMATION.—

(A) IN GENERAL.—The Attorney General shall not include in a report submitted under subsection (a) any information protected from disclosure by rule 6(e) of the Federal Rules of Criminal Procedure or any Federal criminal statute.

(B) EXCLUSION OF CERTAIN OTHER INFORMATION.—The Attorney General may determine that the following information shall not be included in a report submitted under subsection (a):

(i) Any information that is privileged.

(ii) Any information concerning an ongoing investigation.

(iii) Any information concerning a criminal or civil proceeding conducted under seal.

(iv) Any other nonpublic information that the Attorney General determines the disclosure of which could reasonably be expected to infringe on the rights of any individual or adversely affect the integrity of a pending or future criminal investigation.

(c) REPORT MADE PUBLIC.—On the date that the Attorney General submits the report under subsection (a), the Attorney General shall also make the report publicly available through the internet and other appropriate means.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EFFECTIVE DATES OF PROVISIONS.

Each provision of this division and each amendment made by a provision of this division shall take effect on the effective date provided under this division for such provision or such amendment without regard to whether or not the Federal Election Commission, the Attorney General, or any other person has promulgated regulations to carry out such provision or such amendment.

SEC. 402. SEVERABILITY.

If any provision of this division or any amendment made by this division, or the application of a provision of this division or an amendment made by this division to any person or circumstance, is held to be unconstitutional, the remainder of this division, and the application of the provisions to any person or circumstance, shall not be affected by the holding.

SA 1950. Ms. KLOBUCHAR (for herself and Mr. WYDEN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NATIONAL DISASTER AND EMERGENCY BALLOT ACT

SEC. 101. SHORT TITLE.

This division may be cited as the ''Natural Disaster and Emergency Ballot Act of 2020''.

SEC. 102. REQUIREMENTS FOR FEDERAL ELECTION CONTINGENCY PLANS IN RESPONSE TO NATURAL DISASTERS AND EMERGENCIES.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, each State and jurisdiction shall establish and make publicly available a contingency plan to enable qualified individuals (as defined in section 322(b) of the Help America Vote Act of 2002, as added by section 105(a), to vote in elections for Federal office during a state of emergency, public health emergency, or national emergency which has been declared for reasons including, but not limited to—

(A) a natural disaster; or

(B) an infectious disease.

(2) UPDATING.—Each State and jurisdiction shall update the contingency plan established under this subsection not less frequently than every 5 years.

(b) REQUIREMENTS RELATING TO SAFETY.—

(1) IN GENERAL.—The contingency plan established under subsection (a) shall include initiatives to provide equipment and resources needed to protect the health and safety of voters, pollworkers, and election

workers when voting in person or by mail and throughout the election process, which shall include—

(A) the procurement and use of personal protective equipment, sanitizing supplies and equipment, disinfecting supplies and equipment, disposable voting equipment, and the implementation of personal distancing guidelines; and

(B) the use or implementation of any other equipment and protocols which health experts have determined will protect the health and safety of voters, pollworkers, and election workers.

(2) MINIMUM PROTOCOLS.—The contingency plan established under subsection (a) shall include plans to implement relevant Centers for Disease Control and Prevention guidance to protect the safety of voters, pollworkers, and election workers throughout the entirety of the election process.

(c) REQUIREMENTS RELATING TO RECRUITMENT OF POLL WORKERS.—The contingency plan established under subsection (a) shall include initiatives by the chief State election official and local election officials to recruit poll workers for the November, 2020, general election and subsequent elections from resilient or unaffected populations, which may include—

(1) other State and local government offices;

(2) high schools and colleges in the State for the November, 2020, general election and in subsequent elections for Federal office in the case where an infectious disease poses significant increased health risks to elderly individuals and affects an election for Federal office; and

(3) work-eligible non-citizens to satisfy the need for bilingual poll workers, where language assistance is required by law.

(d) REQUIREMENTS RELATING TO PUBLIC EDUCATION AND INFORMATION CAMPAIGNS.—The contingency plan established under subsection (a) shall include initiatives by the chief State election official and local election officials to inform the public of all voting options and election dates and counter any misinformation about voting options and election dates.

(e) PLAN FOR VOTERS TO BE ABLE TO REQUEST ABSENTEE BALLOTS ONLINE AND VOTE BY MAIL.—The contingency plan established under subsection (a) shall permit all individuals who are registered to vote to—

(1) submit an online request for an absentee ballot, which requirement is satisfied if the local, county, or State election official's website allows an absentee ballot request application to be completed and submitted online and—

(A) an absentee ballot request application to be printed for the voter to complete and mail; or

(B) a voter to submit an online request for a hard copy absentee ballot request application to be mailed or emailed to the voter to complete and mail;

(2) return completed absentee ballot requests to designated drop off boxes which are accessible to all voters on a nondiscriminatory basis, including voters with disabilities, accessible by public transportation, accessible during all hours of the day, and such contingency plan shall ensure that there are sufficient drop boxes in all communities, including rural communities;

(3) cast a vote in elections for Federal office by mail; and

(4) return completed absentee ballots by dropping them off at designated locations before the close of polls on the date of the election.

(f) STATE.—For purposes of this section, the term ''State'' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(g) ENFORCEMENT.—

(1) ATTORNEY GENERAL.—The Attorney General may bring a civil action against any State or jurisdiction in an appropriate United States District Court for such declaratory and injunctive relief (including a temporary restraining order, a permanent or temporary injunction, or other order) as may be necessary to carry out the requirements of this section.

(2) PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—In the case of a violation of this section, any person who is aggrieved by such violation may provide written notice of the violation to the chief election official of the State involved.

(B) RELIEF.—If the violation is not corrected within 20 days after receipt of a notice under subparagraph (A), or within 5 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

(C) SPECIAL RULE.—If the violation occurred within 5 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State involved under subparagraph (A) before bringing a civil action under subparagraph (B).

SEC. 103. REQUIREMENT TO ALLOW FOR EARLY VOTING AND NO-EXCUSE ABSENTEE VOTING.

(a) REQUIREMENTS.—Title III of the Help America Vote Act of 2002 (52 U.S.C. 21081) is amended by adding at the end the following new subtitle:

''Subtitle C—Additional Requirements

''SEC. 321. AVAILABILITY OF EARLY VOTING AND VOTING BY MAIL.

''(a) IN GENERAL.—Each State and jurisdiction shall, with respect to the 2020 general election occurring on November 3, 2020, and each subsequent election for Federal office—

''(1) allow individuals to vote in such election prior to the date of the election through—

''(A) early voting which meets the requirements of subsection (b); and

''(B) voting by mail which meets the requirements of subsection (c);

''(2) publicize the details of any voting allowed under paragraph (1);

''(3) comply with the absentee voting requirements of subsection (d);

''(4) comply with the ballot processing and screening requirements of subsection (e); and

''(5) when applicable, comply with the special rules in case of emergency periods under subsection (f).

''(b) EARLY VOTING.—

''(1) IN GENERAL.—Early voting meets the requirements of this subsection if—

''(A) such voting occurs—

''(i) for a 20-day period preceding the date of the election so that such days constitute consecutive weekdays and include at least one weekend, which period may end on a date chosen by the chief election official of the State that is between the date of the election and 4 days preceding such date; and

''(ii) for no less than 10 hours on each of the 20 days such early voting occurs; and

''(B) each early voting location in the State makes ballot drop-off boxes available consistent with section (c)(2) for voters to submit their voted and sealed absentee ballots.

''(2) STANDARDS.—

''(A) IN GENERAL.—The Election Assistance Commission shall issue standards for the administration of voting in-person prior to the scheduled date of an election for Federal office. Such standards shall include the nondiscriminatory geographic placement of polling places at which such voting occurs.

''(B) DEVIATION.—The standards described in subparagraph (A) shall permit States, upon providing adequate public notice, to deviate from any requirement in the case of unforeseen circumstances such as a natural disaster, terrorist attack, or a change in voter turnout.

''(c) VOTING BY MAIL.—Voting by mail meets the requirements of this subsection if—

''(1) the State does not require an excuse in order to obtain and cast a ballot by mail for any election for Federal office;

''(2) the State makes ballot drop-off boxes available at least 45 days prior to the date of an election for Federal office and up until the close of polls on the date of the election and ensures that such ballot drop-off boxes are—

''(A) available to all voters on a non-discriminatory basis;

''(B) accessible to voters with disabilities;

''(C) accessible—

''(i) by public transportation; and

''(ii) during all hours of the day; and

''(D) sufficiently available in all communities in the State, including rural communities and on Tribal lands;

''(3) the State permits any eligible voter to submit an online request for an absentee ballot to vote in an election for Federal office, which requirement is satisfied if the local, county, or State election official's website allows an absentee ballot request application to be completed and submitted online and if—

''(A) an absentee ballot request application to be printed for the voter to complete and mail; or

''(B) a voter is able to submit an online request via the internet to have a hard-copy absentee ballot request application mailed or e-mailed to them to complete and mail;

''(4) the State sends an absentee ballot to vote in an election for Federal office in the State by mail to any eligible voter that submits a request for such a ballot and that request is received by the appropriate election office on or before the date that is 5 days, not including weekend days, before the date of such election, except that nothing in this paragraph shall preclude a State or local jurisdiction from allowing for the acceptance and processing of ballot requests submitted or received after such required period;

''(5) the State permits any eligible voter to have the option to request an absentee ballot for subsequent elections on all absentee ballot requests;

''(6) the State does not require any form of identification for an absentee ballot request;

''(7) the State does not include any requirements for notarization or witness signature or other formal authentication (other than voter attestation);

''(8) the State allows a voter to sign a voter attestation on a ballot by providing a mark or signature stamp or by providing a signature with the use of an assistant due to age, self-certified disability, or other need;

''(9) the State permits voters to submit an absentee ballot by dropping it off at designated locations before the close of polls on the date of the election, including at any polling location on the date of the election before the close of polls;

''(10) the State—

''(A) permits a voter to designate any person to return a voted and sealed absentee ballot to the post office, a ballot drop-off location, tribally designated building, or election office and that such person designated to return an absentee ballot shall not receive any form of compensation based on the number of ballots that the person has returned

and no individual, group, or organization shall provide compensation on this basis; or

''(B) does not put any limits on how many voted and sealed absentee ballots any designated person can return to the post office, a ballot drop off location, tribally designated building, or election office;

''(11) the State permits any eligible voter that submits a request for an absentee ballot to vote in such election, but does not receive their absentee ballot at least 2 days prior to election day to download and mark at home an absentee ballot provided by the State pursuant to section 103C of the Uniformed Overseas Citizens Absentee Voting Act or section 322 of this Act; and

''(12) the State ensures that any voting materials (as defined in section 203 of the Voting Right Act of 1965 (52 U.S.C. 10503)) provided for purposes of voting by mail, including but not limited to ballots and voter education materials, meet the language requirements under such section 203.

''(d) DEADLINE REQUIREMENTS.—The requirements described in this subsection are that a State shall count a ballot submitted by an individual by mail with respect to an election for Federal office in the State—

''(1) if it is postmarked, signed, or otherwise indicated by the United States Postal Service to have been mailed on or before the close of polls on the date of the election; and

''(2) received by the appropriate State election official on or before the date that is 10 days after the date of such election.

''(e) BALLOT PROCESSING AND SCANNING REQUIREMENTS.—

''(1) IN GENERAL.—The requirement described in this subsection is that the State begins processing and scanning ballots cast during early voting or through vote by mail for tabulation at least 14 days prior to election day.

''(2) LIMITATION.—Nothing in this subsection shall allow for the tabulation of ballots before the close of polls on the date of the election.

''(f) SPECIAL RULES IN CASE OF EMERGENCY PERIODS.—

''(1) AUTOMATIC MAILING OF ABSENTEE BALLOTS TO ALL VOTERS.—If the area in which an election is held is in an area in which an emergency or disaster which is described in subparagraph (A) or (B) of section 1135(g)(1) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)) is declared during the period described in paragraph (3) not later than 2 weeks before the date of the election, the appropriate State or local election official shall transmit by mail absentee ballots and balloting materials for the election to all individuals who are registered to vote in such election or, in the case of any State that does not register voters, all individuals who are in the State's central voter file (or if the State does not keep a central voter file, to all individuals who are eligible to vote in such election) in a manner consistent with all applicable laws, including section 203 of the Voting Right Act of 1965 (52 U.S.C. 10503)).

''(2) AFFIRMATION.—If an individual receives an absentee ballot from a State or local election official pursuant to paragraph (1) and returns the voted ballot to the official, the ballot shall not be counted in the election unless the individual includes with the ballot a signed affirmation that—

''(A) the individual has not and will not cast another ballot with respect to the election; and

''(B) acknowledges that a material misstatement of fact in completing the ballot may constitute grounds for conviction of perjury.

''(3) PERIOD DESCRIBED.—The period described in this paragraph with respect to an election is the period which begins 120 days before the date of the election and ends 30 days before the date of the election.

''(4) APPLICATION TO NOVEMBER 2020 GENERAL ELECTION.—Because of the public health emergency declared pursuant to section 319 of the Public Health Service Act (42 5 U.S.C. 247d) resulting from the COVID–19 pandemic, the special rules set forth in this subsection shall apply with respect to the regularly scheduled general election for Federal office held in November 2020 in each State.

''(g) STATE.— For purposes of this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.''.

(b) CONFORMING AMENDMENT RELATING TO ENFORCEMENT.—Section 401 of such Act (52 U.S.C. 21111) is amended by striking ''and 303'' and inserting ''303, and subtitle C of title III''.

(c) PRIVATE RIGHT OF ACTION.—Title IV of the Help America Vote Act of 2002 (52 U.S.C. 21111 et seq.) is amended by adding at the end the following new section:

''SEC. 403. PRIVATE RIGHT OF ACTION FOR VIOLATIONS OF NATURAL DISASTER AND EMERGENCY BALLOT ACT OF 2020.

''(a) IN GENERAL.—In the case of a violation of subtitle C of title III, section 402 shall not apply and any person who is aggrieved by such violation may provide written notice of the violation to the chief election official of the State involved.

''(b) RELIEF.—If the violation is not corrected within 20 days after receipt of a notice under subsection (a), or within 5 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

''(c) SPECIAL RULE.—(If the violation occurred within 5 days before the date of an election for Federal office, the aggrieved person need not provide notice to the chief election official of the State involved under subsection (a) before bringing a civil action under subsection (b).''.

(d) CONFORMING AMENDMENT RELATING TO VOLUNTARY GUIDANCE BY ELECTION ASSISTANCE COMMISSION.—Section 311(b) of such Act (52 U.S.C. 21101) is amended—

(1) in paragraph (2), by striking ''and'';

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(4) in the case of the recommendations with respect to subtitle C, 1 year after the date of enactment of the Natural Disaster and Emergency Ballot Act of 2020.''.

(e) CLERICAL AMENDMENTS.—The table of contents of such Act is amended—

(1) by inserting after the item relating to section 312 the following:

''Subtitle C—Additional Requirements

''Sec. 321. Availability of early voting and voting by mail.''; and

(2) by inserting after the item relating to section 402 the following:

''Sec. 403. Private right of action for violations of Natural Disaster and Emergency Ballot Act of 2020.''.

SEC. 104. USE OF DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOTS PROVIDED BY STATES UNDER UOCAVA FOR VOTERS WITH DISABILITIES AND THOSE WHO HAVE NOT RECEIVED A BALLOT TO VOTE IN 2020 GENERAL ELECTION AND SUBSEQUENT FEDERAL ELECTIONS UNTIL DOMESTIC DOWNLOADABLE AND PRINTABLE BALLOT PRESCRIBED BY EAC IS AVAILABLE.

(a) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.) is amended by inserting after section 103B the following new section:

''SEC. 103C. USE OF DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOTS PROVIDED UNDER UOCAVA FOR VOTERS WITH DISABILITIES AND THOSE WHO HAVE NOT RECEIVED A BALLOT TO VOTE IN 2020 GENERAL ELECTION AND SUBSEQUENT FEDERAL ELECTIONS UNTIL DOMESTIC DOWNLOADABLE AND PRINTABLE BALLOT PRESCRIBED BY EAC IS AVAILABLE.

''(a) IN GENERAL.—

''(1) STATE RESPONSIBILITIES.—Each State shall, with respect to the 2020 general election occurring on November 3, 2020, and subsequent elections for Federal office (until such time as the Election Assistance Commission prescribes a domestic downloadable and printable ballot for use in elections for Federal office pursuant to section 297 of the Help America Vote Act of 2002), permit qualified individuals to use downloadable and printable absentee ballots transmitted by the State in the same manner and under the same terms and conditions under which the State transmits such ballots to absent uniformed services voters and overseas voters under the provisions of section 102(f) to vote in such election.

''(2) REQUIREMENTS.—Such downloadable and printable absentee ballots—

''(A) must comply with the language requirements under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503); and

''(B) must comply with the disability requirements under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

''(3) APPLICATION OF REQUIREMENTS.—The provisions of section 103 shall apply with respect to the use of such downloadable and printable absentee ballots by qualified individuals pursuant to this section in the same manner as such provisions apply with respect to the use of such ballots by absent uniformed services voters and overseas voters pursuant to section 103.

''(4) CLARIFICATION REGARDING FREE POSTAGE.—Such downloadable and printable absentee ballots of qualified individuals pursuant to this section shall be considered balloting materials as defined in section 107 for purposes of section 3406 of title 39, United States Code.

''(5) PROHIBITING REFUSAL TO ACCEPT BALLOT FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid downloadable and printable absentee ballot submitted in any manner by a qualified individual solely on the basis of the following:

''(A) Notarization or witness signature requirements.

''(B) Restrictions on paper type, including weight and size.

''(C) Restrictions on envelope type, including weight and size.

''(b) QUALIFIED INDIVIDUAL.—For purposes of this section:

''(1) IN GENERAL.—Except as provided in paragraph (2), the term 'qualified individual' means any individual who is otherwise qualified to vote in an election for Federal office and who—

''(A)(i) has requested an absentee ballot from the State or jurisdiction where such individual is registered to vote; and

''(ii) has not received such absentee ballot at least 2 days before the date of the election;

''(B) expects to be absent from such individual's jurisdiction on the day of the election for Federal office due to professional or volunteer service in response to a natural disaster or emergency as so declared;

''(C) is hospitalized or expects to be hospitalized on the day of the election for Federal office; or

''(D) is an individual with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)) and resides in a state which does not offer voters the ability to use secure and accessible remote ballot marking.

For purposes of subparagraph (D), a State shall permit an individual to self-certify that the individual is an individual with a disability.

''(2) COORDINATION WITH FEDERAL WRITE-IN BALLOT FOR ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.—The term 'qualified individual' shall not include an individual who—

''(A) is an absent uniformed services voter or an overseas voter; and

''(B) is entitled to vote using the Federal write-in absentee ballot prescribed under section 103.

''(c) STATE.—For purposes of this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.''.

(b) CONFORMING AMENDMENT.—Section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)) is amended by striking ''and'' at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting ''; and'', and by adding at the end the following new paragraph:

''(12) meet the requirements of section 103C with respect to use of downloadable and printable absentee ballots for qualified individuals to vote in the 2020 general election.''.

(c) CLERICAL AMENDMENTS.—The table of contents of such Act is amended by inserting the following after section 103:

''Sec. 103A. Procedures for collection and delivery of marked absentee ballots of absent overseas uniformed services voters.

''Sec. 103B. Federal voting assistance program improvements.

''Sec. 103C. Use of downloadable and printable absentee ballots provided under uocava for qualified individuals to vote in 2020 general election.''.

SEC. 105. DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR DOMESTIC USE BY VOTERS WITH DISABILITIES AND IN EMERGENCIES STARTING IN 2022.

(a) STATE REQUIREMENT.—

(1) IN GENERAL.—Subtitle C of title III of the Help America Vote Act of 2002, as added by section 103, is amended by adding at the end the following new section:

''SEC. 322. USE OF DOMESTIC DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT.

''(a) STATE REQUIREMENT.—

''(1) IN GENERAL.—Each State shall permit qualified individuals to use a downloadable and printable absentee ballot prescribed by the Election Assistance Commission under section 297 to cast a vote in any election for Federal office.

''(2) REQUIREMENTS.—Such downloadable and printable absentee ballots—

''(A) must comply with the language requirements under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503); and

''(B) must comply with the disability requirements under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

''(b) QUALIFIED INDIVIDUAL.—For purposes of this section:

''(1) IN GENERAL.—Except as provided in paragraph (2), the term 'qualified individual' means any individual who is otherwise qualified to vote in an election for Federal office and who—

''(A)(i) has requested an absentee ballot from the State or jurisdiction where such individual is registered to vote; and

''(ii) has not received such absentee ballot at least 2 days before the date of the election;

''(B)(i) resides in an area of a State with respect to which an emergency or public health emergency has been declared by the Governor or chief government official of the State or chief government official of an area, 5 days or less before election day under the laws of the State due to reasons including, but not limited to—

''(I) a natural disaster, including severe weather; or

''(II) an infectious disease; and

''(ii) has not requested an absentee ballot;

''(C) expects to be absent from such individual's jurisdiction on the day of the election for Federal office due to professional or volunteer service in response to a natural disaster or emergency as so declared;

''(D) is hospitalized or expects to be hospitalized on the day of the election for Federal office; or

''(E) is an individual with a disability (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)) and resides in a state which does not offer voters the ability to use secure and accessible remote ballot marking.

For purposes of subparagraph (E), a State shall permit an individual to self-certify that the individual is an individual with a disability.

''(2) COORDINATION WITH FEDERAL WRITE-IN BALLOT FOR ABSENT UNIFORMED SERVICES AND OVERSEAS VOTERS.—The term 'qualified individual' shall not include an individual who—

''(A) is an absent uniformed services voter (as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20310(1))) or an overseas voter (as defined in section 107(5) of such Act (52 U.S.C. 20310(5))); and

''(B) who is entitled to vote using the Federal write-in absentee ballot developed under section 103 of such Act (52 U.S.C. 20303).

''(c) SUBMISSION AND PROCESSING.—

''(1) IN GENERAL.—Except as otherwise provided in this section, a domestic downloadable and printable absentee ballot to which this section applies shall be submitted and processed in the manner provided by law for absentee ballots in the State involved.

''(2) DEADLINE.—An otherwise eligible national Federal write-in absentee ballot to which this section applies shall be counted—

''(A) if it is postmarked, signed, or otherwise indicated by the United States Postal Service to have been mailed on or before the close of polls on the date of the election; and

''(B) received by the appropriate State election official on or before the date that is 10 days after the date of such election.

''(d) SPECIAL RULES.—The following rules shall apply with respect to domestic printable and downloadable absentee ballots to which this section applies:

''(1) In completing the ballot, the voter may designate a candidate by writing in the name of the candidate or by writing in the name of a political party (in which case the ballot shall be counted for the candidate of that political party).

''(2) In the case of the offices of President and Vice President, a vote for a named candidate or a vote by writing in the name of a political party shall be counted as a vote for the electors supporting the candidate involved.

''(3) Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party shall be disregarded in determining the validity of the ballot.

''(e) PROHIBITING REFUSAL TO ACCEPT BALLOT FOR FAILURE TO MEET CERTAIN REQUIREMENTS.—A State shall not refuse to accept and process any otherwise valid Federal write-in absentee ballot submitted in any manner by a qualified individual solely on the basis of the following:

''(1) Notarization and witness signature requirements.

''(2) Restrictions on paper type, including weight and size.

''(3) Restrictions on envelope type, including weight and size.

''(f) STATE.—For purposes of this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

''(g) EFFECTIVE DATE.—Each State shall be required to comply with the requirements of this section on and after January 1, 2022.''.

(2) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 321, as added by section 103, the following:

''Sec. 322. Use of domestic downloadable and printable absentee ballot.''.

(b) FORM OF DOMESTIC PRINTABLE AND DOWNLOADABLE ABSENTEE BALLOT.—

(1) IN GENERAL.—Title II of the Help America Vote Act of 2002 (52 U.S.C. 20921) is amended by adding at the end the following new subtitle:

''PART VII—DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR DOMESTIC USE

''SEC. 297. DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR DOMESTIC USE.

''(a) FORM OF BALLOT.—

''(1) IN GENERAL.—The Commission shall prescribe a domestic downloadable and printable ballot (including a secrecy envelope and mailing envelope for such ballot) for use in elections for Federal office by qualified individuals (as defined in section 322(b)).

''(2) AFFIRMATION.—The ballot prescribed under paragraph (1) shall contain an affirmation, signed by the person submitting the ballot, that—

''(A) such individual is a qualified individual (as defined in section 322(b));

''(B) such individual has not and will not cast another ballot with respect to the election for which the domestic downloadable and printable absentee ballot is cast; and

''(C) acknowledging that a material misstatement of fact in completing the ballot may constitute grounds for conviction of perjury.

''(b) AVAILABILITY.—The Commission shall make the domestic downloadable and printable absentee ballot available on the Internet in a printable format.''.

''(c) REQUIREMENTS.—The domestic downloadable and printable absentee ballot shall be compliant with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d) and shall not transmit the information completed by a voter over the internet.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922) is amended by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively, and by inserting after paragraph (4) the following new paragraph:

''(5) carrying out the duties described in part 7 (relating to downloadable and printable absentee ballot for domestic use;''.

(B) The table of contents for such Act is amended by inserting after the item related to section 296 the following:

''PART 7—DOWNLOADABLE AND PRINTABLE ABSENTEE BALLOT FOR DOMESTIC USE

''Sec. 297. Downloadable and printable absentee ballot for domestic use.''.

SEC. 106. REQUIREMENT FOR PREPAID RETURN ENVELOPES FOR ABSENTEE BALLOTS; USE OF INTELLIGENT MAIL BARCODE.

(a) IN GENERAL.—Subtitle C of title III of the Help America Vote Act of 2002, as added by section 103 and amended by section 105, is amended by adding at the end the following new section:

''SEC. 323. USE OF PREPAID SELF-SEALING RETURN ENVELOPES.

''(a) IN GENERAL.—Each State and local jurisdiction shall provide with any voter registration application, absentee ballot application, or blank absentee ballot sent by mail a self-sealing return envelope, where possible, with prepaid postage or subject to an arrangement whereby the State will reimburse the United States Postal Service for the postage of any such return envelope that is sent by mail.

''(b) USE OF INTELLIGENT MAIL BARCODE FOR THE 2020 GENERAL ELECTION AND UNTIL BALLOTING MATERIALS STATUS UPDATE SERVICE IMPLEMENTED.—For the 2020 general election and subsequent elections for Federal office (until such time as a State implements a balloting materials status update service which meets the requirements described in section 107(a)(2) of the Natural Disaster and Emergency Ballot Act of 2020), unless a State or jurisdiction has developed a system that enables voters to track their absentee ballot through the mail, each State and jurisdiction shall provide with each absentee ballot sent by mail a self-sealing return envelope pursuant to subsection (a) that contains an Intelligent Mail barcode as prescribed by the United States Postal Service.

''(c) STATE.—For purposes of this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

''(d) EFFECTIVE DATE.—The requirements of this section shall apply to materials sent by States and local jurisdictions after the date that is 60 days after the date of the enactment of this Act.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 322, as added by section 105, the following new item:

''Sec. 323. Use of prepaid self-sealing return envelopes.''.

SEC. 107. DEVELOPMENT OF A SECURE FEDERAL PORTAL TO ALLOW ELECTION OFFICIALS TO PROVIDE VOTERS WITH UPDATES ON THEIR BALLOTS.

(a) BALLOTING MATERIALS STATUS UPDATE SERVICE.—

(1) IN GENERAL.—Not later than January 1, 2024, the Director of the Cybersecurity and Infrastructure Security Agency, in consultation with the Chair of the Election Assistance Commission, the Postmaster General, the Director of the General Services Administration, the Presidential designee, and State election officials, shall establish a balloting materials status update service to be used by States and local jurisdictions to inform voters on the status of voter registration applications, absentee ballot applications, and absentee ballots.

(2) INFORMATION TRACKED.—The balloting materials status update service established under paragraph (1) shall provide to a voter the following information with respect to that voter:

(A) In the case of balloting materials sent by mail, tracking information from the United States Post Office and the Presidential designee on balloting materials sent to the voter and, to the extent feasible, returned by the voter.

(B) The date on which any request by the voter for an application for voter registration or an absentee ballot was received.

(C) The date on which any such requested application was sent to the voter.

(D) The date on which any such completed application was received from the voter and the status of such application.

(E) The date on which any absentee ballot was sent to the voter.

(F) The date on which any absentee ballot was received by the voter.

(G) The date on which the post office processes the absentee ballot.

(H) The date on which post office delivered the absentee ballot to the election office.

(I) Whether such ballot was accepted and counted, and in the case of any ballot not counted, the reason why the ballot was not counted.

(3) METHOD OF PROVIDING INFORMATION.—The balloting materials status update service established under paragraph (1) shall allow voters the option to receive the information described in paragraph (2) through email (or other electronic means) or through the mail.

(4) PROHIBITION ON FEES.—The Director may not charge any fee to a State or jurisdiction for use of the balloting materials status update service in connection with any Federal, State, or local election.

(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director such sums as are necessary for purposes of carrying out this subsection.

(b) REQUIRED USE FOR ABSENT UNIFORMED SERVICE VOTERS AND OVERSEAS VOTERS.—

(1) IN GENERAL.—Section 102(a) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(a)), as amended by section 104(b), is amended by striking ''and'' at the end of paragraph (11), by striking the period at the end of paragraph (12) and inserting ''; and'', and by adding at the end the following new paragraph:

''(13) use the balloting materials status update service developed under section 107(a) of the Natural Disaster and Emergency Ballot Act of 2020 to inform absent uniformed services voters and overseas voters on the status of voter registration applications, absentee ballot applications, and absentee ballots used in elections for Federal office.''.

(2) CONFORMING AMENDMENT.—Section 102 of such Act (52 U.S.C. 20302) is amended by striking subsection (h).

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to elections for Federal office occurring after the date that is 1 year after the date on which the Director of the Cybersecurity and Infrastructure Security Agency certifies that the service described in subsection (a) is operational.

(c) REQUIRED USE UNDER HELP AMERICA VOTE ACT.—

(1) IN GENERAL.—Section 321(a) of the Help American Vote Act of 2002, as added by section 103, is amended by striking ''and'' at the end of paragraph (3), by striking the period at the end of paragraph (4) and inserting ''; and'', and by adding at the end the following new paragraph:

''(5) use the balloting materials status update service developed under section 107(a) of the Natural Disaster and Emergency Ballot Act of 2020 to provide eligible voters and qualified individuals (as defined in section 322(b) of this Act) information regarding the status of voter registration applications, absentee ballot applications, and absentee ballots used in elections for Federal office, except that any State or jurisdiction which has developed a balloting materials status update system which meets the requirements of paragraph (2) of such section 107(a) (relating to information tracked) may continue to use such system.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to elections for Federal office occurring after the date that is 1 year after the date on which the Director of the Cybersecurity and Infrastructure Security Agency certifies that the service described in subsection (a) is operational.

(d) AVAILABILITY TO DEPARTMENT OF DEFENSE.—The Cybersecurity and Infrastructure Security Agency may make the balloting materials status update service available to the Department of Defense to administer and implement to absent uniformed services voters and overseas voters pursuant to the Uniformed Overseas and Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

(e) REIMBURSEMENTS TO STATES.—

(1) FOR USE WITH RESPECT TO BALLOTING MATERIALS OF ABSENT UNIFORMED SERVICE VOTERS AND OVERSEAS VOTERS.—

(A) IN GENERAL.—The Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.) is amended by inserting after section 103C, as added by section 104(a), the following new section:

''SEC. 103D. REIMBURSEMENTS FOR USE OF BALLOTING MATERIALS STATUS UPDATE SERVICE.

''(a) IN GENERAL.—The Presidential designee shall make payments to each State and local jurisdiction equal to the costs to the State or local jurisdiction of using the balloting materials status update service under section 107(a) of the Natural Disaster and Emergency Ballot Act of 2020 with respect to balloting materials of absent uniformed services and overseas voters.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Presidential designee such sums as are necessary for carrying out this section, to remain available without fiscal year limitation.''.

(B) CONFORMING AMENDMENT.—Section 101(b) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301(b)) is amended by striking ''and'' at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting ''; and'', and by adding at the end the following new paragraph

''(12) make payments to States in accordance with section 103D.''.

(C) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 103, as added by section 104(c), the following new item:

''Sec. 103D. Reimbursements for use of balloting materials status update service.''.

(2) FOR USE WITH RESPECT TO BALLOTING MATERIALS OF DOMESTIC VOTERS.—

(A) IN GENERAL.—Subtitle D of title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 105(b), is amended by adding at the end the following:

''PART 8—REIMBURSEMENTS FOR USE OF BALLOTING MATERIALS STATUS UPDATE SERVICE

''SEC. 298. REIMBURSEMENTS FOR USE OF BALLOTING MATERIALS STATUS UPDATE SERVICE.

''(a) IN GENERAL.—The Commission shall make payments to each State and local jurisdiction equal to the costs to the State or local jurisdiction of using the ballot material update service under section 107(a) of the Natural Disaster and Emergency Ballot Act of 2020 with respect to balloting materials of voters (other than balloting materials of absent uniformed services and overseas voters for which the State is eligible for payment under section 103D of the Uniformed and Overseas Citizens Absentee Voting Act) for which States or jurisdictions elect to use such tracking service.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

the Commission such sums as are necessary for carrying out this section, to remain available without fiscal year limitation.''.

(B) CONFORMING AMENDMENTS.—

(i) Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922), as amended by section 105(b), is amended by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively, and by inserting after paragraph (5) the following new paragraph:

''(6) carrying out the duties described in part 8 (relating to balloting materials status update reimbursements);''.

(ii) The table of contents for such Act is amended by inserting after the item related to section 297 the following:

''PART 8—REIMBURSEMENTS FOR USE OF BALLOTING MATERIALS STATUS UPDATE SERVICE

''Sec. 298. Reimbursements for use of balloting materials status update service.''.

SEC. 108. NOTICE AND CURE PROCESS REQUIRED FOR MISMATCHED SIGNATURES ON MAIL-IN AND PROVISIONAL BALLOTS.

(a) IN GENERAL.—Subtitle C of title III of the Help America Vote Act of 2002, as added by section 103 and amended by sections 105 and 106, is amended by adding at the end the following new section:

''SEC. 324. SIGNATURE MISMATCH ON BALLOT SUBMITTED BY MAIL OR PROVISIONAL BALLOT.

''(a) COVERED STATE DEFINED.—

''(1) IN GENERAL.—Subject to paragraph (2), in this section, the term 'covered State' means a State in which, under State law, a ballot submitted by mail or a provisional ballot is not counted as a vote in an election for Federal office unless the State verifies the signature of the individual who submitted such ballot by comparing the signature on the envelope containing such ballot or a document accompanying such ballot and the signature of such individual on the official list of registered voters in the State or other official record, or other document.

''(2) EXCEPTION FOR CERTAIN STATES.—Such term shall not include a State which conducted a Federal election entirely through vote by mail prior to 2020.

''(b) NOTICE REQUIRED.—

''(1) IN GENERAL.—If an individual submits a ballot by mail or a provisional ballot in an election for Federal office in a covered State, and the appropriate State or local election official determines that a discrepancy exists between the signature on the envelope containing such ballot or a document accompanying such ballot used to verify the signature and the signature of such individual on the official list of registered voters in the State or other official record, or other document used by the State to verify the signatures of voters, such election official, prior to making a final determination as to the validity of such ballot, shall make a good faith effort to immediately notify such individual that—

''(A) a discrepancy exists between the signature on the envelope containing such ballot or a document accompanying such ballot used to verify the signature and the signature of such individual on the official list of registered voters in the State or other official record, or other document used by the State to verify the signatures of voters;

''(B) such individual may provide information to cure such discrepancy in accordance with the procedures established pursuant to subsection (c)(1)(A); and

''(C) if such discrepancy is not cured, such ballot will not be counted.

''(2) FORM OF NOTICE.—An election official shall provide the notice required by paragraph (1) within 10 calendar days of the determination that a discrepancy exists by mail and at least one of the following methods:

''(A) Phone.

''(B) Electronic mail.

''(C) Text message.

''(3) NO EFFECT ON OTHER NOTICE REQUIREMENTS RELATED TO PROVISIONAL BALLOTS.—In the case of an individual who submits a provisional ballot, the requirements of this subsection shall be in addition to the requirements applicable to such an individual under section 302(a).

''(c) OPPORTUNITY TO CURE.—

''(1) ESTABLISHMENT OF PROCEDURES.—A covered State shall establish uniform and non-discriminatory procedures—

''(A) to allow an individual to whom notice is provided under subsection (b)—

''(i) to provide confirmation or information to cure the discrepancy described in subsection (b)(1) through the same form in which the notice is provided pursuant to subsection (b)(1); and

''(ii) if such confirmation or information is rejected, to appeal the rejection;

''(B) that require that voters whose ballots are returned without signatures be notified and given an opportunity to provide a missing signature on a form proscribed by the State; and

''(C) 'prior to the date of final certification of ballots in the election by such State, to provide such individual a final determination as to the validity of the ballot and whether the individual's ballot was counted in the election.

''(2) DEADLINE.— A voter has at least 10 calendar days following the date on which the notice required under subsection (b) is given or until the day before certification of election results, whichever is later, to provide confirmation that the signature in question is their genuine signature. This confirmation can be provided orally, in writing, or electronically, including through any of the forms described in subsection (b)(2). No separate oath or affirmation is required.

''(3) COUNTING OF VOTE.—

''(A) IN GENERAL.—A final determination with respect to the validity of a ballot in the case of a signature mismatch under this section shall be made by three election officials, at least one of whom is of an opposing party and, unless such election officials determine, taking into account any conformation or information provided under the procedures established pursuant to paragraph (1)(A), through a unanimous vote and beyond a reasonable doubt that the ballot is not valid, such ballot shall be counted as a vote in that election.

''(B) TRAINING REQUIREMENT.—Election officials making such determinations must have completed training on signature verification.

''(d) REPORT.—

''(1) IN GENERAL.—Not later than 120 days after the end of a Federal election cycle, each chief State election official in a covered State shall submit to Congress a report containing the following information for the applicable Federal election cycle in the State:

''(A) The number of ballots invalidated due to a discrepancy under this section.

''(B) Description of attempts to contact voters to provide notice as required by this section.

''(C) Description of the cure process developed by such State pursuant to this section, including the number of ballots determined valid as a result of such process.

''(2) FEDERAL ELECTION CYCLE DEFINED.—For purposes of this subsection, the term 'Federal For election cycle' means the period beginning on January 1 of any odd numbered year and ending on December 31 of the following year.

''(e) EFFECTIVE DATE.—This section shall apply with respect to the general election for Federal office held in 2020 and any subsequent election for Federal office.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 323, as added by section 106, the following new item:

''Sec. 324. Signature mismatch on ballot submitted by mail or provisional ballot.''.

SEC. 109. REQUIREMENT FOR ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS.

(a) IN GENERAL.—Subtitle C of title III of the Help America Vote Act of 2002, as added by section 103 and amended by sections 105, 106, and 108, is amended by adding at the end the following new section:

''SEC. 325. ACCEPTANCE OF VOTER REGISTRATION APPLICATIONS.

''(a) REQUIREMENTS FOR VOTER REGISTRATION APPLICATIONS.—Each State and local jurisdiction shall—

''(1) make available an online voter registration application, which requirement is satisfied if the local, county, or State election official's website allows a voter registration application to be completed and submitted online;

''(2) accept and process any voter registration applications submitted in person, by mail, or online at least 21 days prior to the date of an election for Federal office, except nothing this paragraph shall preclude a State or local jurisdiction from allowing for the acceptance and processing of voter registration applications submitted or received after such required period; and

''(3) ensure that any voter registration applications provided by the State permit the voter, at the time of submitting the application, to register to vote by mail in accordance with the requirements under section 321(c).

''(b) EXCEPTION.—This section shall not apply with respect to any State or local jurisdiction that allows—

''(1) voter registration during early voting; or

''(2) same day voter registration.

''(c) EFFECTIVE DATE.—This section shall apply beginning on the date that is 60 days after the date of enactment of the Natural Disaster and Emergency Ballot Act of 2020.''.

(b) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 324, as added by section 108, the following new item:

''Sec. 325. Acceptance of voter registration applications.''.

SEC. 110. ACCOMMODATIONS FOR VOTERS RESIDING IN INDIAN LANDS.

(a) ACCOMMODATIONS.—

(1) IN GENERAL.—The following requirements shall apply with respect to the general election for Federal office held in 2020 and any subsequent election for Federal office:

(A) Given the widespread lack of residential mail delivery in Indian Country, an Indian Tribe may designate buildings as ballot pickup and collection locations at no cost to the Indian Tribe. An Indian Tribe may designate one building per precinct located within Indian lands. The applicable State or political subdivision shall collect ballots from those locations. The applicable State or political subdivision shall provide the Indian Tribe with accurate precinct maps for all precincts located within Indian lands 60 days before any election.

(B) The State or political subdivision shall provide mail-in and absentee ballots to each registered voter residing on Indian lands in the State or political subdivision without requiring a residential address or a mail-in or absentee ballot request.

(C) The address of a designated building that is a ballot pickup and collection location may serve as the residential address and mailing address for voters living on Indian lands if the tribally designated building is in the same precinct as that voter. If there is no tribally designated building within a voter's precinct, the voter may use another tribally designated building within the Indian lands where the voter is located. Voters using a tribally designated building outside of the voter's precinct may use the tribally designated building as a mailing address and may separately designate the voter's appropriate precinct through a description of the voter's address, as specified in section 9428.4(a)(2) of title 11, Code of Federal Regulations.

(D) In the case of a State or political subdivision that is a covered State or political subdivision under section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503), that State or political subdivision shall provide absentee or mail-in voting materials in the language of the applicable minority group as well as in the English language, bilingual election voting assistance, and written translations of all voting materials in the language of the applicable minority group, as required by section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503) as amended by subsection (b).

(2) CLARIFICATION.—Nothing in this section alters the ability of an individual voter residing on Indian lands to request a ballot in a manner available to all other voters in the State.

(3) DEFINITIONS.—In this section:

(A) INDIAN.—The term ''Indian'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(B) INDIAN LANDS.—The term ''Indian lands'' includes—

(i) any Indian country of an Indian Tribe, as defined under section 1151 of title 18, United States Code;

(ii) any land in Alaska owned, pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), by an Indian Tribe that is a Native village (as defined in section 3 of that Act (43 U.S.C. 1602)) or by a Village Corporation that is associated with an Indian Tribe (as defined in section 3 of that Act (43 U.S.C. 1602));

(iii) any land on which the seat of the Tribal Government is located; and

(iv) any land that is part or all of a Tribal designated statistical area associated with an Indian Tribe, or is part or all of an Alaska Native village statistical area associated with an Indian Tribe, as defined by the Census Bureau for the purposes of the most recent decennial census.

(C) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(D) TRIBAL GOVERNMENT.—The term ''Tribal Government'' means the recognized governing body of an Indian Tribe.

(4) ENFORCEMENT.—

(A) ATTORNEY GENERAL.—The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this subsection.

(B) PRIVATE RIGHT OF ACTION.—

(i) A person or Tribal Government who is aggrieved by a violation of this subsection may provide written notice of the violation to the chief election official of the State involved.

(ii) An aggrieved person or Tribal Government may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to a violation of this subsection, if—

(I) that person or Tribal Government provides the notice described in clause (i); and

(II)(aa) in the case of a violation that occurs more than 120 days before the date of an election for Federal office, the violation remains and 90 days or more have passed since the date on which the chief election official of the State receives the notice under clause (i); or

(bb) in the case of a violation that occurs 120 days or less before the date of an election for Federal office, the violation remains and 20 days or more have passed since the date on which the chief election official of the State receives the notice under clause (i).

(iii) In the case of a violation of this section that occurs 30 days or less before the date of an election for Federal office, an aggrieved person or Tribal Government may bring a civil action in an appropriate district court for declaratory or injunctive relief with respect to the violation without providing notice to the chief election official of the State under clause (i).

(b) BILINGUAL ELECTION REQUIREMENTS.—Section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503) is amended—

(1) in subsection (b)(3)(C), by striking ''1990'' and inserting ''2010''; and

(2) by striking subsection (c) and inserting the following:

''(c) PROVISION OF VOTING MATERIALS IN THE LANGUAGE OF A MINORITY GROUP.—

''(1) IN GENERAL.—Whenever any State or political subdivision subject to the prohibition of subsection (b) of this section provides any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, it shall provide them in the language of the applicable minority group as well as in the English language.

''(2) EXCEPTIONS.—

''(A) IN GENERAL.—

''(i) In the case of a minority group that is not American Indian or Alaska Native and the language of that minority group is oral or unwritten, the State or political subdivision shall only be required to furnish, in the covered language, oral instructions, assistance, translation of voting materials, or other information relating to registration and voting.

''(ii) In the case of a minority group that is American Indian or Alaska Native, the State or political subdivision shall only be required to furnish in the covered language oral instructions, assistance, or other information relating to registration and voting, including all voting materials, if the Tribal Government of that minority group has certified that the language of the applicable American Indian or Alaska Native language is presently unwritten or the Tribal Government does not want written translations in the minority language.

''(3) WRITTEN TRANSLATIONS FOR ELECTION WORKERS.—Notwithstanding paragraph (2), the State or political division may be required to provide written translations of voting materials, with the consent of any applicable Indian Tribe, to election workers to ensure that the translations from English to the language of a minority group are complete, accurate, and uniform.''.

SEC. 111. PAYMENTS TO STATES TO CARRY OUT REQUIREMENTS UNDER NATURAL DISASTER AND EMERGENCY BALLOT ACT OF 2020 WITH RESPECT TO 2020 GENERAL ELECTION.

(a) IN GENERAL.—Title II of the Help America Vote Act of 2002 (52 U.S.C. 21001 et seq.), as amended by section 107(e), is amended by adding at the end the following new part:

''PART 9—PAYMENTS TO STATES TO CARRY OUT REQUIREMENTS UNDER NATURAL DISASTER AND EMERGENCY BALLOT ACT OF 2020 WITH RESPECT TO 2020 GENERAL ELECTION

''SEC. 299. PAYMENTS TO STATES.

''(a) IN GENERAL.—Not later than 30 days after the date of the enactment of the Natural Disaster and Emergency Ballot Act of 2020, the Commission shall make a payment to each State.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), a State shall use the funds provided under a payment under this section—

''(A) to comply with and implement the provisions of and amendments made by the Natural Disaster and Emergency Ballot Act of 2020 with respect to the 2020 general election occurring on November 3, 2020; and

''(B) to carry out one or more of the following activities with respect to the 2020 general election:

''(i) Establishing and implementing contingency plans pursuant to section 102 of the Natural Disaster and Emergency Ballot Act of 2020, including the implementation of safety requirements pursuant to subsection (b) of such section and initiatives to recruit pollworkers pursuant to subsection (c) of such section.

''(ii) Implementing public awareness and education campaigns and initiatives to ensure voters are aware of election dates and election administration practices.

''(iii) Establishing a system for voters to submit an online request for an absentee ballot pursuant to section 102(e) of such Act.

''(iv) Implementing requirements with respect to availability of voting prior to election day pursuant to section 321 of this Act.

''(v) Purchasing additional and upgrading high speed ballot printers, inserters, ballot sorters, envelope extractors, and scanners to send and process absentee ballots and purchasing ballot drop boxes.

''(vi) The development or purchase, implementation, and use of technology to allow election officials to electronically verify a voter's signature on a ballot envelope against a voter's signature on file without physically handling the envelope, provided that the technology is not connected to the internet.

''(vii) Use of downloadable and printable ballots by qualified individuals pursuant to section 103C of the Uniformed and Overseas Citizens Absentee Voting Act.

''(viii) Developing or purchasing secure accessible remote ballot marking systems for use by voters with disabilities, provided that such systems do not cause the voter's ballot selections to be transmitted over the internet and do not allow for the electronic submission of a marked ballot.

''(ix) Improving the accessibility of polling locations, early voting locations, and ballot drop-off boxes.

''(x) Implementing a curb-side voting system for voters to cast a ballot safely, accessibly, and privately.

''(xi) Providing return envelopes and the postage associated with such envelopes pursuant to section 323 of this Act.

''(xii) Ensuring strong chain of custody procedures for handling ballots.

''(xiii) Improving the transparency of election procedures to the public, including but not limited to signature verification procedures, election canvasses, and post-election auditing.

''(2) PRIMARY ELECTIONS.—A State may use such funds—

''(A) to voluntarily comply with and implement the provisions of and amendments made by the Natural Disaster and Emergency Ballot Act of 2020 with respect to primary elections held in the State during 2020;

''(B) to carry out one or more of the activities described in paragraph (1)(B) with respect to such primary elections; and

''(C) to reimburse political parties for the costs of sending absentee ballots and return envelopes with prepaid postage to eligible voters participating in such primary elections.

''(3) LIMITATION.—A State may not use such funds for the electronic return of marked ballots by any voter.

''(c) AMOUNT OF PAYMENT.—

''(1) IN GENERAL.—The amount of payment made to a State under this section shall be the minimum payment amount described in paragraph (2) plus the voting age population proportion amount described in paragraph (3).

''(2) MINIMUM PAYMENT AMOUNT.—The minimum payment amount described in this paragraph is—

''(A) in the case of any of the several States or the District of Columbia, $5,000,000; and

''(B) in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, or the United States Virgin Islands, $1,000,000.

''(3) VOTING AGE POPULATION PROPORTION AMOUNT.—

''(A) IN GENERAL.—The voting age population proportion amount described in this paragraph is the product of—

''(i) the aggregate amount made available for payments under this section minus the total of all of the minimum payment amounts under paragraph (2); and

''(ii) the voting age population proportion for the State (as defined in subparagraph (B)).

''(B) VOTING AGE POPULATION PROPORTION DEFINED.—The term 'voting age population proportion' means, with respect to a State, the amount equal to the quotient of—

''(i) the voting age population of the State (as reported in the most recent decennial census); and

''(ii) the total voting age population of all States (as reported in the most recent decennial census).

''(d) PASS-THROUGH OF FUNDS TO LOCAL JURISDICTIONS.—

''(1) IN GENERAL.—At least 80 percent of funds provided to a State under a payment under this section shall be passed through to local jurisdictions or Tribal governments to carry out activities described in subsection (b)(1) with respect to the 2020 general election occurring on November 3, 2020.

''(2) GUIDANCE.—When distributing such funds to local jurisdictions or Tribal governments, a State should consider prioritizing funding for communities and areas that are most impacted by the COVID–19 coronavirus.

''(3) DEFINITIONS.—In this subsection:

''(A) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(B) TRIBAL GOVERNMENT.—The term 'Tribal Government' means the recognized governing body of an Indian Tribe.

''(e) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated for payments under this section $3,600,000,000.

''(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization under this subsection shall remain available without fiscal year limitation.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 202 of the Help America Vote Act of 2002 (52 U.S.C. 20922), as amended by section 107(e), is amended by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively, and by inserting after paragraph (6) the following new paragraph:

''(7) carrying out the duties described in part 9 (relating to payments to States for carrying out requirements under the Natural Disaster and Emergency Ballot Act of 2020 with respect to the 2020 general election);''.

(2) The table of contents for such Act is amended by inserting after the item related to section 297 the following:

''PART 9—PAYMENTS TO STATES TO CARRY OUT REQUIREMENTS UNDER NATURAL DISASTER AND EMERGENCY BALLOT ACT OF 2020 WITH RESPECT TO 2020 GENERAL ELECTION

''Sec. 299. Payments to States.''.

SEC. 112. ADDITIONAL APPROPRIATIONS FOR THE ELECTION ASSISTANCE COMMISSION.

(a) IN GENERAL.—In addition to any funds otherwise appropriated to the Election Assistance Commission for fiscal year 2020, there is authorized to be appropriated $3,000,000 for fiscal year 2020 in order for the Commission to provide additional assistance and resources to States for improving the administration of elections.

(b) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization under this subsection shall remain available without fiscal year limitation.

SEC. 113. RESEARCH AND DEVELOPMENT FOR THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

(a) RESEARCH AND DEVELOPMENT OF SIGNATURE GUIDELINES.—The Director of the National Institute of Standards and Technology shall work with States, forensics experts, and the disability community to expand the research and develop best practices or guidelines for the acceptance, verification, and curing of signatures for mail-in ballots.

(b) RESEARCH STUDY ON THE ELECTRONIC TRANSMISSION OF MARKED BALLOTS.—

(1) IN GENERAL.—The Director of the National Institute of Standards and Technology shall conduct a research study into cybersecurity risks associated with the electronic transmission of marked ballots and ways to mitigate those risks and increase accessibility.

(2) SCOPE OF STUDY.—The study conducted under this subsection shall include the following:

(A) An evaluation, comparison, and contrast of the security and accessibility of e-mail, fax, web portals, electronic, or other online transmission systems used by States and local election offices to receive marked ballots including guidance for how such systems may comply with cybersecurity standards for Federal information technology systems set by National Institute of Standards and Technology Special Publication 800–53, Security and Privacy Controls for Federal Information Systems and Organizations, and accessibility standards set by the Americans with Disability Act of 1990 (42 U.S.C. 12101 et seq.) and the Help America Vote Act of 2002 (52 U.S.C. 20901 et seq.).

(B) An evaluation of risks and benefits associated with the continued or expanded use of such systems by overseas and domestic voters to return their marked ballots, including updating the following reports:

(i) NISTIR 7551, A Threat Analysis on UOCAVA Voting Systems.

(ii) NISTIR 7711, Security Best Practices for the Electronic Transmission of Election Materials for UOCAVA Voters.

(iii) NISTIR 7682, Information System Security Best Practices for UOCAVA–Supporting Systems.

(iv) NISTIR 7700, Security Considerations for Remote Electronic UOCAVA Voting.

(C) An evaluation of any risks and benefits associated with the continued or expanded use of such systems by voters with disabilities.

(D) An evaluation of any cybersecurity improvements which are necessary for such systems and ballots transmitted using such systems to be secure against tampering by foreign intelligence agencies, hackers, and other sophisticated adversaries.

(E) An evaluation of any accessibility improvements which are necessary for such systems and ballots transmitted using such systems to be accessible for people with any kind of disability.

(3) FINAL REPORT.—Not later than January 1, 2023, the Director shall submit to Congress a report containing the results of the study conducted under this subsection.

(4) AUTHORIZATION.—In addition to any funds otherwise appropriated to the National Institute of Standards and Technology for fiscal year 2020, there is authorized to be appropriated $5,000,000 for fiscal year 2020 to conduct the study under this subsection.

SEC. 114. MODIFYING PROVISIONS ON FUNDING FOR ELECTION SECURITY GRANTS.

(a) WAIVER OF MATCHING REQUIREMENT.—The last proviso under the heading ''Election Assistance Commission, Election Security Grants'' in the Financial Services and General Government Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2461) shall not apply with respect to any payment made to a State using funds appropriated or otherwise made available to the Election Assistance Commission under the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(b) MODIFICATION OF REPORTING DEADLINE.—The first proviso under the heading ''Election Assistance Commission, Election Security Grants'' in the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended by striking ''within 20 days of each election in the 2020 Federal election cycle in that State,'' and inserting ''not later than October 30, 2021,''.

(c) EXTENSION FOR USE OF FUNDS.—The fourth proviso under the heading ''Election Assistance Commission, Election Security Grants'' in the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136) is amended by striking ''December 31, 2020'' and inserting ''September 30, 2021''.

(d) REALLOCATION OF FUNDS.—A State may elect to reallocate funds allocated under the heading ''Election Assistance Commission, Election Security Grants'' in the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136)—

(1) as funds allocated under the heading ''Election Assistance Commission, Election Security Grants'' in the Financial Services and General Government Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2461) that were spent to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle; or

(2) as funds allocated under the heading ''Election Assistance Commission, Election Reform Program'' in the Financial Services and Government Appropriations Act, 2018 (Public Law 115–141) that were spent to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle.

(e) EFFECTIVE DATE.—This section shall take effect as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

SA 1951. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. PROHIBITION ON THE PURCHASE OF DOGS AND CATS FROM WET MARKETS IN CHINA USING FEDERAL FUNDS.

(a) DEFINITION OF WET MARKET.—In this section, the term ''wet market'' means a marketplace—

(1) where fresh meat, fish, and live animals are bought, sold, and slaughtered; and

(2) that is not regulated under any standardized sanitary or health inspection processes that meet applicable standards required for similar establishments in the United States, as determined by the Secretary of Agriculture.

(b) PROHIBITION.—Notwithstanding any other provision of law, no Federal funds made available by any law may be used by the Federal Government, or any recipient of the Federal funds under a contract, grant, subgrant, or other assistance, to purchase from a wet market in China—

(1) a live cat, dog, or other animal;

(2) a carcass, any part, or any item containing any part of a cat, dog, or other animal; or

(3) any other animal product.

SA 1952. Mr. SCOTT of Florida (for himself, Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COTTON, Mr. RUBIO, Mr. HAWLEY, and Ms. MCSALLY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

Subtitle H—Limitation on Procurement of Drones and Other Unmanned Aircraft Systems

SEC. 896. SHORT TITLE.

This subtitle may be cited as the ''American Security Drone Act of 2020''.

SEC. 897. DEFINITIONS.

In this subtitle:

(1) COVERED FOREIGN ENTITY.—The term ''covered foreign entity'' means—

(A) a covered entity designated by the Secretary of Commerce;

(B) an entity included on the Consolidated Screening List;

(C) any entity that is subject to extrajudicial direction from a foreign government, as determined by the Secretary of Homeland Security;

(D) any entity the Secretary of Homeland Security, in coordination with the Director of National Intelligence and the Secretary of Defense, determines poses a national security risk;

(E) any entity domiciled in the People's Republic of China or subject to influence or control by the Government of the People Republic of China or the Communist Party of the People's Republic of China, as determined by the Secretary of Homeland Security; or

(F) any subsidiary or affiliate of an entity described in subparagraphs (A) through (D).

(2) COVERED UNMANNED AIRCRAFT SYSTEM.—The term ''covered unmanned aircraft system'' has the meaning given the term ''unmanned aircraft system'' in section 44801 of title 49, United States Code.

SEC. 898. PROHIBITION ON PROCUREMENT OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Except as provided under subsections (b) and (c), the head of an executive agency may not procure any covered unmanned aircraft system that are manufactured or assembled by a covered foreign entity, which includes associated elements (consisting of communication links and the components that control the unmanned aircraft) that are required for the operator to operate safely and efficiently in the national airspace system.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, and the Attorney General are exempt from the restriction under subsection (a) if the operation or procurement—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for—

(A) electronic warfare;

(B) information warfare operations;

(C) development of UAS or counter-UAS technology;

(D) counterterrorism or counterintelligence activities; or

(E) Federal criminal investigations, including forensic examinations; and

(2) is required in the national interest of the United States.

(c) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis with the approval of the Secretary of Homeland Security or the Secretary of Defense and notification to Congress.

SEC. 899. PROHIBITION ON OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) PROHIBITION.—

(1) IN GENERAL.—Beginning on the date that is 2 years after the date of the enactment of this Act, no Federal department or agency may operate a covered unmanned aircraft system manufactured or assembled by a covered foreign entity.

(2) APPLICABILITY TO CONTRACTED SERVICES.—The prohibition under paragraph (1) applies to any covered unmanned aircraft systems that are being used by any executive agency through the method of contracting for the services of covered unmanned aircraft systems.

(b) EXEMPTION.—The Secretary of Homeland Security, the Secretary of Defense, and the Attorney General are exempt from the restriction under subsection (a) if the operation or procurement—

(1) is for the sole purposes of research, evaluation, training, testing, or analysis for—

(A) electronic warfare;

(B) information warfare operations;

(C) development of UAS or counter-UAS technology;

(D) counterterrorism or counterintelligence activities; or

(E) Federal criminal investigations, including forensic examinations; and

(2) is required in the national interest of the United States.

(c) WAIVER.—The head of an executive agency may waive the prohibition under subsection (a) on a case-by-case basis with the approval of the Secretary of Homeland Security or the Secretary of Defense and notification to Congress.

(d) REGULATIONS AND GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall prescribe regulations or guidance to implement this section.

SEC. 899A. PROHIBITION ON USE OF FEDERAL FUNDS FOR PURCHASES AND OPERATION OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.—Beginning on the date that is 2 years after the date of the enactment of this Act, except as provided in subsection (b), no Federal funds awarded through a contract, grant, or cooperative agreement, or otherwise made available may be used—

(1) to purchase a covered unmanned aircraft system, or a system to counter unmanned aircraft systems, that is manufactured or assembled by a covered foreign entity; or

(2) in connection with the operation of such a drone or unmanned aircraft system.

(b) EXEMPTION.—A Federal department or agency is exempt from the restriction under subsection (a) if—

(1) the contract, grant or cooperative agreement was awarded prior to the date of the enactment of the bill; or

(2) the operation or procurement is for the sole purposes of research, evaluation, training, testing, or analysis, as determined by the Secretary of Homeland Security, the Secretary of Defense, or the Attorney General, for—

(A) electronic warfare;

(B) information warfare operations;

(C) development of UAS or counter-UAS technology;

(D) counterterrorism or counterintelligence activities; or

(E) Federal criminal investigations, including forensic examinations; and

(3) is required in the national interest of the United States.

(c) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall prescribe regulations or guidance, as necessary, to implement the requirements of this section pertaining to Federal contracts.

SEC. 899B. PROHIBITION ON USE OF GOVERNMENT-ISSUED PURCHASE CARDS TO PURCHASE COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

Effective immediately, Government-issued Purchase Cards may not be used to procure any covered unmanned aircraft system from a covered foreign entity.

SEC. 899C. MANAGEMENT OF EXISTING INVENTORIES OF COVERED UNMANNED AIRCRAFT SYSTEMS FROM COVERED FOREIGN ENTITIES.

(a) IN GENERAL.— Effective immediately, all executive agencies must account for existing inventories of covered unmanned aircraft systems manufactured or assembled by a covered foreign entity in their personal property accounting systems, regardless of the original procurement cost, or the purpose of procurement due to the special monitoring and accounting measures necessary to track the items' capabilities.

(b) CLASSIFIED TRACKING.—Due to the sensitive nature of missions and operations conducted by the United States Government, inventory data related to covered unmanned aircraft systems manufactured or assembled by a covered foreign entity may be tracked at a classified level.

(c) EXCEPTIONS.—The Department of Defense and Department of Homeland Security may exclude from the full inventory process, covered unmanned aircraft systems that are deemed expendable due to mission risk such as recovery issues or that are one-time-use covered unmanned aircraft due to requirements and low cost.

SEC. 899D. COMPTROLLER GENERAL REPORT.

Not later than 275 days after the date of the enactment of this Act, the Comptroller

General of the United States shall submit to Congress a report on the amount of commercial off-the-shelf drones and covered unmanned aircraft systems procured by Federal departments and agencies from covered foreign entities.

SEC. 899E. GOVERNMENT-WIDE POLICY FOR PROCUREMENT OF UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in coordination with the Department of Homeland Security, Department of Transportation, the Department of Justice, and other Departments as determined by the Director of the Office of Management and Budget, and in consultation with the National Institute of Standards and Technology, shall establish a government-wide policy for the procurement of UAS—

(1) for non-Department of Defense and non-intelligence community operations; and

(2) through grants and cooperative agreements entered into with non-Federal entities.

(b) INFORMATION SECURITY.—The policy developed under subsection (a) shall include the following specifications, which to the extent practicable, shall be based on industry standards and technical guidance from the National Institute of Standards and Technology, to address the risks associated with processing, storing and transmitting Federal information in a UAS:

(1) Protections to ensure controlled access of UAS.

(2) Protecting software, firmware, and hardware by ensuring changes to UAS are properly managed, including by ensuring UAS can be updated using a secure, controlled, and configurable mechanism.

(3) Cryptographically securing sensitive collected, stored, and transmitted data, including proper handling of privacy data and other controlled unclassified information.

(4) Appropriate safeguards necessary to protect sensitive information, including during and after use of UAS.

(5) Appropriate data security to ensure that data is not transmitted to or stored in non-approved locations.

(6) The ability to opt out of the uploading, downloading, or transmitting of data that is not required by law or regulation and an ability to choose with whom and where information is shared when it is required.

(c) REQUIREMENT.—The policy developed under subsection (a) shall reflect an appropriate risk-based approach to information security related to use of UAS.

(d) REVISION OF ACQUISITION REGULATIONS.—Not later than 180 days after the date on which the policy required under subsection (a) is issued—

(1) the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation, as necessary, to implement the policy; and

(2) any Federal department or agency or other Federal entity not subject to, or not subject solely to, the Federal Acquisition Regulation shall revise applicable policy, guidance, or regulations, as necessary, to implement the policy.

(e) EXEMPTION.—In developing the policy required under subsection (a), the Director of the Office of Management and Budget shall incorporate an exemption to the policy for the following reasons:

(1) In the case of procurement for the purposes of training, testing or analysis for—

(A) electronic warfare; or

(B) information warfare operations.

(2) In the case of researching UAS technology, including testing, evaluation, research, or development of technology to counter UAS.

(3) In the case of a head of the procuring department or agency determining, in writing, that no product that complies with the information security requirements described in subsection (b) is capable of fulfilling mission critical performance requirements, and such determination—

(A) may not be delegated below the level of the Deputy Secretary of the procuring department or agency;

(B) shall specify—

(i) the quantity of end items to which the waiver applies, the procurement value of which may not exceed $50,000 per waiver; and

(ii) the time period over which the waiver applies, which shall not exceed 3 years;

(C) shall be reported to the Office of Management and Budget following issuance of such a determination; and

(D) not later than 30 days after the date on which the determination is made, shall be provided to the Committee on Homeland Security and Government Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

SEC. 899F. STUDY.

(a) INDEPENDENT STUDY.—Not later than 3 years after the date of the enactment of this Act, the Director of the Office of Management and Budget shall seek to enter into a contract with a federally funded research and development center under which the center will conduct a study of—

(1) the current and future unmanned aircraft system global and domestic market;

(2) the ability of the unmanned aircraft system domestic market to keep pace with technological advancements across the industry;

(3) the ability of domestically made unmanned aircraft systems to meet the network security and data protection requirements of the national security enterprise;

(4) the extent to which unmanned aircraft system component parts, such as the parts described in section 898(a), are made domestically; and

(5) an assessment of the economic impact, including cost, of excluding the use of foreign-made UAS for use across the Federal Government.

(b) SUBMISSION TO OMB.—Upon completion of the study in subsection (a), the federally funded research and development center shall submit the study to the Director of the Office of Management and Budget.

(c) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Director of the Office of Management and Budget receives the study under subsection (b), the Director shall submit the study to—

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

(2) the Committee on Homeland Security and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 899G. SUNSET.

Sections 898, 899, and 899A shall cease to have effect on the date that is 5 years after the date of the enactment of this Act.

SA 1953. Mr. MURPHY (for himself, Ms. WARREN, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, insert the following:

SEC. ___. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAM PROCUREMENTS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of procurements carried out in connection with major defense acquisition programs.

(2) INFORMATION REPOSITORY.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content that can be used for continuous data analysis and program management activities.

(b) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) IN GENERAL.—For purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured in connection with a major defense acquisition program are manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States if such component articles, materials, or supplies comprise 100 percent of the manufactured articles, materials, or supplies.

(2) EFFECTIVE DATE.—The domestic content requirement under paragraph (1) applies to contracts entered into on or after October 1, 2021.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term ''major defense acquisition program'' has the meaning given the term in section 2430 of title 10, United States Code.

SA 1954. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. CLIMATE SECURITY ENVOY.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

''(g) CLIMATE SECURITY ENVOY.—

''(1) IN GENERAL.—Not later than 120 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the President shall appoint, by and with the advice and consent of the Senate, a Climate Security Envoy, who shall serve in the Bureau of Oceans and International Environmental and Scientific Affairs of the Department of State.

''(2) DUTIES.—The Climate Security Envoy—

''(A) shall develop a climate security policy in accordance with paragraph (3);

''(B) shall coordinate the integration of scientific data on the current and anticipated effects of climate change into applied strategies across programmatic and regional bureaus of the Department of State and into the Department's decision making processes;

''(C) shall serve as a key point of contact for other Federal agencies, including the Department of Defense, the Department of Homeland Security, and the Intelligence Community, on climate security issues;

''(D) shall use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations to support the principles of the climate security policy developed under paragraph (3);

''(E) shall perform such other duties and exercise such powers as the Secretary of State shall prescribe; and

''(F) may not—

''(i) perform the functions of the Special Envoy for Climate Change to the United Nations; or

''(ii) serve as the United States negotiator in any international forum to address climate change.

''(3) CLIMATE SECURITY POLICY.—The Climate Security Envoy shall develop and facilitate the implementation of a climate security policy that requires the Bureau of Conflict and Stabilization Operations, the Bureau of Political-Military Affairs, embassies, regional bureaus, and other offices with a role in conflict avoidance, prevention and security assistance, or humanitarian disaster response, prevention, and assistance to assess, develop, budget for, and (upon approval) implement plans, policies, and actions—

''(A) to enhance the resilience capacities of foreign countries to the effects of climate change as a means of reducing the risk of conflict and instability;

''(B) to evaluate specific added risks to certain regions and countries that are—

''(i) vulnerable to the effects of climate change; and

''(ii) strategically significant to the United States;

''(C) to account for the impacts on human health, safety, stresses, reliability, food production, fresh water and other critical natural resources, and economic activity;

''(D) to coordinate the integration of climate change risk and vulnerability assessments into the decision-making process for awarding foreign assistance;

''(E) to advance principles of good governance by encouraging foreign governments, particularly nations that are least capable of coping with the effects of climate change—

''(i) to conduct climate security evaluations; and

''(ii) to facilitate the development of climate security action plans to ensure stability and public safety in disaster situations in a humane and responsible fashion; and

''(F) to evaluate the vulnerability, security, susceptibility, and resiliency of United States interests and non-defense assets abroad.

''(4) REPORT.—The Climate Security Envoy shall regularly report to the Secretary of State regarding the activities described in paragraphs (2) and (3) to integrate climate concerns into agendas and program budget requests.

''(5) RANK AND STATUS OF AMBASSADOR.—The Climate Security Envoy shall have the rank and status of Ambassador-at-Large.

''(6) DEFINED TERM.—In this subsection, the term 'climate security' means the effects of climate change on—

''(A) United States national security concerns and subnational, national, and regional political stability; and

''(B) overseas security and conflict situations that are potentially exacerbated by dynamic environmental factors and events, including—

''(i) the intensification and frequency of droughts, floods, wildfires, tropical storms, and other extreme weather events;

''(ii) changes in historical severe weather, drought, and wildfire patterns;

''(iii) the expansion of geographical ranges of droughts, floods, and wildfires into regions that had not regularly experienced such phenomena;

''(iv) global sea level rise patterns and the expansion of geographical ranges affected by drought; and

''(v) changes in marine environments that effect critical geostrategic waterways, such as the Arctic Ocean, the South China Sea, the South Pacific Ocean, the Barents Sea, and the Beaufort Sea.''.

SA 1955. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. ENHANCING UNITED STATES SECURITY CONSIDERATIONS FOR GLOBAL CLIMATE DISRUPTIONS.

(a) IN GENERAL.—The Secretary of State, in cooperation with other relevant agencies, shall conduct periodic comprehensive evaluations of present and ongoing disruptions to the global climate system, including—

(1) the intensity, frequency, and range of natural disasters;

(2) the scarcity of global natural resources, including fresh water;

(3) global food, health, and energy insecurities;

(4) conditions that contribute to—

(A) intrastate and interstate conflicts;

(B) foreign political and economic instability;

(C) international migration of vulnerable and underserved populations;

(D) the failure of national governments; and

(E) gender-based violence; and

(5) United States and allied military readiness, operations, and strategy.

(b) PURPOSES.—The purposes of the evaluations conducted under subsection (a) are—

(1) to support the practical application of scientific data and research on climate change's dynamic effects around the world to improve resilience, adaptability, security, and stability despite growing global environmental risks and changes;

(2) to ensure that the strategic planning and mission execution of United States international development and diplomatic missions adequately account for heightened and dynamic risks and challenges associated with the effects of climate change;

(3) to improve coordination between United States science agencies conducting research and forecasts on the causes and effects of climate change and United States national security agencies; and

(4) to better understand the disproportionate effects of global climate disruptions on women, girls, indigenous communities, and other historically marginalized populations.

(c) SCOPE.—The evaluations conducted under subsection (a) shall—

(1) examine developing countries' vulnerabilities and risks associated with global, regional, and localized effects of climate change; and

(2) assess and make recommendations on necessary measures to mitigate risks and reduce vulnerabilities associated with effects, including—

(A) sea level rise;

(B) freshwater resource scarcity;

(C) wildfires; and

(D) increased intensity and frequency of extreme weather conditions and events, such as flooding, drought, and extreme storm events, including tropical cyclones.

SA 1956. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. TRANSPARENCY.

(a) DEFINED TERM.—In this section, the term ''climate security'' means the effects of climate change on—

(1) United States national security concerns and subnational, national, and regional political stability; and

(2) overseas security and conflict situations that are potentially exacerbated by dynamic environmental factors and events, including—

(A) the intensification and frequency of droughts, floods, wildfires, tropical storms, and other extreme weather events;

(B) changes in historical severe weather, drought, and wildfire patterns;

(C) the expansion of geographical ranges of droughts, floods, and wildfires into regions that had not regularly experienced such phenomena;

(D) global sea level rise patterns and the expansion of geographical ranges affected by drought; and

(E) changes in marine environments that effect critical geostrategic waterways, such as the Arctic Ocean, the South China Sea, the South Pacific Ocean, the Barents Sea, and the Beaufort Sea.

(b) IN GENERAL.—Any commission, advisory panel, or committee designated by the President to examine or evaluate climate security shall comply with the Federal Advisory Committee Act (5 U.S.C. App.).

(c) WHISTLEBLOWER PROTECTIONS.—Section 2302(b)(8)(A) of title 5, United States Code, is amended—

(1) in clause (i), by striking '', or'' and inserting a semicolon;

(2) by redesignating clause (ii) as clause (iii); and

(3) by inserting after clause (i) the following:

''(ii) a deliberate manipulation, misjudgment, removal, or obfuscation of, or failure to take into account, data and information critical to fulsome or accurate national security assessment and planning; or''.

(d) ACCESSIBILITY OF PROCESSES.—The President shall ensure that the draft and final reports, studies, and policy recommendations relating to climate security research that are compiled by entities working under the direction of the Federal Government are made available to the public.

SA 1957. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X of division A, add the following:

SEC. 1035. COUNTERING WHITE IDENTITY TERRORISM.

(a) SHORT TITLE.—This section may be cited as the ''Countering Global White Supremacist Terrorism Act''.

(b) FINDINGS.—Congress finds the following:

(1) ''White Identity Terrorism'' is the term used by the Department of State to encompass white nationalist and white supremacist terrorists. Individuals who adhere to white nationalist and white supremacist ideologies share a common belief that white people and ''white identity'' in western countries are under siege and pursue the destruction of pluralistic values intrinsic to the American way of life.

(2) The Global Terrorism Database and corresponding Global Terrorism Index have recorded a rise in the number and lethality of white identity terrorist incidents during the past decade, both domestically and internationally.

(3) Various individuals, networks, and organizations fall under the umbrella of the global white identity terrorist movement, whose adherents are becoming increasingly internationalized, with fighters and terrorist ideology moving across borders.

(4) Irresponsible social media sites are enabling the internationalization of the white identity terrorist movement in terms of organization and recruitment. State and nonstate actors have helped to build a global, online white identity terrorist echo chamber, including by translating terrorist manifestos and promoting other violent extremist content. This activity includes countries using ''troll farms'' to exacerbate fears of immigrants, Muslims, Jews, and other minorities in western countries among potentially sympathetic audiences.

(5) There is evidence that adherents of the white identity movement in the United States are increasingly traveling overseas for training, further contributing to the internationalization of white identity terrorism. Jihadist experiences in Afghanistan, Iraq, and Syria highlight the dangers that such individuals can pose because of the connections and capabilities they bring with them when they return home.

(6) The global white identity terrorist movement has manifested a decentralized organizational approach that encourages individuals to operate independently from one another and execute terrorist attacks on their own. This approach poses challenges to law enforcement efforts to track, monitor, and disrupt planned violence. In the same way that Islamist terrorists have looked to figures in al-Qaeda and the Islamic State, white identity terrorists draw on one another for inspiration.

(7) The growing global interconnectivity of the white identity terrorist movement means that the United States must confront this threat as part of an integrated, whole-of-government approach.

(c) COUNTERING WHITE IDENTITY TERRORISM GLOBALLY.—

(1) STRATEGY AND COORDINATION.—Not later than 6 months after the date of the enactment of this Act, the Secretary of State shall—

(A) develop and submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a Department of State-wide strategy entitled the ''Department of State Strategy for Countering White Identity Terrorism Globally'' (in this subsection referred to as the ''strategy'').

(B) designate the Coordinator for Counterterrorism of the Department of State to coordinate Department of State efforts to counter white identity terrorism globally, including with United States diplomatic and consular posts, the Director of the National Counterterrorism Center, the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of other relevant Federal departments or agencies.

(2) ELEMENTS.—The strategy shall, at a minimum, contain the following:

(A) An assessment of the global threat from white identity terrorism abroad, including geographic or country prioritization based on the assessed threat to the United States.

(B) A description of the coordination mechanisms between relevant bureaus and offices within the Department of State, including United States diplomatic and consular posts, for developing and implementing efforts to counter white identity terrorism.

(C) A description of how the Department of State plans to build on any existing strategy developed by the Bureau of Counterterrorism—

(i) to adapt or expand existing Department programs, projects, activities, or policy instruments based on existing authorities for the specific purpose of degrading and delegitimizing the white identity terrorist movement globally; and

(ii) to identify the need for any new Department programs, projects, activities, or policy instruments for the specific purpose of degrading and delegitimizing the white identity terrorist movement globally, including a description of the steps and resources necessary to establish any such programs, projects, activities, or policy instruments, noting whether such steps would require new authorities.

(D) Detailed plans for using public diplomacy, including the efforts of the Secretary of State and other senior executive branch officials, including the President, to degrade and delegitimize white identity terrorist ideologues and ideology globally, including by—

(i) countering white identity terrorist messaging and supporting efforts to redirect potential supporters away from white identity terrorist content online;

(ii) exposing foreign government support for white identity terrorist ideologies, objectives, ideologues, networks, organizations, and internet platforms;

(iii) engaging with foreign governments and internet service providers and other relevant technology entities to prevent or limit white identity terrorists from exploiting internet platforms in furtherance of or in preparation for acts of terrorism or other targeted violence, as well as the recruitment, radicalization, and indoctrination of new adherents to white identity terrorism; and

(iv) identifying the roles and responsibilities for the Office of the Under Secretary of State for Public Diplomacy and Public Affairs and for the Global Engagement Center in developing and implementing such plans.

(E) An outline of the steps the Department of State is taking or will take in coordination, as appropriate, with the Director of the National Counterterrorism Center, the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of any other relevant Federal departments or agencies to improve information and intelligence sharing with other countries on white identity terrorism based on existing authorities by—

(i) describing plans for adapting or expanding existing mechanisms for sharing information, intelligence, or counterterrorism best practices, including facilitating the sharing of information, intelligence, or counterterrorism best practices gathered by Federal, State, and local law enforcement; and

(ii) proposing new mechanisms or forums that might enable expanded sharing of information, intelligence, or counterterrorism best practices.

(F) An outline of how the Department of State plans to use designation as a Specially Designated Global Terrorist (under Executive Order 13224 (50 U.S.C. 1701 note)) or foreign terrorist organization (pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) to support the strategy, including—

(i) an assessment and explanation of the utility of applying or not applying such designations when individuals or entities satisfy the criteria for such designations; and

(ii) a description of possible remedies if such criteria are insufficient to enable designation of any individuals or entities the Secretary of State considers a potential terrorist threat to the United States.

(G) A description of the Department of State's plans, in consultation with the Department of the Treasury, to work with foreign governments, financial institutions and other related entities to counter the financing of white identity terrorists within the parameters of current law, or if no such plans exist, a description of why such plans were not developed.

(H) A description of how the Department of State plans to implement the strategy in conjunction with ongoing efforts to counter the Islamic State, al-Qaeda, and other terrorist threats to the United States.

(I) A description of how the Department of State will integrate into the strategy lessons learned in the ongoing efforts to counter the Islamic State, al-Qaeda, and other terrorist threats to the United States.

(J) An identification of any additional resources or staff needed to implement the strategy.

(3) INTERAGENCY COORDINATION.—The Secretary of State shall develop the strategy in coordination with the Director of the National Counterterrorism Center and in consultation with the Director of the Central Intelligence Agency, the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Director of the Federal Bureau of Investigation, the Secretary of the Treasury, and the heads of any other relevant Federal departments or agencies.

(4) STAKEHOLDER INCLUSION.—The strategy shall be developed in consultation with representatives of United States and international civil society and academic entities with experience researching or implementing programs to counter white identity terrorism.

(5) FORM.—The strategy shall be submitted in unclassified form that can be made available to the public, but may include a classified annex if the Secretary of State determines such is appropriate.

(6) IMPLEMENTATION.—Not later than 3 months after the submission of the strategy, the Secretary of State shall begin implementing the strategy.

(7) CONSULTATION.—Not later than 3 months after the date of the enactment of this Act and not less frequently than annually thereafter, the Secretary of State shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the development and implementation of the strategy.

(d) ANNUAL COUNTRY REPORTS ON TERRORISM.—Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(a)) is amended—

(1) in paragraph (3)(B), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) all credible information about white identity terrorism, including—

''(A) relevant attacks;

''(B) the identity of perpetrators and victims of such attacks;

''(C) the size and identity of organizations and networks; and

''(D) the identity of notable ideologues.''.

(e) REPORT ON SANCTIONS.—

(1) IN GENERAL.—Not later than 120 days after the submission of each of the Annual Country Reports on Terrorism pursuant to section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f), and 240 days thereafter, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report that determines whether the foreign persons, organizations, and networks identified in such reports satisfy the criteria to be designated as—

(A) foreign terrorist organizations under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) Specially Designated Global Terrorist Organizations under Executive Order 13224 (50 U.S.C. 1701 note).

(2) FORM.—Each determination required under paragraph (1) shall be submitted in unclassified form, but may include a classified annex, if appropriate.

(f) REQUIREMENT FOR INDEPENDENT STUDY TO MAP THE GLOBAL WHITE IDENTITY TERRORISM MOVEMENT.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall enter into a contract with a Federally funded research and development center with appropriate expertise and analytical capability to carry out the study described in paragraph (2).

(2) STUDY.—The study described in this paragraph shall provide for a comprehensive social network analysis of the global white identity terrorism movement—

(A) to identify key actors, organizations, and supporting infrastructure; and

(B) to map the relationships and interactions between such actors, organizations, and supporting infrastructure.

(3) REPORT.—

(A) TO THE SECRETARY.—Not later than 1 year after the date on which the Secretary of State enters into a contract pursuant to paragraph (1), the Federally funded research and development center referred to in such subsection shall submit to the Secretary a report containing the results of the study required under this section.

(B) TO CONGRESS.—Not later than 30 days after receipt of the report under subparagraph (A), the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives such report, together with any additional views or recommendations of the Secretary.

SA 1958. Mr. MENENDEZ (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—ADVANCING COMPETITIVENESS, TRANSPARENCY, AND SECURITY IN THE AMERICAS

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Advancing Competitiveness, Transparency, and Security in the Americas Act of 2020''.

SEC. ____02. FINDINGS.

Congress makes the following findings:

(1) The People's Republic of China has dramatically increased engagement with Latin America and the Caribbean since 2004. Latin America is the second largest destination for Chinese foreign direct investment. China has become the top trading partner of Brazil, Chile, Peru, and Uruguay. China's trade with Latin America has grown from $17,000,000,000 in 2002 to $306,000,000,000 in 2018.

(2) Between 2005 and 2018, the People's Republic of China provided Latin America with an estimated $141,000,000,000 in development loans and other assistance. The annual amount of such loans and assistance consistently surpasses the annual sovereign lending to Latin America and the Caribbean from either the World Bank or the Inter-American Development Bank.

(3) The People's Republic of China—

(A) is investing extensively across the region's extractive sector and agricultural supply chains to more effectively control raw materials supply and pricing;

(B) has acquired and built new port facilities and other transport and energy infrastructure in Brazil, Panama, Costa Rica, El Salvador, and elsewhere in the region to expand its footprint in Latin America; and

(C) has developed strong partnerships and engaged in extensive deal-making in telecommunications and other technology-intensive sectors in the Latin American and Caribbean region.

(4) In 2015, the People's Republic of China and countries of the Community of Latin American and Caribbean States (CELAC) held the first meeting of the China-CELAC Ministerial Forum, at which they agreed to a 5-year cooperation plan regarding politics, security, trade, investment, finance, infrastructure, energy, resources, industry, agriculture, science, and people-to-people exchanges. China is also active in other regional institutions, including multilateral development banks.

(5) The United States Southern Command has warned that China's space and telecommunications ventures in Latin America and the Caribbean have created United States commercial and security vulnerabilities.

(6) China has spent more than $244,000,000,000 on energy projects worldwide since 2000, 25 percent of which was spent in Latin America and the Caribbean. Although the majority of this spending was for oil, gas, and coal, China has also been the largest investor in clean energy globally for almost a decade.

(7) China promotes the repressive use of technology—

(A) by selling crowd control weapons and riot gear used against demonstrators; and

(B) by developing tracking systems that can be used by governments to surveil and monitor their citizens.

(8) Although China did not originally include the Latin America and Caribbean region in its Belt and Road Initiative—

(A) at a meeting with the Community of Latin American and Caribbean States in January 2018, China invited Latin America and the Caribbean to participate in the Belt and Road Initiative, referring to the region as a natural fit for a program that aims to improve connectivity between land and sea through jointly-built logistic, electricity and information pathways; and

(B) 19 Latin American and Caribbean countries have signed bilateral Belt and Road Cooperation Agreements since 2017.

(9) The People's Republic of China offers to finance projects in Latin America and the Caribbean on deceptively easy terms that frequently lead recipient countries to become dependent on, and deeply indebted to, China. Chinese companies frequently engage in corrupt and exploitative practices, including bribery, predatory lending, and project requirements that—

(A) provide little or no benefit to the host country; and

(B) facilitate corrupt practices.

(10) The Government of China expects that Chinese companies will invest the equivalent of $250,000,000,000 in Latin America and the Caribbean by 2025.

(11) Since 2017, China has used its increasing economic influence in Latin America and the Caribbean to encourage countries, including El Salvador, Panama, and the Dominican Republic, to sever diplomatic relations with Taiwan. Of the 17 countries that still maintain diplomatic relations with Taiwan, 9 are in the Western Hemisphere, namely: Belize, Guatemala, Honduras, Nicaragua, Paraguay, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines.

SEC. ____03. SENSE OF CONGRESS.

It is the Sense of Congress that—

(1) the United States shares extensive economic and commercial relations, democratic values, cultural ties, and geographic proximity with the nations of the Western Hemisphere;

(2) increased United States engagement with countries in the Western Hemisphere is essential to addressing initiatives by rival powers, such as China, to increase their presence and influence over governments in Latin American and the Caribbean at the expense of strategic United States' economic and security interests;

(3) the United States is uniquely positioned to promote the rule of law and support the strengthening of democratic institutions and individual freedoms in Latin America and the Caribbean, while improving the quality of life of citizens throughout the Western Hemisphere;

(4) China's growing presence in the Western Hemisphere—

(A) facilitates the survival of autocratic and anti-democratic regimes, such as the Maduro regime and the Government of Cuba, by acting as a lender of last resort and providing other forms of economic support;

(B) assists such regimes in undermining democratic norms through weapons sales and the proliferation of surveillance technology; and

(C) provides governments with the resources to implement irresponsible economic policies to the detriment of its citizens.

(5) the United States Government should continue to assert a positive presence in the Western Hemisphere based upon—

(A) supporting the rule of law, combating corruption, and advancing digital security as a means to improve prospects for regional growth and development and mitigate the unfair advantage accrued to those that engage in unfair and illegal practices;

(B) facilitating technical assistance and knowledge-sharing programs that strengthen regional governments' and businesses' capacity for engaging in sound negotiations and contracts, protect their economic interests, and protect the economic interests of their citizens;

(C) engaging in development investments that strengthen United States public and private sector ties to Western Hemisphere governments and businesses, promote shared conviction that open markets and fair competition are critical to sustained economic growth, enhance regional businesses' ability to move up the value chain, and are environmentally sustainable;

(D) raising awareness regarding how the proliferation of Chinese economic largesse and the increased adoption of Chinese surveillance technology can harm Western Hemisphere economies and undermine democratic institutions;

(E) empowering local and international media and civil society to carefully monitor investment activity in Latin America and the Caribbean to ensure accountability and uncover the malign affects of greater Chinese engagement, including a lack of transparency, facilitation of corruption, unsustainable debt, environmental damage, opaque labor and business practices of Chinese firms, and the increased likelihood of projects that leave host countries in unsustainable debt; and

(F) promoting greater economic engagement between the United States and other countries of the Western Hemisphere to spur economic development in the region and increase economic opportunities for the United States private sector.

SEC. ___04. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to expand United States' engagement in the Western Hemisphere through economic and public diplomacy that strengthens political and economic relations, reinforces shared democratic values, and facilitates economic development in the Western Hemisphere; and

(2) to promote United States economic prosperity through increased engagement with Latin America and the Caribbean.

SEC. ___05. DEFINITIONS.

In this title:

(1) CARIBBEAN.—The term ''Caribbean'' does not include Cuba, unless it is specifically named.

(2) LATIN AMERICA AND THE CARIBBEAN.—The term ''Latin America and the Caribbean'' does not include Cuba, unless Cuba is specifically named.

(3) RULE OF LAW.—The term ''rule of law'' refers to a durable system of institutions and processes founded on the universal principles of—

(A) accountability;

(B) just laws that protect fundamental freedoms;

(C) open and transparent government processes; and

(D) accessible and impartial dispute resolution.

SEC. ___06. ASSESSING THE INTENTIONS OF THE PEOPLE'S REPUBLIC OF CHINA IN THE WESTERN HEMISPHERE.

(a) DEFINED TERM.—In this section, the term ''appropriate congressional committees'' means—

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

(2) the Select Committee on Intelligence of the Senate;

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

(4) the Permanent Select Committee on Intelligence of the House of Representatives.

(b) REPORTING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State, working through the Assistant Secretary of State for the Bureau of Intelligence and Research, and in coordination with the Director of National Intelligence and the Director of the Central Intelligence Agency, shall submit a report to the appropriate congressional committees that assesses the nature, intent, and impact to United States strategic interests of—

(1) Chinese economic activity in Latin America and the Caribbean, such as foreign direct investment, development financing, oil-for-loans deals, other preferential trading arrangements, and projects related to China's Belt and Road Initiative;

(2) the involvement of Chinese government entities and state-owned enterprises in infrastructure projects in Latin America and the Caribbean, such as—

(A) the building, renovating, and operating of port facilities, including the Margarita Port of Panama, Posorja Deepwater Port in Ecuador, and the Port of Paranaguá in Brazil;

(B) the building and maintenance of the region's telecom infrastructure, including the installation of 5G technologies, by Chinese companies, including Huawei, ZTE, and possibly others, and the likelihood that these companies will be the dominant providers of telecommunications infrastructure and associated products and services in the region, with great influence over Latin American government telecom entities;

(C) the building of Ministry of Foreign Affairs and Foreign Trade in Kingston, Jamaica and other government facilities in the region; and

(D) the building of Ecuador's Coca Codo Sinclair Dam and other energy infrastructure projects in the region.

(3) Chinese military activity in the region, including military education and training programs, weapons sales, and space-related activities in the military or civilian spheres, such as the major satellite and space control station China recently constructed in Argentina;

(4) Chinese security activity in Latin America and the Caribbean, including sales of surveillance and monitoring technology to regional governments such as Venezuela, Cuba, and Ecuador, and the potential use of such technology as tools of Chinese intelligence;

(5) Chinese intelligence engagement in Latin America and the Caribbean, and the development of dual-use platforms;

(6) the nature of the People's Republic of China's presence in the region, and whether it is competitive, threatening, or benign to the United States' national interests; and

(7) Chinese diplomatic activity aimed at influencing the decisions, procedures, and programs of multilateral organizations, including the Organization of American States (OAS) and the Inter-American Development Bank (IDB), as well the work in Latin America and the Caribbean of the World Bank and International Monetary Fund (IMF).

(c) FORM.—The report required under subsection (b) shall be submitted in unclassified form and shall include classified annexes.

Subtitle A—Increasing Competitiveness in Latin America and the Caribbean

SEC. ___11. DEVELOPING AND IMPLEMENTING A STRATEGY TO INCREASE ECONOMIC COMPETITIVENESS AND PROMOTE THE RULE OF LAW.

(a) STRATEGY REQUIREMENT.—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, the Secretary of Commerce, the Attorney General, the United States Trade Representative, the Administrator of the United States Agency for International Development, and the Chief Executive Officer of the United States International Development Finance Corporation, shall submit a multi-year strategy for increasing United States economic competitiveness and promoting the rule of law in Latin American and Caribbean countries, particularly in the areas of investment, sustainable development, commercial relations, anti-corruption activities, and infrastructure projects, to—

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

(2) the Committee on Finance of the Senate;

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

(4) the Committee on Ways and Means of the House of Representatives.

(b) ADDITIONAL ELEMENTS.—The strategy submitted pursuant to subsection (a) shall include a plan of action to—

(1) assist Latin American and Caribbean countries with the sustainable development of their economies;

(2) promote the rule of law as a means to ensure fair competition, combat corruption, and strengthen legal structures critical to robust democratic governance;

(3) identify and mitigate obstacles to economic growth in Latin America and the Caribbean;

(4) maintain free and transparent access to the Internet and digital infrastructure in the Western Hemisphere; and

(5) facilitate a more competitive environment for United States' businesses in Latin America and the Caribbean.

(c) REPORTING REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Commerce, the Attorney General, the United States Trade Representative, and the leadership of the United States International Development Finance Corporation, shall brief the congressional committees listed in subsection (a) on the implementation of this subtitle, including examples of successes and challenges.

SEC. ___12. STRENGTHENING UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION ENGAGEMENT IN THE CARIBBEAN AND THE WESTERN HEMISPHERE.

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

(1) United States support for the development of competitive industries in Latin America and the Caribbean, which are necessary for workforce development, increased wages, and further economic development, will provide an opportunity to strengthen United States competitiveness;

(2) the reliance of the BUILD Act of 2018 on the Gini coefficient to measure eligibility for development financing from the United States International Development Finance Corporation would exclude the Caribbean's 12 countries from qualifying for development financing; and

(3) given the geographic proximity of Caribbean countries to the United States, the economic stability of Caribbean nations is important to United States national security interests.

(b) ELIGIBILITY OF CARIBBEAN COUNTRIES FOR FINANCING THROUGH THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Section 1412(c) of the BUILD Act of 2018 (division F of Public Law 115–254) is amended by adding at the end the following:

''(3) INCLUSION OF CARIBBEAN COUNTRIES.—Notwithstanding paragraphs (1) and (2), Caribbean countries (excluding Cuba) shall be included among the countries receiving prioritized support under title II during the 10-year period beginning on the date of the enactment of the Advancing Competitiveness, Transparency, and Security in the Americas Act of 2020.''.

(c) PRIORITIZING ENGAGEMENT IN THE WESTERN HEMISPHERE.—Section 1412 of the BUILD

Act of 2018, as amended by subsection (c), is further amended by adding at the end the following:

''(d) FOREIGN POLICY GUIDANCE.—The Secretary of State, in accordance with the priorities identified in subsection (c), shall provide foreign policy guidance to the Corporation to prioritize development financing to Latin American and Caribbean countries (excluding Cuba) by dedicating not less than 40 percent of development financing and equity investments to countries in Latin America and the Caribbean during the 10-year period beginning on the date of the enactment of the Advancing Competitiveness, Transparency, and Security in the Americas Act of 2020.''.

SEC. ___13. ADVANCING REGULATION OF FOREIGN INVESTMENT IN INFRASTRUCTURE PROJECTS TO PROTECT HOST COUNTRIES' NATIONAL INTERESTS.

(a) FINDING.—Congress finds that the Committee on Foreign Investment in the United States (referred to in this subsection as ''CFIUS''), as set forth in section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565)—

(1) protects United States national security interests that are related to foreign direct investment in the United States economy; and

(2) provides a mechanism by which the United States Government can respond to concerns that investments may be driven by political, rather than economic, motives.

(b) IN GENERAL.—The Secretary of State, working through the Assistant Secretary of State for Economic and Business Affairs and the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, in coordination with the Secretary of the Treasury, shall offer to provide technical assistance to partner governments in Latin America and the Caribbean to assist members of national legislatures and executive branch officials in establishing legislative and regulatory frameworks that are similar to the frameworks set forth in section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565).

(c) PURPOSES.—In carrying out subsection (b), the Secretary of State, in coordination with the Secretary of the Treasury, shall actively encourage partner governments—

(1) to protect their respective country's national security interests;

(2) to protect the national security interests of their allies; and

(3) to review and approve, suspend, or prohibit investments and projects, on a case-by-case basis and in the aggregate, to evaluate and assess their potential risk to such national security interests.

(d) DIPLOMATIC ENGAGEMENT.—In providing the technical assistance described in subsection (b), the Secretary of State shall conduct diplomatic engagement with legislators from countries vital to the interests of the United States to encourage them to adopt legislation described in subsections (b) and (c) to regulate infrastructure development projects

(e) STRATEGY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a strategy for carrying out the activities described in subsections (b) and (c) to—

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

(2) the Committee on Appropriations of the Senate;

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

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

(5) the Committee on Appropriations of the House of Representatives; and

(6) the Committee on Financial Services of the House of Representatives.

(f) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall provide a briefing regarding the activities described in subsections (b) and (c) and the strategy submitted under subsection (E) to—

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

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

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $10,000,000 for fiscal year 2020 to carry out the activities set forth in subsections (b) and (c).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and the International Narcotics and Law Enforcement Fund under section 489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h), to the extent that such funds are expended.

SEC. ___14. STRENGTHENING INFRASTRUCTURE PROJECT SELECTION AND PROCUREMENT PROCESSES.

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

(1) Pervasive corruption, as evidenced by the Odebrecht construction scandal and the Panama Papers, is an ingrained and long-standing characteristic of doing business in Latin America and the Caribbean.

(2) China further exacerbates the levels of corruption in the region by engaging in corrupt practices when pursuing secure infrastructure contracts and procurement agreements.

(3) Procurement agreements not based exclusively on cost, quality, and necessity can lead to projects that do not serve the best interests of the public.

(b) ENGAGEMENT INITIATIVES.—The Secretary of State, in coordination with the Administrator of the United States AGency for International Development, the Chief Executive Officer of United States International Development Finance Corporation, the Director of the United States Trade Development Agency, and representatives of the Department of the Treasury's Office of Technical Assistance, shall plan and carry out initiatives to engage with governments in Latin America and the Caribbean for the purpose of strengthening infrastructure project selection processes and procurement processes, including—

(1) discussing, devising, and disseminating best practices, frameworks, and tools that—

(A) ensure greater adherence to the rule of law;

(B) promote greater transparency in infrastructure, trade, and development projects; and

(C) more effectively regulate tender processes to minimize opportunities for corrupt practices;

(2) strengthening legal structures as needed to ensure business agreements are transparent, clear, and enforceable;

(3) increasing the capacity of Latin American and Caribbean governments to effectively assess and negotiate investment opportunities in accordance with applicable laws, including commercial and public infrastructure projects;

(4) promoting legislation that codifies best practices in applying the rule of law to infrastructure, trade, and development projects;

(5) promoting the adoption of infrastructure project selection processes that include environmental impact studies that prioritize minimal environmental impact, strong environmental standards, and social safeguards for vulnerable and marginalized populations, including indigenous and Afro-Latino populations;

(6) emphasizing differences in business practices between the United States and China, particularly those relating to the rule of law, transparency, and financing; and

(7) fostering and enabling economic and technical data sharing relating to contract costs, structuring, and terms, including loan terms, cost overruns, and quality assurance, among regional governments and the United States.

(c) CONSULTATION.—During the planning of the initiatives described in subsection (b), the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, the Chief Executive Officer of the United States International Development Finance Corporation, the Director of the United States Trade Development Agency's Global Procurement Initiative, and representatives of the Department of the Treasury's Office of Technical Assistance, shall consult with representatives of the private sector and nongovernmental organizations in the United States, Latin America, and the Caribbean.

(d) BRIEFING REQUIREMENT.—Not later than 1 year after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall provide a briefing regarding the initiatives described in subsection (c) to—

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

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

(e) BASELINE ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the congressional committees referred to in subsection (d) that assesses, based on credible indices of the performance of the rule of law (including the World Justice Project's Rule of Law Index), the progress made by Latin American and Caribbean governments toward strengthening the rule of law, reducing corruption, and creating greater transparency in business practices, including through—

(1) standardizing and regulating procurement practices; and

(2) streamlining, modernizing, and digitizing records for public procurement and customs duties.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State for fiscal year 2020, $5,000,000 to carry out the activities set forth in subsections (b), (c), and (d).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) to the extent that such funds are expended.

SEC. ___15. PROMOTING THE RULE OF LAW IN DIGITAL GOVERNANCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that United States engagement with Latin America and the Caribbean regarding digital infrastructure and security should—

(1) help protect privacy, civil liberties, and human rights; and

(2) strengthen institutions aimed at fighting cybercrimes.

(b) IN GENERAL.—The Secretary of State, in coordination with the Department of Justice, shall conduct diplomatic engagement to encourage and facilitate Latin American and Caribbean governments' adoption of standards to address cybercrimes, such as institutionalizing the recommendations of the Organization of American States Ninth Meeting of Ministers of Justice or Other Ministers or Attorneys General of the Americas

Working Group on Cybercrime (December 2016: OEA/Ser. K/XXXIV), including—

(1) adopting or updating procedural measures and legislation necessary to ensure the collection and safe custody of all forms of electronic evidence and their admissibility in criminal proceedings and trials and to enable States to assist one another in matters involving electronic evidence, with due regard for rights to privacy and due process;

(2) developing and implementing national strategies to deter, investigate, and prosecute cybercrime as part of a broader and more coordinated effort to protect the information technology systems and networks of citizens, businesses, and governments;

(3) continuing to develop partnerships among Latin American and Caribbean officials responsible for preventing, investigating, and prosecuting such crimes, and the private sector, in order to streamline and improve the procurement of information in the context of mutual assistance proceedings; and

(4) working, in cooperation with like-minded democracies in international organizations, to advance standards for digital governance and promote a free and open Internet.

(c) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the diplomatic engagement described in subsection (b).

SEC. ___16. INVESTING IN PROJECTS THAT STRENGTHEN THE REGION'S DIGITAL INFRASTRUCTURE.

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

(1) According to a 2016 report by the Organization for Economic Cooperation and Development, ''Working Paper No. 334: Harnessing the Digital Economy for Developing Countries''—

(A) the digital economy fosters growth and productivity and supports inclusive development by improving accessibility by previously marginalized groups;

(B) access to digital infrastructure can provide these groups with a whole range of markets and services, including education, peer-to-peer lending, e-government, the sharing economy, crowdfunding, and online job matching services; and

(C) adoption and usage of digital technologies raises the productivity of capital and labor, enables the participation in global value chains, and contributes to greater inclusion by lowering transaction costs and expanding access to information.

(2) According to the Inter-American Development Bank, the combination of high rates of financial exclusion and high mobile penetration and technological innovation represents a great opportunity to use technology to enable financial services to reach a part of the population in Latin America that has been underserved by traditional financial services.

(b) DIGITAL INFRASTRUCTURE ACCESS AND SECURITY STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in coordination with relevant Federal agencies, shall submit to Congress a strategy and implementation plan for leveraging United States expertise to help Latin American and Caribbean governments—

(1) develop and secure their digital infrastructure;

(2) protect technological assets, including data privacy;

(3) advance cybersecurity to protect against cybercrime and cyberespionage; and

(4) create more equal access to economic opportunities for their citizens.

(c) CHALLENGES.—The strategy described in subsection (b) shall address—

(1) the severe digital divides between more wealthy urban centers and rural districts;

(2) the need for protection of citizens' privacy; and

(3) the need to expand existing initiatives to allow public-private partnerships to increase access to micro-grids and decentralized electronic systems.

(d) CONSULTATION.—In creating the strategy described in subsection (b), the Secretary of State shall consult with—

(1) leaders of the United States telecommunication industry;

(2) other technology experts from nongovernmental organizations and academia; and

(3) representatives from relevant United States Government agencies.

(e) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regarding the implementation of the strategy described in subsection (b).

SEC. ___17. COUNTERING FOREIGN CORRUPT PRACTICES IN THE AMERICAS.

(a) IN GENERAL.—The Secretary of State, working through the Assistant Secretary of State for Economic and Business Affairs and the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, shall offer to provide technical assistance to partner governments in Latin America and the Caribbean to assist members of national legislatures and executive branch officials in establishing legislative and regulatory frameworks that are similar to those set forth in—

(1) section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd–1); and

(2) section 104 of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd–2).

(b) PURPOSES.—In carrying out subsection (a), the Secretary of State shall actively encourage partner governments—

(1) to adopt standards that deter fraudulent business practices and increase government and private sector accountability in Latin America and the Caribbean; and

(2) to strengthen the investigative and prosecutorial capacity of government institutions in Latin America and the Caribbean to combat fraudulent business practices involving public officials.

(c) STRATEGY REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a strategy for carrying out the activities described in subsections (a) and (b) to—

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

(2) the Committee on Appropriations of the Senate;

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

(4) the Committee on Appropriations of the House of Representatives.

(d) CONSULTATION.—In formulating the strategy described in subsection (c), the Secretary of State shall consult with the Secretary of the Treasury and the Attorney General.

(e) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall provide a briefing regarding the activities described in subsections (a) and (b) and the strategy submitted under subsection (c) to—

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

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

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated $10,000,000 to the Department of State for fiscal year 2021—

(A) to carry out the activities set forth in subsections (a) and (b); and

(B) to develop the strategy submitted under subsection (c).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and the International Narcotics and Law Enforcement Fund under section 489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h), to the extent that such funds are expended.

SEC. ___18. COUNTERING MALIGN BUSINESS PRACTICES.

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

(1) China has demonstrated a pattern of exploiting international norms and domestic laws in foreign states to its benefit, while ignoring such laws and norms when they interfere with China's perceived national interests.

(2) China frequently relies on bribes to foreign government officials to ensure that it receives favorable terms on infrastructure deals and overstates the benefits or underplays the risks of proposed infrastructure projects.

(b) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—An alien described in this subsection is an alien whom the Secretary of State or the Secretary of Homeland Security (or a designee of either Secretary) knows, or has reason to believe, is engaging or has engaged in acts of significant corruption in a country in Latin America or the Caribbean with representatives of, or on behalf of, the Government of China, a Chinese state-owned entity, or a Chinese private sector entity.

(c) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (b) is—

(1) inadmissible to the United States;

(2) ineligible to receive a visa or other documentation to enter the United States; and

(3) otherwise ineligible to be admitted or paroled into the United States or to receive any benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(d) CURRENT VISAS REVOKED.—

(1) IN GENERAL.—An alien described in subsection (b) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(2) IMMEDIATE EFFECT.—A revocation under paragraph (1)—

(A) shall take effect immediately; and

(B) shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(e) EXCEPTIONS.—Sanctions under subsections (c) and (d) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(1) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(2) to carry out or assist law enforcement activity in the United States.

(f) NATIONAL SECURITY.—The President may waive the application of this section with respect to an alien if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits a notice of, and justification for, such waiver to the appropriate congressional committees.

SEC. ___19. PROMOTING GREATER ENERGY SECURITY AND LESSER DEPENDENCE ON OIL IN THE CARIBBEAN.

(a) POLICY STATEMENT.—It is the policy of the United States to help Caribbean countries—

(1) achieve greater energy security;

(2) lower their dependence on imported fuels; and

(3) eliminate the use of petroleum products for the generation of electricity.

(b) STRATEGY REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit a multi-year strategy to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives for regional cooperation with Caribbean countries—

(1) to lower the region's dependence on imported fuels, grow the region's domestic energy production for the generation of electricity, and strengthen regional energy security;

(2) to lower the region's dependence on oil in the transportation sector;

(3) to increase the region's energy efficiency, energy conservation, and investment in alternatives to imported fuels;

(4) to improve grid reliability and modernize electricity transmission networks;

(5) to advance deployment of innovative solutions to expand community and individuals' access to electricity; and

(6) to help reform the region's energy markets to encourage good regulatory governance and to promote a climate of private sector investment.

(c) ELEMENTS.—The strategy required under subsection (b) shall include—

(1) a thorough review and inventory of United States Government activities to promote energy security in the Caribbean region and to reduce the region's reliance on oil for electricity generation that are being carried out bilaterally, regionally, and in coordination with multilateral institutions;

(2) opportunities for marshaling regional cooperation—

(A) to overcome market barriers resulting from the small size of Caribbean energy markets;

(B) to address the high transportation and infrastructure costs faced by Caribbean countries;

(C) to ensure greater donor coordination between governments, multilateral institutions, multilateral banks, and private investors; and

(D) to expand regional financing opportunities to allow for lower cost energy entrepreneurship;

(3) measures to encourage each Caribbean government to ensure that it has—

(A) an independent utility regulator or equivalent;

(B) affordable access by third party investors to its electrical grid with minimal regulatory interference;

(C) effective energy efficiency and energy conservation;

(D) programs to address technical and nontechnical issues;

(E) a plan to eliminate major market distortions;

(F) cost-reflective tariffs; and

(G) no tariffs or other taxes on clean energy solutions; and

(4) recommendations for how United States policy, technical, and economic assistance can be used in the Caribbean region—

(A) to advance renewable energy development and the incorporation of renewable technologies into existing energy grids and the development and deployment of microgrids where appropriate and feasible;

(B) to create regional financing opportunities to allow for lower cost energy entrepreneurship;

(C) to deploy transaction advisors in the region to help attract private investment and break down any market or regulatory barriers; and

(D) to establish a mechanism for each host government to have access to independent legal advice—

(i) to speed the development of energy-related contracts; and

(ii) to better protect the interests of Caribbean governments and their citizens.

Subtitle B—Promoting Regional Security and Digital Security, and Protecting Human Rights in the Americas

SEC. ___21. ENSURING THE INTEGRITY OF TELECOM AND DATA NETWORKS AND CRITICAL INFRASTRUCTURE.

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

(1) allegations of espionage, intellectual property theft, hacking, and unscrupulous business practices, such as bribery and kickbacks, often accompany the entrance of Chinese companies into a region;

(2) the United States Government should assist Latin American and Caribbean governments and businesses in developing their own digital telecommunications networks to render them less susceptible to Chinese malfeasance; and

(3) strengthening and implementing intellectual property and cyber governance laws will boost innovation in the Latin America and the Caribbean.

(b) TECHNICAL ASSISTANCE.—The Secretary of State, working through the Office of the Coordinator for Cyber Issues of the Department of State, and in consultation with the Attorney General, the Director of the Federal Bureau of Investigation, and the Chief of the International Bureau of the Federal Communications Commission shall offer to provide technical assistance to partner governments in Latin America and the Caribbean to strengthen their capacity to promote digital security, including—

(1) defending the integrity of digital infrastructure and digital assets, including data storage systems, such as Cloud computing, proprietary data, personal information, and proprietary technologies;

(2) detecting, identifying, and investigating cybercrimes, including the collection of digital forensic evidence;

(3) developing appropriate enforcement mechanisms for cybercrimes;

(4) detecting and identifying perpetrators; and

(5) prosecuting cybercrimes and holding perpetrators accountable for such crimes.

(c) PRIORITIZATION.—The Secretary of State, in providing the technical assistance described in subsection (b), shall prioritize working with national and regional law enforcement entities, including—

(1) police forces;

(2) public prosecutors;

(3) attorneys general

(4) courts; and

(5) other law enforcement and civilian intelligence entities, as appropriate.

(d) CYBER DEFENSE ASSISTANCE.—The Secretary of State, in coordination with the Commander of the United States Cyber Command and the Director of National Intelligence, shall offer to provide technical assistance to strengthen the capacity of partner governments in Latin America and the Caribbean—

(1) to protect the integrity of their telecom and data networks and their critical infrastructure; and

(2) to build and monitor secure telecom and data networks;

(3) to identify cyber threats and detect and deter cyber attacks;

(4) to investigate cyber crimes, including the collection of digital forensic evidence;

(5) to protect the integrity of digital infrastructure and digital assets, including data storage systems (including Cloud computing), proprietary data, personal information, and proprietary technologies;

(6) to plan maintenance, improvements, and modernization in a coordinated and regular fashion so as to ensure continuity and safety; and

(7) to protect the digital systems that manage roads, bridges, ports, and transportation hubs.

(e) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall provide a briefing regarding the technical assistance described in subsection (b) and (d) to—

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

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

(3) the Committee on Armed Services of the Senate;

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

(5) the Committee on the Judiciary of the House of Representatives; and

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

SEC. ___22. ADDRESSING THE RISKS THAT PERVASIVE SURVEILLANCE AND MONITORING TECHNOLOGIES POSE TO HUMAN RIGHTS.

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

(1) According to a 2018 report by Freedom House—

(A) China has stepped up efforts to use digital media to increase its own power, both inside and outside of China;

(B) in 2018, for the second year in a row, China was the worst abuser of Internet freedom, and during that year, the Government of China hosted media officials from dozens of countries for 2- and 3-week seminars on its sprawling system of censorship and surveillance;

(C) Chinese companies have supplied telecommunications hardware, advanced facial-recognition technology, and data analytics tools to a variety of governments with poor human rights records, which could benefit Chinese intelligence services and repressive local authorities;

(D) China's Belt and Road Initiative includes a ''Digital Silk Road'' of Chinese-built fiber-optic networks that could expose Internet traffic to greater monitoring by local and Chinese intelligence agencies, given that China is determined to set the technical standards for how the next generation of traffic is coded and transmitted.

(2) As part of its engagement with Latin American and Caribbean governments, China has begun promoting the installation of pervasive surveillance camera systems, under the pretext of citizen security, in Bolivia, Ecuador, and Venezuela, to be financed, designed, installed, and maintained by companies linked to the Government of China.

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

(1) China is exporting its model for internal security and state control of society through advanced technology and artificial intelligence; and

(2) the adoption of surveillance systems can lead to breaches of citizens' private information, increased censorship, violations of civil rights, and harassment of political opponents.

(c) DIPLOMATIC ENGAGEMENT.—The Secretary of State shall conduct diplomatic engagement with governments in Latin America and the Caribbean—

(1) to help officials identify and mitigate the risks to civil liberties posed by pervasive surveillance and monitoring technologies; and

(2) to offer recommendations on ways to mitigate such risks.

(d) INTERNET FREEDOM PROGRAMS.—The Chief Executive Officer of the United States Agency for Global Media, working through the Open Technology Fund, and the Secretary of State, working through the Bureau of Democracy, Human Rights, and Labor's office of Internet Freedom and Business and Human Rights, shall expand and prioritize efforts to provide anti-censorship technology and services to journalists and citizens in Latin America, in order to enhance their ability to safely access or share digital news and information without fear of repercussions or surveillance.

(e) SUPPORT FOR CIVIL SOCIETY.—The Secretary of State, in coordination with the Assistant Secretary of State for Democracy, Human Rights, and Labor and the Administrator of the United States Agency for International Development, shall work through nongovernmental organizations—

(1) to support and promote programs that support Internet freedom and the free flow of information online in Latin America and the Caribbean;

(2) to protect open, secure, and reliable access to the Internet in Latin America and the Caribbean;

(3) to provide integrated support to civil society for technology, digital safety, policy and advocacy, and applied research programs in Latin America and the Caribbean;

(4) to train journalists and civil society leaders in Latin America and the Caribbean on investigative techniques necessary to ensure public accountability and prevent government overreach in the digital sphere; and

(5) to assist independent media outlets and journalists in Latin America and the Caribbean to build their own capacity and develop high-impact, in-depth news reports covering governance and human rights topics.

(f) BRIEFING REQUIREMENT.—Not more than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State, the Administrator of the United States Agency for International Development, and the Chief Executive Officer of the United States Agency for Global Media shall provide a briefing regarding the efforts described in subsections (c), (d), and (e) to—

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

(2) the Committee on Appropriations of the Senate;

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

(4) the Committee on Appropriations of the House of Representatives.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated $10,000,000 to carry out the activities set forth in subsection (e).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from—

(A) the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)); and

(B) the Development Assistance Fund under section 653(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2413(a)).

SEC. ___23. REVITALIZING BILATERAL AND MULTILATERAL MILITARY EDUCATION PROGRAMS.

(a) IN GENERAL.—The Secretary of State shall dedicate not less than 17 percent of the amounts appropriated to bilateral and multilateral military education programs, such as the International Military Education and Training program, for Latin America and the Caribbean during the 5-year period beginning on the date of the enactment of this Act.

(b) MODERNIZATION.—The Secretary of State shall take steps to modernize and strengthen the programs receiving funding under subsection (a)—

(1) to ensure that such programs are vigorous, substantive, and the preeminent choice for international military education and training for Latin American and Caribbean partners.

(c) REQUIRED ELEMENTS.—The programs referred to under subsection (a) shall—

(1) provide training and capacity-building opportunities to Latin American and Caribbean security services;

(2) provide practical skills and frameworks for—

(A) improving the functioning and organization of security services in Latin America and the Caribbean;

(B) creating a better understanding of the United States and its values; and

(C) using technology for maximum efficiency and organization; and

(3) promote and ensure that security services in Latin America and the Caribbean operate in compliance with international norms, standards, and rules of engagement, including a respect for human rights.

(d) LIMITATION.—Security assistance under this section is subject to the limitations set forth in section 620M of the Foreign Assistance Act of 1961 (22 U.S.C. 2378d).

Subtitle C—Advancing United States Interests and the Role of Civil Society in Latin America and the Caribbean

SEC. ___31. COUNTERACTING GROWING CHINESE EDUCATIONAL AND CULTURAL INFLUENCE IN LATIN AMERICA AND THE CARIBBEAN.

(a) FINDING.—According to a report by the National Endowment for Democracy—

(1) China has spent the equivalent of billions of dollars to shape public opinion and perceptions around the world through thousands of people-to-people exchanges, cultural activities, educational programs, and the development of media enterprises and information initiatives with global reach;

(2) the aim of Chinese influence efforts is intended to distract and manipulate the political and information environments in targeted countries; and

(3) the countries most vulnerable to Chinese efforts are those in which democratic institutions are weak.

(b) SENSE OF CONGRESS.—It is the sense of Congress that China's efforts to mold public opinion on the issues described in subsection (a) undermines United States influence in Latin America and the Caribbean and threaten democratic institutions and practices in the region.

(c) STRATEGY.—The Secretary of State, in coordination with the Assistant Secretary of State for Educational and Cultural Affairs, shall devise a strategy—

(1) to expand existing programs and, as necessary, design and implement educational, professional, and cultural exchanges and other programs to create and sustain mutual understanding with other countries necessary to advance United States foreign policy goals by cultivating people-to-people ties among current and future global leaders that build enduring networks and personal relationships and promote United States national security and values;

(2) that includes the expansion of exchange visitor programs, including international visitor leadership programs and professional capacity building programs that prioritize building skills in entrepreneurship, promoting transparency, and technology; and

(3) to dedicate not less than 18 percent of the budget of the Bureau of Educational and Cultural Affairs to carry out the activities described in paragraphs (1) and (2).

(d) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State and the Assistant Secretary of State for Educational and Cultural Affairs shall provide a briefing regarding the efforts described in subsection (c) to—

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

(2) the Committee on Appropriations of the Senate;

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

(4) the Committee on Ways and Means of the House of Representatives.

SEC. ___32. MAINTAINING TRANSPARENCY AND FREEDOM OF ACCESS FOR DIGITAL INFRASTRUCTURE IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that digital infrastructure entities, such as the Internet and telecommunications networks, are common goods that should be neutral and accessible to all people, with no country or government dominating control of their use, standards, or principles.

(b) IN GENERAL.—The Secretary of State, in coordination with United States representatives to the Internet governance agencies, such as the Internet Corporation for Assigned Names and Numbers (ICANN) and the United Nations Internet Governance Forum, shall promote and advocate for governments, the private sector, and civil society to respect and adhere to shared principles, norms, rules, decision-making procedures, and programs that shape the evolution and use of the Internet, including ensuring—

(1) neutral access to digital networks;

(2) common technical standards that do not favor a particular country;

(3) freedom from unauthorized data access; and

(4) free access to information and combating censorship.

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State and United States representatives on Internet governance agencies, such as the Internet Corporation for Assigned Names and Numbers and the United Nations Internet Governance Forum, shall provide a briefing regarding the efforts described in subsection (b) to—

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

(2) the Committee on Appropriations of the Senate;

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

(4) the Committee on Ways and Means of the House of Representatives.

SEC. ___33. ADVANCING THE ROLE OF CIVIL SOCIETY AND THE MEDIA TO PROMOTE ACCOUNTABILITY.

(a) IN GENERAL.—The Secretary of State, acting through the Assistance Secretary of State for Democracy, Human Rights, and Labor, the Assistant Secretary of State for Education and Cultural Affairs, and the Coordinator of the Global Engagement Center, shall expand existing initiatives and, as necessary, develop and implement new initiatives that facilitate and strengthen the capacity of civil society and independent media outlets to increase transparency and accountability among government and business leaders.

(b) PROGRAM ELEMENTS.—The initiatives under subsection (a) shall include—

(1) training for journalists and civil society leaders on investigative techniques necessary to improve transparency and accountability in government and the private sector;

(2) training on investigative reporting relating to incidents of corruption and unfair trade, business and commercial practices, including the role of the Government of China in such practices;

(3) training on investigative reporting relating to efforts the Government of China's use of misinformation, disinformation, and state media to influence public opinion in Latin America and the Caribbean; and

(4) assistance for nongovernmental organizations to strengthen their capacity to monitor the activities described in paragraphs (2) and (3).

(c) CONSULTATION.—In developing and implementing the initiatives under subsection (a), the Secretary of State shall consult with—

(1) nongovernmental organizations focused on transparency and combating corruption, such as Transparency International, the Latin American and Caribbean chapters of Transparency International, and similar organizations; and

(2) media organizations that promote investigative journalism and train organizations in investigative techniques necessary to ensure public accountability, such as ProPublica, the Center for Public Integrity, and the International Consortium of Investigative Journalists.

(d) SEMIANNUAL BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall provide a briefing regarding the initiatives under subsection (a) to—

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

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

(e) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of State $10,000,000 for fiscal year 2020 to carry out the initiatives under subsection (a).

(2) NOTIFICATION REQUIREMENTS.—Amounts appropriated pursuant to paragraph (1) are subject to the notification requirements applicable to expenditures from the Economic Support Fund under section 531(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346(c)) and the International Narcotics and Law Enforcement Fund under section 489 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h), to the extent that such funds are expended.

Subtitle D—Resourcing for Success

SEC. ___41. APPOINTMENT OF CHINA WATCH OFFICERS AT UNITED STATES EMBASSIES IN THE WESTERN HEMISPHERE.

(a) IN GENERAL.—The Secretary of State shall direct the Chiefs of Mission at United States Embassies and Consulates in Latin America and the Caribbean, including Cuba, to designate a China Watch Officer, from among existing staff at the Post, to monitor and report on Chinese engagement in the respective countries.

(b) ANNUAL MEETING.—The Assistant Secretary for Western Hemisphere Affairs shall convene an annual meeting (either in person or by video conference call) of all of the China Watch Officers designated pursuant to subsection (a)—

(1) to discuss and compare developments in their individual countries;

(2) to identify trends in Chinese activities in Latin America and the Caribbean and its subregions; and

(3) to recommend potential strategies to mitigate or compete with Chinese activities in the region.

(c) BRIEFING REQUIREMENT.—Concurrent with the annual meeting described in subsection (b), China Watch Officers serving in Latin America and the Caribbean, including Cuba, shall brief—

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

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

(d) CONSULTATION.—The Assistant Secretary for Western Hemisphere Affairs and the China Watch Officers designated pursuant to subsection (a) shall be available for consultations with the staff of the congressional committees referred to in subsection (c).

SEC. ___42. ASSESSING STAFFING NEEDS AT UNITED STATES EMBASSIES IN LATIN AMERICA AND THE CARIBBEAN.

(a) STAFFING ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit the assessments and accompanying reports, if necessary, described in subsections (b) and (c) to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(b) FOREIGN COMMERCIAL SERVICE ASSESSMENT.—

(1) IN GENERAL.—The Secretary of State and the Secretary of Commerce shall prepare a written assessment that—

(A) determines whether the current staffing levels of the United States Foreign Commercial Service at all United States embassies and diplomatic offices in Latin America and the Caribbean are sufficient to successfully advance United States economic policy in Latin America and the Caribbean; and

(B) specifically details the results for each United States embassy and diplomatic office in Latin America and the Caribbean.

(2) ACCOMPANYING REPORT.—If the assessment under paragraph (1) reveals insufficient staffing levels, the Secretary of State and the Secretary of Commerce shall submit an accompanying report that—

(A) identifies the costs associated with increasing the overseas presence of United States Foreign Commercial Service officers in Latin America and the Caribbean; and

(B) includes a timeline and strategy for increasing such staffing levels.

(c) PUBLIC DIPLOMACY ASSESSMENT.—

(1) IN GENERAL.—The Secretary of State shall prepare a written assessment that—

(A) determines whether the current staffing levels of Foreign Service public diplomacy officers at all United States embassies and diplomatic offices in Latin America and the Caribbean are sufficient—

(i) to successfully advance United States national interests; and

(ii) to counter misinformation and disinformation efforts by the Government of China and the Government of Russia; and

(B) specifically details the results for each United States embassy and diplomatic office in Latin America and the Caribbean.

(2) ACCOMPANYING REPORT.—If the assessment under paragraph (1) reveals insufficient staffing levels, the Secretary of State shall submit an accompanying report that—

(A) identifies the costs associated with increasing the overseas presence of Foreign Service public diplomacy officers in Latin America and the Caribbean; and

(B) includes a timeline and strategy for increasing such staffing levels.

SA 1959. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, insert the following:

SEC. 1287. SENSE OF SENATE ON DEPARTMENT OF DEFENSE ENGAGEMENT ON INDIVIDUALS DETAINED FOR PEACEFUL EXPRESSION.

It is the sense of the Senate that—

(1) United States diplomatic and security relationships with countries around the world cannot realize their full potential in the absence of respect for human rights and the rule of law;

(2) the practice by some countries of detaining individuals for peacefully expressing their views violates such individuals' human rights, and should be condemned;

(3) prisoners throughout the world are particularly vulnerable to COVID–19 due to crowded conditions and strains on medical care, making the need to release individuals detained for peacefully expressing their views more urgent;

(4) the Senate—

(A) supports the release of individuals held for peaceful expressions of activism; and

(B) affirms that a government should never detain its citizens for exercising their rights of freedom of assembly, association, and speech;

(5) in the interactions with foreign governments that detain individuals for peacefully expressing their views, Department of Defense officials should coordinate with the Department of State to encourage such governments to release individuals detained for peaceful expression of views and end the practice of detaining individuals who engage in acts of peaceful expression; and

(6) the encouragement described in paragraph (5) would further a principal foreign policy goal of the United States, as articulated in section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304) (relating to the provision of defense articles and defense services): ''a principal goal of the foreign policy of the United States shall be to promote the increased observance of internationally recognized human rights by all countries''.

SA 1960. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII of division A, insert the following:

SEC. 12___. UNITED STATES AGENCY FOR GLOBAL MEDIA.

(a) SHORT TITLE.—This section may be cited as the ''U.S. Agency for Global Media Reform Act''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Office of Cuba Broadcasting should—

(1) remain an independent entity of the United States Agency for Global Media; and

(2) continue taking steps to ensure that the Office is fulfilling its core mission of promoting freedom and democracy by providing the people of Cuba with objective news and information programming.

(c) AUTHORITIES OF THE CHIEF EXECUTIVE OFFICER; LIMITATION ON CORPORATE LEADERSHIP OF GRANTEES.—Section 305 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6204) is amended—

(1) in subsection (a)—

(A) in paragraph (20), by striking ''authority to determine membership of their respective boards, and'';

(B) in paragraph (21), by striking '', including authority to name and replace the board of any grantee authorized under this chapter, including with Federal officials,''; and

(C) by inserting at the end the following:

''(23) To—

''(A) require semi-annual content reviews of each language service of each surrogate network, consisting of a review of at least 10 percent of available weekly content, by fluent language speakers and experts without direct affiliation to the language service being reviewed, who are seeking any evidence of inappropriate or unprofessional content, which shall be submitted to the Office of Policy and Research and the Chief Executive Officer; and

''(B) submit a list of anomalous reports to the appropriate congressional committees, including status updates on anomalous services during the 3-year period commencing on the date of receipt of the first report of biased, unprofessional, or otherwise problematic content.''; and

(2) by adding at the end the following:

''(c) LIMITATION ON CORPORATE LEADERSHIP OF GRANTEES.—

''(1) IN GENERAL.—The Chief Executive Officer may not award any grant under subsection (a) to RFE/RL, Inc., Radio Free Asia, the Middle East Broadcasting Networks, the Open Technology Fund, or any other statutorily authorized grantee (collectively referred to as the 'Agency Grantee Networks') unless the incorporation documents of the grantee require that the corporate leadership and Board of Directors of the grantee be selected in accordance with this Act.

''(2) CONFLICTS OF INTEREST.—

''(A) CHIEF EXECUTIVE OFFICER.—The Chief Executive Officer may not serve on any of the corporate boards of any grantee under subsection (a), consistent with Federal law and the law of the State in which any such grantee is incorporated.

''(B) FEDERAL EMPLOYEES.—A full-time employee of a Federal agency may not serve on a corporate board of any grantee under subsection (a).''.

(d) INTERNATIONAL BROADCASTING ADVISORY BOARD.—Section 306 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6205) is amended—

(1) by striking subsections (a) through (c) and inserting the following:

''(a) IN GENERAL.—The International Broadcasting Advisory Board (referred to in this section as the 'Advisory Board') shall advise the Chief Executive Officer of the United States Agency for Global Media, as appropriate.

''(b) COMPOSITION OF THE ADVISORY BOARD.—

''(1) IN GENERAL.—The Advisory Board shall consist of 7 members, of whom—

''(A) 6 shall be appointed by the President, by and with the advice and consent of the Senate, in accordance with subsection (c); and

''(B) 1 shall be the Secretary of State.

''(2) CHAIR.—The President shall designate, with the advice and consent of the Senate 1 of the members appointed under paragraph (1)(A) as Chair of the Advisory Board.

''(3) PARTY LIMITATION.—Not more than 3 members of the Advisory Board appointed under paragraph (1)(A) may be affiliated with the same political party.

''(4) TERMS OF OFFICE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), members of the Advisory Board shall serve for a single term of 4 years, except that, of the first group of members appointed under paragraph (1)(A)—

''(i) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 2 years after the date of the enactment of the U.S. Agency for Global Media Reform Act;

''(ii) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 4 years after the date of the enactment of the U.S. Agency for Global Media Reform Act; and

''(iii) 2 members who are not affiliated with the same political party, shall be appointed for terms ending on the date that is 6 years after the date of the enactment of the U.S. Agency for Global Media Reform Act.

''(B) SECRETARY OF STATE.—The Secretary of State shall serve as a member of the Advisory Board for the duration of his or her tenure as Secretary of State.

''(C) OTHER FEDERAL AGENCIES.—No other representatives from any other Federal agencies may serve on the Advisory Board or corporate grantee boards or exert any influence on its members, consistent with firewall protections under section 305(b) and section 531.3 of title 22, Code of Federal Regulations.

''(D) SOLE CORPORATE BOARD.—The Advisory Board, consistent with applicable Federal and State laws, shall also serve as the sole corporate boards of Agency Grantee Networks (as defined in section 305(c)(1)).

''(5) VACANCIES.—

''(A) IN GENERAL.—The President shall appoint, with the advice and consent of the Senate, additional members to fill vacancies on the Advisory Board occurring before the expiration of a term.

''(B) TERM.—Any members appointed pursuant to subparagraph (A) shall serve for the remainder of such term.

''(C) SERVICE BEYOND TERM.—Any member whose term has expired shall continue to serve as a member of the Advisory Board until a qualified successor has been appointed and confirmed by the Senate.

''(D) SECRETARY OF STATE.—When there is a vacancy in the office of Secretary of State, the Acting Secretary of State shall serve as a member of the Advisory Board until a new Secretary of State is appointed.'';

(2) by redesignating subsection (d) as subsection (c);

(3) by amending subsection (c), as redesignated—

(A) in the subsection heading, by inserting ''ADVISORY'' before ''BOARD''; and

(B) in paragraph (2), by inserting ''who are'' before ''distinguished''; and

(4) by striking subsections (e) and (f) and inserting the following:

''(d) FUNCTIONS OF THE ADVISORY BOARD.—The members of the Advisory Board shall—

''(1) provide the Chief Executive Officer of the United States Agency for Global Media with advice and recommendations for improving the effectiveness and efficiency of the Agency and its programming;

''(2) meet with the Chief Executive Officer at least twice annually and at additional meetings at the request of the Chief Executive Officer or the Chair of the Advisory Board;

''(3) report periodically, or upon request, to the congressional committees specified in subsection (c)(2) regarding its advice and recommendations for improving the effectiveness and efficiency of the United States Agency for Global Media and its programming;

''(4) obtain information from the Chief Executive Officer, as needed, for the purposes of fulfilling the functions described in this subsection;

''(5) consult with the Chief Executive Officer regarding budget submissions and strategic plans before they are submitted to the Office of Management and Budget or to Congress;

''(6) advise the Chief Executive Officer to ensure that—

''(A) the Chief Executive Officer fully respects the professional integrity and editorial independence of United States Agency for Global Media broadcasters, networks, and grantees; and

''(B) agency networks, broadcasters, and grantees adhere to the highest professional standards and ethics of journalism, including taking necessary actions to uphold professional standards to produce consistently reliable and authoritative, accurate, objective, and comprehensive news and information; and

''(7) provide other strategic input to the Chief Executive Officer.

''(e) APPOINTMENT OF HEADS OF NETWORKS.—

''(1) IN GENERAL.—The head of Voice of America, of the Office of Cuba Broadcasting, of RFE/RL, Inc., of Radio Free Asia, of the Middle East Broadcasting Networks, of the Open Technology Fund, or of any other statutorily authorized grantee may only be appointed or removed if such action has been approved by a majority vote of the Advisory Board.

''(2) REMOVAL.—After consulting with the Chief Executive Officer, 5 or more members of the Advisory Board may unilaterally remove any such head of network or grantee network described in paragraph (1).

''(3) QUORUM.—

''(A) IN GENERAL.—A quorum shall consist of 4 members of the Advisory Board (excluding the Secretary of State).

''(B) DECISIONS.—Except as provided in paragraph (2), decisions of the Advisory Board shall be made by majority vote, a quorum being present.

''(C) CLOSED SESSIONS.—The Advisory Board may meet in closed sessions in accordance with section 552b of title 5, United States Code.

''(f) COMPENSATION.—

''(1) IN GENERAL.—Members of the Advisory Board, while attending meetings of the Advisory Board or while engaged in duties relating to such meetings or in other activities of the Advisory Board under this section (including travel time) shall be entitled to receive compensation equal to the daily equivalent of the compensation prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

''(2) TRAVEL EXPENSES.—While away from their homes or regular places of business, members of the Board may be allowed travel expenses, including per diem in lieu of subsistence, as authorized under section 5703 of such title for persons in the Government service employed intermittently.

''(3) SECRETARY OF STATE.—The Secretary of State is not entitled to any compensation under this title, but may be allowed travel expenses in accordance with paragraph (2).

''(g) SUPPORT STAFF.—The Chief Executive Officer shall, from within existing United States Agency for Global Media personnel, provide the Advisory Board with an Executive Secretary and such administrative staff and support as may be necessary to enable the Advisory Board to carry out subsections (d) and (e).''.

(e) CONFORMING AMENDMENTS.—The United States International Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.) is amended—

(1) in section 304—

(A) in the section heading, by striking ''**BROADCASTING BOARD OF GOVERNORS**'' and inserting ''**UNITED STATES AGENCY FOR GLOBAL MEDIA**'';

(B) in subsection (a), by striking ''Broadcasting Board of Governors'' and inserting ''United States Agency for Global Media'';

(C) in subsection (b)(1), by striking ''Broadcasting Board of Governors'' and inserting ''United States Agency for Global Media''; and

(D) in subsection (c), by striking ''Board'' each place such term appears and inserting ''Agency'';

(2) in section 305—

(A) in subsection (a)—

(i) in paragraph (6), by striking ''Board'' and inserting ''Agency'';

(ii) in paragraph (13), by striking ''Board'' and inserting ''Agency'';

(iii) in paragraph (20), by striking ''Board'' and inserting ''Agency''; and

(iv) in paragraph (22), by striking ''Board'' and inserting ''Agency'';

(B) in subsection (b), by striking ''Board'' each place such term appears and inserting ''Agency'';

(3) in section 308—

(A) in subsection (a), in the matter preceding paragraph (1), by striking ''Board'' and inserting ''Agency'';

(B) in subsection (b), by striking ''Board'' each place such term appears and inserting ''Agency'';

(C) in subsection (d), by striking ''Board'' and inserting ''Agency'';

(D) in subsection (g), by striking ''Board'' each place such term appears and inserting ''Agency'';

(E) in subsection (h)(5), by striking ''Board'' and inserting ''Agency''; and

(F) in subsection (i), by striking ''Board'' and inserting ''Agency'';

(4) in section 309—

(A) in subsection (c)(1), by striking ''Board'' each place such term appears and inserting ''Agency'';

(B) in subsection (e), in the matter preceding paragraph (1), by striking ''Board'' and inserting ''Agency'';

(C) in subsection (f), by striking ''Board'' each place such term appears and inserting ''Agency''; and

(D) in subsection (g), by striking ''Board'' and inserting ''Agency'';

(5) in section 310(d), by striking ''Board'' and inserting ''Agency'';

(6) in section 310A(a), by striking ''Broadcasting Board of Governors'' and inserting ''United States Agency for Global Media'';

(7) in section 310B, by striking ''Board'' and inserting ''Agency'';

(8) in section 313(a), in the matter preceding paragraph (1), strike ''Board'' and insert ''Agency'';

(9) in section 314, by striking ''(4) the terms 'Board and Chief Executive Officer of the Board' means the Broadcasting Board of Governors'' and inserting the following:

''(2) the terms 'Agency' and 'Chief Executive Officer of the Agency' mean the United States Agency for Global Media and the Chief Executive Officer of the United States Agency for Global Media, respectively''; and

(10) in section 315—

(A) in subsection (a)(1), by striking ''Broadcasting Board of Governors'' and inserting ''United States Agency for Global Media''; and

(B) in subsection (c), by striking ''Broadcasting Board of Governors'' and inserting ''United States Agency for Global Media''.

(f) RULEMAKING.—Notwithstanding any other provision of law, the United States Agency for Global Media may not revise Part 531 of title 22, Code of Federal Regulations, which took effect on June 11, 2020, without explicit authorization by an Act of Congress.

SA 1961. Mr. MENENDEZ (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1216. CONGRESSIONAL OVERSIGHT OF UNITED STATES TALKS WITH TALIBAN OFFICIALS AND AFGHANISTAN'S COMPREHENSIVE PEACE PROCESS.

(a) DEFINITIONS.—In this section:

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

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) GOVERNMENT OF AFGHANISTAN.—The term ''Government of Afghanistan'' means the Government of the Islamic Republic of Afghanistan and its agencies, instrumentalities, and controlled entities.

(3) THE TALIBAN.—The term ''the Taliban''—

(A) refers to the organization that refers to itself as the ''Islamic Emirate of Afghanistan'', that was founded by Mohammed Omar, and that is currently led by Mawlawi Hibatullah Akhundzada; and

(B) includes subordinate organizations, such as the Haqqani Network, and any successor organization.

(4) FEBRUARY 29 AGREEMENT.—The term ''February 29 Agreement'' refers to the political arrangement between the United States and the Taliban titled ''Agreement for Bringing Peace to Afghanistan Between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America'' signed at Doha, Qatar February 29, 2020.

(b) OVERSIGHT OF PEACE PROCESS AND OTHER AGREEMENTS.—

(1) TRANSMISSION TO CONGRESS OF MATERIALS RELEVANT TO THE FEBRUARY 29 AGREEMENT.—The Secretary of State, in consultation with the Secretary of Defense, shall continue to submit to the appropriate congressional committees materials relevant to the February 29 Agreement.

(2) SUBMISSION TO CONGRESS OF ANY FUTURE DEALS INVOLVING THE TALIBAN.—The Secretary of State shall submit to the appropriate congressional committees, within 5 days of conclusion and on an ongoing basis thereafter, any future agreement or arrangement involving the Taliban in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner.

(3) DEFINITIONS.—In this subsection, the terms ''materials relevant to the February 29 Agreement'' and ''materials relevant to any future agreement or arrangement'' include all annexes, appendices, and instruments for implementation of the February 29 Agreement or a future agreement or arrangement, as well as any understandings or expectations related to the Agreement or a future agreement or arrangement.

(c) REPORT AND BRIEFING ON VERIFICATION AND COMPLIANCE.—

(1) IN GENERAL.—

(A) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 120 days thereafter, the President shall submit to the appropriate congressional committees a report verifying whether the key tenets of the February 29 Agreement, or future agreements, and accompanying implementing frameworks are being preserved and honored.

(B) BRIEFING.—At the time of each report submitted under subparagraph (A), the Secretary of State shall direct a Senate-confirmed Department of State official and other appropriate officials to brief the appropriate congressional committees on the contents of the report. The Director of National Intelligence shall also direct an appropriate official to participate in the briefing.

(2) ELEMENTS.—The report and briefing required under paragraph (1) shall include—

(A) an assessment—

(i) of the Taliban's compliance with counterterrorism guarantees, including guarantees to deny safe haven and freedom of movement to al-Qaeda and other terrorist threats from operating on territory under its influence; and

(ii) whether the United States intelligence community has collected any intelligence indicating the Taliban does not intend to uphold its commitments;

(B) an assessment of Taliban actions against terrorist threats to United States national security interests;

(C) an assessment of whether Taliban officials have made a complete, transparent, public, and verifiable breaking of all ties with al-Qaeda;

(D) an assessment of the current relationship between the Taliban and al-Qaeda, including any interactions between members of the two groups in Afghanistan, Pakistan, or other countries, and any change in Taliban conduct towards al-Qaeda since February 29, 2020;

(E) an assessment of the relationship between the Taliban and any other terrorist group that is assessed to threaten the security of the United States or its allies, including any change in conduct since February 29, 2020;

(F) an assessment of whether the Haqqani Network has broken ties with al-Qaeda, and whether the Haqqani Network's leader Sirajuddin Haqqani remains part of the leadership structure of the Taliban;

(G) an assessment of threats emanating from Afghanistan against the United States homeland and United States partners, and a description of how the United States Government is responding to those threats;

(H) an assessment of intra-Afghan discussions, political reconciliation, and progress towards a political roadmap that seeks to serve all Afghans;

(I) an assessment of the viability of any intra-Afghan governing agreement;

(J) an assessment as to whether the terms of any reduction in violence or ceasefire are being met by all sides in the conflict;

(K) a detailed overview of any United States and NATO presence remaining in Afghanistan and any planned changes to such force posture;

(L) an assessment of the status of human rights, including the rights of women, minorities, and youth;

(M) an assessment of the access of women, minorities, and youth to education, justice, and economic opportunities in Afghanistan;

(N) an assessment of the status of the rule of law and governance structures at the central, provincial, and district levels of government;

(O) an assessment of the media and of the press and civil society's operating space in Afghanistan;

(P) an assessment of illicit narcotics production in Afghanistan, its linkages to terrorism, corruption, and instability, and policies to counter illicit narcotics flows;

(Q) an assessment of corruption in Government of Afghanistan institutions at the district, provincial, and central levels of government;

(R) an assessment of the number of Taliban and Afghan prisoners and any plans for the release of such prisoners from either side;

(S) an assessment of any malign Iranian, Chinese, and Russian influence in Afghanistan;

(T) an assessment of how other regional actors, such as Pakistan, are engaging with Afghanistan;

(U) a detailed overview of national-level efforts to promote transitional justice, including forensic efforts and documentation of war crimes, mass killings, or crimes against humanity, redress to victims, and reconciliation activities;

(V) A detailed overview of United States support for Government of Afghanistan and civil society efforts to promote peace and justice at the local level and how these efforts are informing government-level policies and negotiations;

(W) an assessment of the progress made by the Afghanistan Ministry of Interior and the Office of the Attorney General to address gross violations of human rights (GVHRs) by civilian security forces, Taliban, and non-government armed groups, including—

(i) a breakdown of resources provided by the Government of Afghanistan towards these efforts; and

(ii) a summary of assistance provided by the United States Government to support these efforts; and

(X) an overview of civilian casualties caused by the Taliban, non-government armed groups, and Afghan National Defense and Security Forces, including—

(i) an estimate of the number of destroyed or severely damaged civilian structures;

(ii) a description of steps taken by the Government of Afghanistan to minimize civilian casualties and other harm to civilians and civilian infrastructure;

(iii) an assessment of the Government of Afghanistan's capacity and mechanisms for investigating reports of civilian casualties; and

(iv) an assessment of the Government of Afghanistan's efforts to hold local militias accountable for civilian casualties.

(3) COUNTERTERRORISM STRATEGY.—In the event that the Taliban does not meet its counterterrorism obligations under the February 29 Agreement, the report and briefing required under this subsection shall include information detailing the United States' counterterrorism strategy in Afghanistan and Pakistan.

(4) FORM.—The report required under subparagraph (A) of paragraph (1) shall be submitted in unclassified form, but may include a classified annex, and the briefing required under subparagraph (B) of such paragraph shall be conducted at the appropriate classification level.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall prejudice whether a future deal involving the Taliban in any manner constitutes a treaty for purposes of Article II of the Constitution of the United States.

(e) SUNSET.—Except for subsections (b) and (d), the provisions of this section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

SA 1962. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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_____. DESIGNATION OF NATIONAL HERITAGE AREAS.

(a) DEFINITIONS.—In this section:

(1) LOCAL COORDINATING ENTITY.—The term ''local coordinating entity'' means the entity designated by Congress—

(A) to carry out, in partnership with other individuals and entities, the management plan for a National Heritage Area; and

(B) to operate the National Heritage Area, including through the implementation of projects and programs among diverse partners in the National Heritage Area.

(2) NATIONAL HERITAGE AREA.—The term ''National Heritage Area'' means a component of the National Heritage Area System described in subsection (b)(2).

(3) NATIONAL HERITAGE AREA SYSTEM.—The term ''National Heritage Area System'' means the system established by subsection (b)(1).

(4) PROPOSED NATIONAL HERITAGE AREA.—The term ''proposed National Heritage Area'' means an area that is proposed to be designated as a National Heritage Area.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) TRIBAL GOVERNMENT.—The term ''Tribal government'' means the governing body of an Indian Tribe included on the most recent list published by the Secretary pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

(b) NATIONAL HERITAGE AREA SYSTEM.—

(1) IN GENERAL.—To recognize certain areas of the United States that tell nationally significant stories and to conserve, enhance, and interpret those nationally significant stories and the natural, historic, scenic, and cultural resources of areas that illustrate significant aspects of the heritage of the United States, there is established a National Heritage Area System through the administration of which the Secretary may provide technical and financial assistance to local coordinating entities to support the establishment, development, and continuity of the National Heritage Areas.

(2) NATIONAL HERITAGE AREA SYSTEM.—The National Heritage Area System shall be composed of—

(A) each National Heritage Area, National Historic District, National Heritage Corridor, National Heritage Canalway, Cultural Heritage Corridor, and National Heritage Partnership designated by Congress before or on the date of enactment of this Act; and

(B) each National Heritage Area designated by Congress after the date of enactment of this Act, unless the law designating the area exempts that area from the National Heritage Area System by specific reference to this section.

(3) RELATIONSHIP TO THE NATIONAL PARK SYSTEM.—

(A) RELATIONSHIP TO NATIONAL PARK UNITS.—The Secretary shall—

(i) ensure, to the maximum extent practicable, participation and assistance by any administrator of a unit of the National Park System that is located near or encompassed by a National Heritage Area in local initiatives for the National Heritage Area to conserve and interpret resources consistent with the applicable management plan for the National Heritage Area; and

(ii) work with local coordinating entities to promote public enjoyment of units of the National Park System and National Park-related resources.

(B) TREATMENT.—A National Heritage Area shall not be—

(i) considered to be a unit of the National Park System; or

(ii) subject to the authorities applicable to units of the National Park System.

(4) DUTIES.—Under the National Heritage Area System, the Secretary shall—

(A) review and approve or disapprove the management plan for a National Heritage Area in accordance with subsection (c)(3); and

(B) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives reports describing the activities conducted with respect to National Heritage Areas in accordance with this section.

(5) AUTHORITIES.—In carrying out this section, the Secretary may—

(A) conduct or review, as applicable, feasibility studies in accordance with subsection (c)(1);

(B) conduct an evaluation of the accomplishments of, and submit to Congress a report that includes recommendations regarding the role of National Park Service with respect to, each National Heritage Area, in accordance with subsection (d);

(C) use amounts made available under subsection (f) to provide technical and financial assistance, on a reimbursable or nonreimbursable basis, as determined by the Secretary, for—

(i) the development and implementation of management plans for National Heritage Areas; and

(ii) the administration of National Heritage Areas;

(D) enter into cooperative agreements with other Federal agencies, States, Tribal governments, local governments, local coordinating entities, and other interested individuals and entities to achieve the purposes of the National Heritage Area System;

(E) provide information, promote understanding, and encourage research regarding National Heritage Areas, in partnership with local coordinating entities; and

(F) provide national oversight, analysis, coordination, technical and financial assistance, and support to ensure consistency and accountability of the National Heritage Area System.

(c) DESIGNATION OF NATIONAL HERITAGE AREAS.—

(1) STUDIES.—

(A) IN GENERAL.—The Secretary may carry out or review a study to assess the suitability and feasibility of each proposed National Heritage Area for designation as a National Heritage Area.

(B) PREPARATION.—

(i) IN GENERAL.—A study under subparagraph (A) may be carried out—

(I) by the Secretary, in consultation with State and local historic preservation officers, State and local historical societies, State and local tourism offices, and other appropriate organizations and governmental agencies; or

(II) by interested individuals or entities, if the Secretary certifies that the completed study meets the requirements of subparagraph (C).

(ii) CERTIFICATION.—Not later than 1 year after receiving a study carried out by interested individuals or entities under clause (i)(II), the Secretary shall review and certify whether the study meets the requirements of subparagraph (C).

(C) REQUIREMENTS.—A study under subparagraph (A) shall include analysis, documentation, and determinations on whether the proposed National Heritage Area—

(i) has an assemblage of natural, historic, and cultural resources that—

(I) represent distinctive aspects of the heritage of the United States;

(II) are worthy of recognition, conservation, interpretation, and continuing use; and

(III) would be best managed—

(aa) through partnerships among public and private entities; and

(bb) by linking diverse and sometimes noncontiguous resources and active communities;

(ii) reflects traditions, customs, beliefs, and folklife that are a valuable part of the story of the United States;

(iii) provides outstanding opportunities—

(I) to conserve natural, historic, cultural, or scenic features; and

(II) for recreation and education;

(iv) contains resources that—

(I) are important to any identified themes of the proposed National Heritage Area; and

(II) retain a degree of integrity capable of supporting interpretation;

(v) includes residents, business interests, nonprofit organizations, and State and local governments that—

(I) are involved in the planning of the proposed National Heritage Area;

(II) have developed a conceptual financial plan that outlines the roles of all participants in the proposed National Heritage Area, including the Federal Government; and

(III) have demonstrated support for the designation of the proposed National Heritage Area;

(vi) has a potential management entity to work in partnership with the individuals and entities described in clause (v) to develop the proposed National Heritage Area while encouraging State and local economic activity; and

(vii) has a conceptual boundary map that is supported by the public.

(D) REPORT.—

(i) IN GENERAL.—For each study carried out under subparagraph (A), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that describes—

(I) the findings of the study; and

(II) any conclusions and recommendations of the Secretary.

(ii) TIMING.—

(I) STUDIES CARRIED OUT BY THE SECRETARY.—With respect to a study carried out by the Secretary in accordance with subparagraph (B)(i)(I), the Secretary shall submit a report under clause (i) not later than 3 years after the date on which funds are first made available to carry out the study.

(II) STUDIES CARRIED OUT BY OTHER INTERESTED PARTIES.—With respect to a study carried out by interested individuals or entities in accordance with subparagraph (B)(i)(II), the Secretary shall submit a report under clause (i) not later than 180 days after the date on which the Secretary certifies under subparagraph (B)(ii) that the study meets the requirements of subparagraph (C).

(2) DESIGNATION.—

(A) IN GENERAL.—An area may be designated as a National Heritage Area only by an Act of Congress.

(B) DESIGNATION.—On receipt of a report under paragraph (1)(D) recommending the designation of a proposed National Heritage Area as a National Heritage Area, Congress may designate—

(i) as a National Heritage Area the proposed National Heritage Area that is the subject of the relevant feasibility study; and

(ii) a local coordinating entity to operate the National Heritage Area.

(C) TREATMENT AS COMPONENT OF NATIONAL HERITAGE AREA SYSTEM.—A National Heritage Area designated under subparagraph (B)(i) shall be a component of the National Heritage Area System, unless the law designating the National Heritage Area exempts the National Heritage Area from the National Heritage Area System through a specific reference to this section.

(3) MANAGEMENT PLAN.—

(A) IN GENERAL.—The applicable local coordinating entity shall develop a management plan for a National Heritage Area in accordance with subparagraph (B).

(B) REQUIREMENTS.—The management plan for a National Heritage Area shall—

(i) be developed using a comprehensive planning approach that includes—

(I) opportunities for stakeholders (such as community members, local and regional governments, Tribal governments, businesses, nonprofit organizations, and others)—

(aa) to be involved in the planning process; and

(bb) to review and comment on the draft plan; and

(II) documentation of the planning and public participation processes, including a description of—

(aa) the means by which the management plan was prepared;

(bb) the stakeholders involved in the process; and

(cc) the timing and method of stakeholder involvement;

(ii) include an inventory of the natural, historic, cultural, and scenic resources of the National Heritage Area relating to the nationally significant themes and events of the region that should be protected, enhanced, interpreted, managed, or developed;

(iii) identify comprehensive goals, strategies, policies, and recommendations for—

(I) demonstrating the heritage represented by the National Heritage Area; and

(II) encouraging long-term resource protection, enhancement, interpretation, and development;

(iv) include recommendations for ways in which Federal, State, Tribal government, and local entities may best be coordinated, including the role of the National Park Service and other Federal agencies associated with the National Heritage Area, to advance the purposes of this section;

(v) describe a strategy by which the local coordinating entity will achieve financial sustainability;

(vi) include an implementation program that identifies, with respect to the National Heritage Area—

(I) prioritized actions and criteria for selecting future projects;

(II) existing and potential sources of funding;

(III) performance goals;

(IV) the means by which stakeholders will be involved; and

(V) the manner in which the management plan will be evaluated and updated;

(vii) include a business plan for the local coordinating entity that, at a minimum, addresses management and operation, products or services offered, the target market for those products and services, and revenue streams; and

(viii) be submitted to the Secretary for approval by not later than 3 years after the date on which the National Heritage Area is designated by Congress under paragraph (2).

(C) APPLICABILITY.—The requirements described in subparagraph (B) shall not apply to any management plan or other similar plan in effect on the date of enactment of this Act with respect to a National Heritage Area described in subsection (b)(2)(A).

(d) EVALUATION.—

(1) IN GENERAL.—At reasonable and appropriate intervals, as determined by the Secretary, the Secretary may—

(A) conduct an evaluation of the accomplishments of a National Heritage Area in accordance with paragraph (2); and

(B) prepare and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that includes recommendations for the continued role of the National Park Service with respect to each National Heritage Area in accordance with paragraph (3).

(2) COMPONENTS.—An evaluation under paragraph (1)(A) shall—

(A) assess the progress of the applicable local coordinating entity of a National Heritage Area with respect to—

(i) accomplishing the purposes of the applicable National Heritage Area; and

(ii) achieving the goals and objectives of the management plan;

(B) analyze Federal, State, local, Tribal government, and private investments in the National Heritage Area to determine the leverage and impact of the investments; and

(C) review the management structure, partnership relationships, and funding of the National Heritage Area for purposes of identifying the critical components for sustainability of the National Heritage Area.

(3) RECOMMENDATIONS.—Each report under paragraph (1)(B) shall include—

(A) if the report contains a recommendation of the Secretary that Federal funding for the applicable National Heritage Area should be continued, an analysis of—

(i) any means by which that Federal funding may be reduced or eliminated over time; and

(ii) the appropriate time period necessary to achieve the recommended reduction or elimination of Federal funding; or

(B) if the report contains a recommendation of the Secretary that Federal funding for the applicable National Heritage Area should be eliminated, a description of potential impacts on conservation, interpretation, and sustainability in the applicable National Heritage Area.

(4) CONFORMING AMENDMENT.—Section 3052(a) of Public Law 113–291 (54 U.S.C. 320101 note) is amended by striking paragraph (2).

(e) PROPERTY OWNERS AND REGULATORY PROTECTIONS.—Nothing in this section—

(1) abridges any right of a public or private property owner, including the right to refrain from participating in any plan, project, program, or activity conducted within a National Heritage Area;

(2) requires any property owner to permit public access (including Federal, State, Tribal government, or local government access) to a property;

(3) modifies any provision of Federal, State, Tribal, or local law with respect to public access or use of private land;

(4)(A) alters any applicable land use regulation, land use plan, or other regulatory authority of any Federal, State, or local agency or Tribal government; or

(B) conveys to any local coordinating entity any land use or other regulatory authority;

(5) authorizes or implies the reservation or appropriation of water or water rights;

(6) diminishes the authority of a State to manage fish and wildlife, including through the regulation of fishing and hunting within a National Heritage Area in the State; or

(7) creates or affects any liability—

(A) under any other provision of law; or

(B) of any private property owner with respect to any person injured on private property.

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, there is authorized to be appropriated to the Secretary for each fiscal year not more than $1,000,000 for each National Heritage Area.

(2) COST-SHARING REQUIREMENT.—

(A) FEDERAL SHARE.—Except as otherwise provided in applicable law, including any law designating a National Heritage Area, the Federal share of the total cost of any activity funded with appropriations authorized by paragraph (1) shall be not more than 50 percent.

(B) FORM OF NON-FEDERAL SHARE.—The non-Federal share of the total cost of any activity funded with appropriations authorized by paragraph (1) may be in the form of in-kind contributions of goods or services fairly valued.

(3) AUTHORITY TO PROVIDE ASSISTANCE.—Notwithstanding any other provision of law, the Secretary may provide assistance to a National Heritage Area during any fiscal year for which appropriations are authorized under paragraph (1).

SA 1963. Ms. STABENOW submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, insert the following:

SEC. 8 ___. REPORT ON USE OF DOMESTIC NONAVAILABILITY DETERMINATIONS.

Not later than September 30, 2021, and annually thereafter, the Secretary of Defense shall submit a report to congressional defense committees—

(1) describing in detail the use of any waiver or exception to the requirements of section 2533a of title 10, United States Code, relating to domestic nonavailability determinations;

(2) providing reasoning for the use of each such waiver or exception; and

(3) providing an assessment of the impact on the use of such waivers or exceptions due to the COVID–19 pandemic and associated challenges with investments in domestic sources.

SA 1964. Mr. HEINRICH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3159 and insert the following:

SEC. 3159. SENSE OF THE SENATE ON EXTENSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

It is the sense of the Senate that—

(1) a secure nuclear fuel supply chain is essential to the economic and national security of the United States;

(2) the United States should—

(A) expeditiously complete negotiation of an extension of the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation (commonly referred to as the ''Russian Suspension Agreement''); or

(B) if an agreement to extend the Russian Suspension Agreement cannot be reached, impose antidumping duties under title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) on imports of uranium from the Russian Federation—

(i) to maintain a nuclear fuel supply chain in the United States, consistent with the national security and nonproliferation goals of the United States; and

(ii) to protect the United States nuclear fuel supply chain from the continued manipulation of the global and United States uranium markets by the Russian Federation and Russian-influenced competitors;

(3) a renegotiated, long-term extension of the Russian Suspension Agreement is an important component of a broader strategy to prevent adversaries of the United States from monopolizing the nuclear fuel supply chain;

(4) as was done in 2008, upon completion of a new negotiated long-term extension of the Russian Suspension Agreement, Congress should enact legislation to codify the terms of extension into law to ensure long-term stability for the domestic nuclear fuel supply chain; and

(5) if the negotiations to extend the Russian Suspension Agreement prove unsuccessful, Congress should enact legislation extending the current limits to prevent the manipulation by the Russian Federation of global uranium markets and potential domination by the Russian Federation of the United States uranium market.

SA 1965. Mr. TESTER (for himself and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. ADDITION OF OTHER DUTY STATUSES TO QUALIFY FOR POST-9/11 EDUCATIONAL ASSISTANCE PROGRAM.

(a) QUALIFYING DUTY.—Section 3311(b) of title 38, United States Code, is amended—

(1) by striking ''(including'' each place it appears and inserting ''(including other qualifying duty and'';

(2) by striking ''(excluding'' each place it appears and inserting ''(including other qualifying duty but excluding''; and

(3) in paragraph (2)(A), by inserting ''or other qualifying duty'' after ''active duty''.

(b) OTHER QUALIFYING DUTY DEFINED.—Section 3301 of such title is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3) The term 'other qualifying duty' means the following:

''(A) Duty under section 502 of title 32.

''(B) Duty for which a member is eligible to receive pay under section 204, 206, or 372 of title 37.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on August 1, 2021, and shall apply with respect to—

(1) academic years beginning on or after August 1, 2021; and

(2) service performed before, on, or after the date of the enactment of this Act by a person who was a member of the Armed Forces on or after the date of the enactment of this Act.

SEC. _____. SIMPLIFICATION OF ELIGIBILITY CRITERIA FOR DEPARTMENT OF VETERANS AFFAIRS POST-9/11 EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Paragraph (1) of section 3301 of title 38, United States Code, is amended to read as follows:

''(1) The term 'active duty' has the meanings as follows (subject to the limitations specified in sections 3002(6) and 3311(b) of this title):

''(A) Active duty as described in section 101(21)(A) of this title.

''(B) Active duty for training as described in section 101(22)(A), (C), and (E) of this title.

''(C) Active duty as defined in section 101(12) of title 32.

''(D) Full-time National Guard duty as defined in section 101(19) of title 32.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on August 1, 2021, and shall apply with respect to—

(1) academic years beginning on or after August 1, 2021; and

(2) service performed before, on, or after the date of the enactment of this Act by a person who was a member of the Armed Forces on or after the date of the enactment of this Act.

SA 1966. Mr. TESTER (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 appropriate place in title X, insert the following:

SEC. 1_____. ASSISTANCE FOR FARMER AND RANCHER STRESS AND MENTAL HEALTH OF INDIVIDUALS IN RURAL AREAS.

(a) DEFINITION OF SECRETARY.—In this section, the term ''Secretary'' means the Secretary of Agriculture.

(b) FINDINGS.—Congress finds that—

(1) according to the Centers for Disease Control and Prevention, the suicide rate is 45 percent greater in rural areas of the United States than the suicide rate in urban areas of the United States;

(2) farmers face social isolation, the potential for financial losses, barriers to seeking mental health services, and access to lethal means to commit suicide; and

(3) as commodity prices fall and farmers face uncertainty, reports of farmer suicides are increasing.

(c) PUBLIC SERVICE ANNOUNCEMENT CAMPAIGN TO ADDRESS FARM AND RANCH MENTAL HEALTH.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services, shall carry out a public service announcement campaign to address the mental health of farmers and ranchers.

(2) REQUIREMENTS.—The public service announcement campaign under paragraph (1) shall include television, radio, print, outdoor, and digital public service announcements.

(3) CONTRACTOR.—The Secretary may enter into a contract or other agreement with a third party to carry out the public service announcement campaign under paragraph (1).

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this subsection

$3,000,000, to remain available until expended.

(d) EMPLOYEE TRAINING PROGRAM TO MANAGE FARMER AND RANCHER STRESS.—

(1) IN GENERAL.—Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6912 et seq.) is amended by adding at the end the following:

"SEC. 224B. EMPLOYEE TRAINING PROGRAM TO MANAGE FARMER AND RANCHER STRESS.

''(a) IN GENERAL.—The Secretary shall establish a voluntary program to train employees of the Farm Service Agency, the Risk Management Agency, and the Natural Resources Conservation Service in the management of stress experienced by farmers and ranchers, including the detection of stress and suicide prevention.

''(b) REQUIREMENT.—Not later than 180 days after the date on which the Secretary submits a report on the results of the pilot program being carried out by the Secretary as of the date of enactment of this section to train employees of the Department in the management of stress experienced by farmers and ranchers, and based on the recommendations contained in that report, the Secretary shall develop a training program to carry out subsection (a).

''(c) REPORT.—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the implementation of this section.''.

(2) CONFORMING AMENDMENTS.—

(A) Subtitle A of the Department of Agriculture Reorganization Act of 1994 is amended by redesignating section 225 (7 U.S.C. 6925) as section 224A.

(B) Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following:

''(11) The authority of the Secretary to carry out section 224B.''.

(e) TASK FORCE FOR ASSESSMENT OF CAUSES OF MENTAL STRESS AND BEST PRACTICES FOR RESPONSE.—

(1) IN GENERAL.—The Secretary shall convene a task force of agricultural and rural stakeholders at the national, State, and local levels—

(A) to assess the causes of mental stress in farmers and ranchers; and

(B) to identify best practices for responding to that mental stress.

(2) SUBMISSION OF REPORT.—Not later than 1 year after the date of enactment of this Act, the task force convened under paragraph (1) shall submit to the Secretary a report containing the assessment and best practices under subparagraphs (A) and (B), respectively, of that paragraph.

(3) COLLABORATION.—In carrying out this subsection, the task force convened under paragraph (1) shall collaborate with nongovernmental organizations and State and local agencies.

SA 1967. Mr. TESTER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. EXTENSION OF FRONTIER COMMUNITY HEALTH INTEGRATION PROJECT DEMONSTRATION.

(a) IN GENERAL.—Subsection (f)(1) of section 123 of the Medicare Improvements for Patients and Providers Act of 2008 (42 U.S.C. 1395i–4 note) is amended by striking ''3-year period beginning on October 1, 2009'' and inserting ''8-year period beginning on August 1, 2016''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if enacted on June 30, 2019.

SA 1968. Mr. TESTER (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle __—MENTAL HEALTH SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS FOR MEMBERS OF RESERVE COMPONENTS

SEC. 7___. SHORT TITLE.

This subtitle may be cited as the ''Care and Readiness Enhancement for Reservists Act of 2020'' or the ''CARE for Reservists Act of 2020''.

SEC. 7___. EXPANSION OF ELIGIBILITY FOR READJUSTMENT COUNSELING AND RELATED OUTPATIENT SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) READJUSTMENT COUNSELING.—Subsection (a)(1) of section 1712A of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(D)(i) The Secretary, in consultation with the Secretary of Defense, may furnish to any member of the reserve components of the Armed Forces who has a behavioral health condition or psychological trauma, counseling under subparagraph (A)(i), which may include a comprehensive individual assessment under subparagraph (B)(i).

''(ii) A member of the reserve components of the Armed Forces described in clause (i) shall not be required to obtain a referral before being furnished counseling or an assessment under this subparagraph.''.

(b) OUTPATIENT SERVICES.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by inserting ''to an individual'' after ''If, on the basis of the assessment furnished''; and

(B) by striking ''veteran'' each place it appears and inserting ''individual''; and

(2) in paragraph (2), by striking ''veteran'' and inserting ''individual''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 7___. PROVISION OF MENTAL HEALTH SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1789. Mental health services for members of the reserve components of the Armed Forces

''The Secretary, in consultation with the Secretary of Defense, may furnish mental health services to members of the reserve components of the Armed Forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1788 the following new item:

''1789. Mental health services for members of the reserve components of the Armed Forces.''.

SEC. 7___. INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) SUICIDE PREVENTION PROGRAM.—

(1) IN GENERAL.—Section 1720F of title 38, United States Code, is amended by adding at the end the following new subsection:

''(l)(1) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means a veteran or a member of the reserve components of the Armed Forces.

''(2) In determining coverage of members of the reserve components of the Armed Forces under the comprehensive program, the Secretary shall consult with the Secretary of Defense.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (a), by striking ''veterans'' and inserting ''covered individuals'';

(B) in subsection (b), by striking ''veterans'' each place it appears and inserting ''covered individuals'';

(C) in subsection (c)—

(i) in the subsection heading, by striking ''OF VETERANS'';

(ii) by striking ''veterans'' each place it appears and inserting ''covered individuals''; and

(iii) by striking ''veteran'' and inserting ''individual'';

(D) in subsection (d), by striking ''to veterans'' each place it appears and inserting ''to covered individuals'';

(E) in subsection (e), in the matter preceding paragraph (1), by striking ''veterans'' and inserting ''covered individuals'';

(F) in subsection (f)—

(i) in the first sentence, by striking ''veterans'' and inserting ''covered individuals''; and

(ii) in the second sentence, by inserting ''or members'' after ''veterans'';

(G) in subsection (g), by striking ''veterans'' and inserting ''covered individuals'';

(H) in subsection (h), by striking ''veterans'' and inserting ''covered individuals'';

(I) in subsection (i)—

(i) in the subsection heading, by striking ''FOR VETERANS AND FAMILIES'';

(ii) in the matter preceding paragraph (1), by striking ''veterans and the families of veterans'' and inserting ''covered individuals and the families of covered individuals'';

(iii) in paragraph (2), by striking ''veterans'' and inserting ''covered individuals''; and

(iv) in paragraph (4), by striking ''veterans'' each place it appears and inserting ''covered individuals'';

(J) in subsection (j)—

(i) in paragraph (1), by striking ''veterans'' each place it appears and inserting ''covered individuals''; and

(ii) in paragraph (4)—

(I) in subparagraph (A), in the matter preceding clause (i), by striking ''women veterans'' and inserting ''covered individuals who are women'';

(II) in subparagraph (B), by striking ''women veterans who'' and inserting ''covered individuals who are women and''; and

(III) in subparagraph (C), by striking ''women veterans'' and inserting ''covered individuals who are women''; and

(K) in subsection (k), by striking ''veterans'' and inserting ''covered individuals''.

(3) CLERICAL AMENDMENTS.—

(A) IN GENERAL.—Such section is further amended, in the section heading, by inserting ''**and members of the reserve components of the Armed Forces**'' after ''**veterans**''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of such subchapter is amended by striking the item relating to section 1720F and inserting the following new item:

''1720F. Comprehensive program for suicide prevention among veterans and members of the reserve components of the Armed Forces.''.

(b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS WHO SERVED IN CLASSIFIED MISSIONS.—

(1) IN GENERAL.—Section 1720H of such title is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''eligible veteran'' and inserting ''eligible individual''; and

(II) by striking ''the veteran'' and inserting ''the individual''; and

(ii) in paragraph (3), by striking ''eligible veterans'' and inserting ''eligible individuals'';

(B) in subsection (b)—

(i) by striking ''a veteran'' and inserting ''an individual''; and

(ii) by striking ''eligible veteran'' and inserting ''eligible individual''; and

(C) in subsection (c)—

(i) in paragraph (2), in the matter preceding subparagraph (A), by striking ''The term 'eligible veteran' means a veteran'' and inserting ''The term 'eligible individual' means a veteran or a member of the reserve components of the Armed Forces''; and

(ii) in paragraph (3), by striking ''eligible veteran'' and inserting ''eligible individual''.

(2) CLERICAL AMENDMENTS.—

(A) IN GENERAL.—Such section is further amended, in the section heading, by inserting ''**and members of the reserve components of the Armed Forces**'' after ''**veterans**''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1720H and inserting the following new item:

''1720H. Mental health treatment for veterans and members of the reserve components of the Armed Forces who served in classified missions.''.

SEC. 7_____. REPORT ON MENTAL HEALTH AND RELATED SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate and the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives a report that includes an assessment of the following:

(1) The increase, as compared to the day before the date of the enactment of this Act, of the number of members of the Armed Forces that use readjustment counseling or outpatient mental health care from the Department of Veterans Affairs, disaggregated by State, Vet Center location, and clinical care site of the Department, as appropriate.

(2) The number of members of the reserve components of the Armed Forces receiving telemental health care from the Department.

(3) The increase, as compared to the day before the date of the enactment of this Act, of the annual cost associated with readjustment counseling and outpatient mental health care provided by the Department to members of the reserve components of the Armed Forces.

(4) The changes, as compared to the day before the date of the enactment of this Act, in staffing, training, organization, and resources required for the Department to offer readjustment counseling and outpatient mental health care to members of the reserve components of the Armed Forces.

(5) Any challenges the Department has encountered in providing readjustment counseling and outpatient mental health care to members of the reserve components of the Armed Forces.

(b) VET CENTER DEFINED.—In this section, the term ''Vet Center'' has the meaning given that term in section 1712A(h) of title 38, United States Code.

SA 1969. Mr. TESTER (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 7____. EXPANSION OF COVERAGE BY THE DEPARTMENT OF VETERANS AFFAIRS OF COUNSELING AND TREATMENT FOR SEXUAL TRAUMA TO INCLUDE FORMER MEMBERS OF THE ARMED FORCES.

Section 1720D of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''active duty, active duty for training, or inactive duty training'' and inserting ''duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10)''; and

(B) in paragraph (2)(A), by striking ''active duty, active duty for training, or inactive duty training'' and inserting ''duty, regardless of duty status or line of duty determination (as that term is used in section 12323 of title 10)'';

(2) by striking ''veteran'' each place it appears and inserting ''former member of the Armed Forces'';

(3) by striking ''veterans'' each place it appears and inserting ''former members of the Armed Forces''; and

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

''(g) In this section, the term 'former member of the Armed Forces' includes the following:

''(1) A veteran described in section 101(2) of this title.

''(2) An individual not described in paragraph (1) who was discharged or released from the Armed Forces, including a reserve component thereof, under a condition that is not honorable but not—

''(A) a dishonorable discharge; or

''(B) a discharge by court-martial.''.

SA 1970. Mr. TESTER (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. ELIGIBILITY OF DISABILITY RETIREES WITH FEWER THAN 20 YEARS OF SERVICE AND A COMBAT-RELATED DISABILITY FOR CONCURRENT RECEIPT OF VETERANS' DISABILITY COMPENSATION AND RETIRED PAY.

(a) CONCURRENT RECEIPT IN CONNECTION WITH CSRC.—Section 1413a(b)(3)(B) of title 10, United States Code, is amended by striking ''creditable service,'' and all that follows and inserting the following: ''creditable service—

''(i) the retired pay of the retiree is not subject to reduction under sections 5304 and 5305 of title 38; and

''(ii) no monthly amount shall be paid the retiree under subsection (a).''.

(b) CONCURRENT RECEIPT GENERALLY.—Section 1414(b)(2) of title 10, United States Code, is amended by striking ''Subsection (a)'' and all that follows and inserting the following: ''Subsection (a)—

''(A) applies to a member described in paragraph (1) of that subsection who is retired under chapter 61 of this title with less than 20 years of service otherwise creditable under chapter 1405 of this title, or with less than 20 years of service computed under section 12732 of this title, at the time of the member's retirement if the member has a combat-related disability (as that term is defined in section 1413a(e) of this title), except that in the application of subsection (a) to such a member, any reference in that subsection to a qualifying service-connected disability shall be deemed to be a reference to that combat-related disability; but

''(B) does not apply to any member so retired if the member does not have a combat-related disability.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) AMENDMENTS REFLECTING END OF CONCURRENT RECEIPT PHASE-IN PERIOD.—Section 1414 of title 10, United States Code, is further amended—

(A) in subsection (a)(1)—

(i) by striking the second sentence; and

(ii) by striking subparagraphs (A) and (B);

(B) by striking subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively; and

(C) in subsection (d), as redesignated, by striking paragraphs (3) and (4).

(2) SECTION HEADING.—The heading of such section 1414 is amended to read as follows:

''§ 1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt''.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 1414 and inserting the following new item:

''1414. Members eligible for retired pay who are also eligible for veterans' disability compensation: concurrent receipt.''.

(4) CONFORMING AMENDMENT.—Section 1413a(f) of such title is amended by striking ''Subsection (d)'' and inserting ''Subsection (c)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month beginning after the date of the enactment of this Act and shall apply to payments for months beginning on or after that date.

SA 1971. Mr. TESTER (for himself and Mr. ROUNDS) submitted an amendment intended to be proposed by him

to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 752. ACCESS OF VETERANS TO INDIVIDUAL LONGITUDINAL EXPOSURE RECORD.

The Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall provide to a veteran read-only access to the documents of the veteran contained in the Individual Longitudinal Exposure Record in a printable format through a portal accessible through a website of the Department of Veterans Affairs and a website of the Department of Defense.

SA 1972. Mr. TESTER (for himself, Mr. BROWN, Mr. SCHATZ, Mr. MARKEY, Ms. HASSAN, Ms. KLOBUCHAR, Mr. KAINE, Mr. BENNET, Mr. SCHUMER, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. WARREN, Ms. SMITH, Mr. MENENDEZ, Ms. CORTEZ MASTO, Ms. ROSEN, Mr. COONS, Mr. WARNER, Ms. BALDWIN, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. ADDITIONAL DISEASES ASSOCIATED WITH EXPOSURE TO CERTAIN HERBICIDE AGENTS FOR WHICH THERE IS A PRESUMPTION OF SERVICE CONNECTION FOR VETERANS WHO SERVED IN THE REPUBLIC OF VIETNAM.

Section 1116(a)(2) of title 38, United States Code, is amended by adding at the end the following new subparagraphs:

''(I) Parkinsonism.

''(J) Bladder cancer.

''(K) Hypertension.

''(L) Hypothyroidism.''.

SA 1973. Mr. TESTER (for himself, Mr. HOEVEN, Mr. UDALL, and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the

regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SA 1974. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. WAIVER OF MATCHING REQUIREMENT FOR ELECTION SECURITY GRANTS TO STATES.

(a) IN GENERAL.—In the case where the Election Assistance Commission (referred to in this section as the ''Commission'') determines exigent circumstances related to the COVID–19 pandemic prevent a State from providing matching funds as described in the last proviso under the heading ''Election Assistance Commission, Election Security Grants'' in the Financial Services and General Government Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2461) (relating to the State matching funds requirement), the Commission may waive the application of such State matching funds requirement under such proviso with respect to any payment made to the State using funds appropriated or otherwise made available to the Commission under the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

(b) EFFECTIVE DATE.—Subsection (a) shall take effect as if included in the enactment of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–136).

SA 1975. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 section 592, add the following:

(3) The extent, if any, to which the test will affect retention in the Army National Guard and the Army Reserve of members who do not have access to the necessary training on a frequent and sustained basis.

(4) In consultation with obstetrician-gynecologists, the extent, if any, to which requiring women to take the test for record within 18 months of giving birth would affect retention of female soldiers in the Army.

SA 1976. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. REVIEW OF PORT AND INFRASTRUCTURE PURCHASES AND INVESTMENTS BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA AND ENTITIES DIRECTED OR BACKED BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—The Secretary of Defense shall conduct a review of port and infrastructure purchases and investments by—

(1) the Government of the People's Republic of China;

(2) entities directed or backed by the Government of the People's Republic of China; and

(3) entities with beneficial owners that include the Government of the People's Republic of China or a private company controlled by the Government of the People's Republic of China.

(b) ELEMENTS.—The review required by subsection (a) shall include the following:

(1) A list of port and infrastructure purchases and investments described in that subsection, prioritized in order of the purchases or investments that pose the greatest threat to United States defense and foreign policy interests.

(2) An analysis of the effects the consolidation of such investments, or the assertion of control by the Government of the People's Republic of China over entities described in paragraph (2) or (3) of that subsection, would have on Department of Defense contingency plans.

(c) COORDINATION WITH OTHER FEDERAL AGENCIES.—In conducting the review under subsection (a), the Secretary may coordinate with the head of any other Federal agency, as the Secretary considers appropriate.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the results of the review under subsection (a).

(2) FORM.—The report required by paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 1977. Mr. BENNET (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. BRIEFING ON ASSIGNMENT OF MEMBERS OF THE ARMED FORCES ON ACTIVE DUTY TO THE JOINT ARTIFICIAL INTELLIGENCE CENTER OF THE DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, with appropriate representatives of the Armed Forces, shall brief the Committees on Armed Services of the Senate and the House of Representatives on the feasibility and the current status of assigning members of the Armed Forces on active duty to the Joint Artificial Intelligence Center (JAIC) of the Department of Defense. The briefing shall include an assessment of such assignment on each of the following:

(1) The strengthening of ties between the Joint Artificial Intelligence Center and operational forces for purposes of—

(A) identifying tactical and operational use cases for artificial intelligence (AI);

(B) improving data collection; and

(C) establishing effective liaison between the Center and operational forces for identification and clarification of concerns in the widespread adoption and dissemination of artificial intelligence.

(2) The creation of opportunities for additional non-traditional broadening assignments for members on active duty.

(3) The career trajectory of active duty members so assigned, including potential negative effects on career trajectory.

(4) The improvement and enhancement of the capacity of the Center to influence Department-wide policies that affect the adoption of artificial intelligence.

SA 1978. Mr. BENNET (for himself and Mr. GARDNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. PAYMENTS TO STATES FOR THE TREATMENT OF PERFLUOROOCTANE SULFONIC ACID AND PERFLUOROOCTANOIC ACID IN DRINKING WATER.

(a) IN GENERAL.—The Secretary of the Air Force shall pay a local water authority located in the vicinity of an installation of the Air Force, or a State in which the local water authority is located, for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from the wells owned and operated by the local water authority to attain the lifetime health advisory level for such acids established by the Environmental Protection Agency and in effect on October 1, 2017.

(b) ELIGIBILITY FOR PAYMENT.—To be eligible to receive payment under subsection (a)—

(1) a local water authority or State, as the case may be, must—

(A) request such a payment from the Secretary of the Air Force for reimbursable expenses not already covered under a cooperative agreement entered into by the Secretary relating to treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid contamination before the date on which funding is made available to the Secretary for payments relating to such treatment; and

(B) upon acceptance of such a payment, waive all legal causes of action arising under chapter 171 of title 28, United States Code (commonly known as the ''Federal Tort Claims Act''), and any other Federal tort liability statute for expenses for treatment and mitigation of perfluorooctane sulfonic acid and perfluorooctanoic acid incurred before January 1, 2018, and otherwise covered under this section;

(2) the elevated levels of perfluorooctane sulfonic acid and perfluorooctanoic acid in the water must be the result of activities

conducted by or paid for by the Department of the Air Force; and

(3) treatment or mitigation of such acids must have taken place during the period beginning on January 1, 2016, and ending on the day before the date of the enactment of this Act.

(c) AGREEMENTS.—

(1) IN GENERAL.—The Secretary of the Air Force may enter into such agreements with a local water authority or State as the Secretary considers necessary to implement this section.

(2) USE OF MEMORANDUM OF AGREEMENT.—The Secretary of the Air Force may use the applicable Defense State Memorandum of Agreement to pay amounts under subsection (a) that would otherwise be eligible for payment under that agreement were those costs paid using amounts appropriated to the Environmental Restoration Account, Air Force, established under section 2703(a)(4) of title 10, United States Code.

(3) PAYMENT WITHOUT REGARD TO EXISTING AGREEMENTS.—Payment may be made under subsection (a) to a State or a local water authority in that State without regard to existing agreements relating to environmental response actions or indemnification between the Department of the Air Force and that State.

(d) LIMITATION.—Any payment made under subsection (a) may not exceed the actual cost of treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid resulting from the activities conducted by or paid for by the Department of the Air Force.

(e) AVAILABILITY OF AMOUNTS.—Of the amounts authorized to be appropriated to the Department of Defense for Operation and Maintenance, Air Force, up to $10,000,000 shall be available to carry out this section.

SA 1979. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. 1085. REQUIREMENT TO USE DEFENSE PRODUCTION ACT AUTHORITIES TO INVEST IN ALUMINUM PRODUCTION CAPACITY IN UNITED STATES.

If aluminum production capacity in the United States falls below 895,000 tons in a year, as determined by the United States Geological Survey, the Secretary of Defense shall, without the need for the authorization of the President under paragraph (1) of section 301(a) of the Defense Production Act of 1950 (50 U.S.C. 4531(a)) or a determination by the President described in paragraph (2) of that section, use the authorities provided by title III of that Act (50 U.S.C. 4531 et seq.) to expand the production capacity of the aluminum industry in the United States.

SA 1980. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, insert the following:

SEC. ___. DOMESTIC SOURCING REQUIREMENTS FOR ALUMINUM.

(a) FINDING.—Congress finds that aluminum production capacity in the United States is critical to United States national security.

(b) DESIGNATION OF ALUMINUM AS SPECIALTY METAL.—Section 2533b(l) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) Aluminum and aluminum alloys.''

(c) FEDERAL HIGHWAY ADMINISTRATION.—Section 313(a) of title 23, United States Code, is amended by striking ''unless steel, iron, and manufactured products'' and inserting ''unless steel, iron, aluminum, and manufactured products''.

(d) FEDERAL TRANSIT ADMINISTRATION.—Section 5323(j) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''only if the steel, iron, and manufactured goods'' and inserting ''only if the steel, iron, aluminum, and manufactured goods'';

(2) in paragraph (2)(B), by striking ''steel, iron and goods'' and inserting ''steel, iron, aluminum, and manufactured goods'';

(3) in paragraph (5), by striking ''or iron'' and inserting '', iron, or aluminum'';

(4) in paragraph (6)(A)(i), by inserting '', aluminum'' after ''iron'';

(5) in paragraph (10), by inserting '', aluminum'' after ''iron''; and

(6) in paragraph (12)—

(A) in the paragraph heading, by striking ''AND IRON'' and inserting '', IRON, AND ALUMINUM''; and

(B) by striking ''and iron'' and inserting '', iron, and aluminum''.

(e) FEDERAL RAILROAD ADMINISTRATION.—Section 22905(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking ''only if the steel, iron, and manufactured goods'' and inserting ''only if the steel, iron, aluminum, and manufactured products'';

(2) in paragraph (2)(B), by inserting '', aluminum'' after ''iron''; and

(3) in paragraph (9), by inserting '', aluminum'' after ''iron''.

(f) FEDERAL AVIATION ADMINISTRATION.—Section 50101(a) of title 49, United States Code, is amended by striking ''steel and manufactured goods'' and inserting ''steel, aluminum, and manufactured goods''.

(g) AMTRAK.—Section 24305(f)(2) of title 49, United States Code, is amended by inserting '', including aluminum,'' after ''supplies'' each place it appears.

SA 1981. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. MODIFICATION OF REAL-TIME SOUND-MONITORING AT NAVY INSTALLATIONS WHERE TACTICAL FIGHTER AIRCRAFT OPERATE.

Section 325 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking ''and noise contours have been developed through noise modeling''; and

(B) by amending paragraph (1) to read as follows:

''(1) for a continuous one-year period beginning on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021; and''; and

(2) by striking subsection (b) and inserting the following new subsection (b):

''(b) ADDITIONAL MONITORING OVER PUBLIC TRAINING AREAS.—The Secretary of the Navy shall conduct real-time sound monitoring described in subsection (a) in training areas that consist of real property administered by the Federal Government (including the Department of Defense, the Department of the Interior, and the Department of Agriculture) or a State or local government that are predominantly overflown by tactical fighter aircraft from the installations selected under such subsection and outlying landing fields.''.

SA 1982. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. INVESTIGATION AND REPORT ON ISSUANCE OF PASSPORTS AND TRAVEL DOCUMENTS TO CITIZENS OF SAUDI ARABIA IN THE UNITED STATES.

(a) INVESTIGATION.—The Secretary of State shall conduct an investigation on the issuance by the Government of Saudi Arabia of passports and other travel documents to citizens of Saudi Arabia in the United States.

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of the investigation under subsection (a).

(2) MATTER TO BE INCLUDED.—The report required by paragraph (1) shall include, with respect to the manner in which passports and travel documents are issued to citizens of Saudi Arabia in the United States, an assessment whether the Government of Saudi Arabia is in compliance with its obligations under the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961, and the Vienna Convention on Consular Relations, done at Vienna April 24, 1963.

SA 1983. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. PRESERVATION OF AMERICAN JUSTICE.

(a) SHORT TITLE.—This section may be cited as the ''Preservation of American Justice Act''.

(b) INVESTIGATION OF CERTAIN FOREIGN NATIONALS.—

(1) INVESTIGATION.—Not later than 90 days after the date of enactment of this Act, the

Attorney General shall complete an investigation of whether the Government of Saudi Arabia materially assisted or facilitated any citizen or national of Saudi Arabia, including Abdulrahman Noorah, Abdulaziz Al Duways, Waleed Ali Alharthi, Suliman Ali Algwaiz, and Ali Hussain Alhamoud, in departing from the United States while the citizen or national was awaiting trial or sentencing for a criminal offense committed in the United States.

(2) REPORT.—If the Attorney General determines that the Government of Saudi Arabia did materially assist or facilitate a citizen or national of Saudi Arabia as described in paragraph (1), the Attorney General shall submit a written report to Congress and the Secretary of State detailing the findings of the investigation.

(3) PROHIBITION ON ISSUANCE AND REVOCATION OF CERTAIN VISAS.—

(A) IN GENERAL.—Except as provided under subparagraph (B), if the Secretary of State receives a report under paragraph (2), the Secretary of State may not issue a visa, and shall revoke any visa issued, to a Member of the Council of Ministers of Saudi Arabia, an immediate family member of a Member of the Council of Ministers of Saudi Arabia, a descendant of the King of Saudi Arabia, or an immediate family member of such a descendant until the date on which the citizen or national of Saudi Arabia described in the report is extradited to the United States for completion of the trial or sentencing.

(B) EXCEPTION.—The Secretary of State may issue a visa otherwise prohibited under subparagraph (A), or not revoke a visa otherwise required to be revoked under such subparagraph, if the Secretary determines that it is necessary—

(i) to enable the President to receive an Ambassador or other public Minister under Article II, section 3, of the Constitution in a manner consistent with the Vienna Conventions on Diplomatic and Consular Relations; or

(ii) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or with any other applicable international obligations.

(C) VIENNA CONVENTIONS ON DIPLOMATIC AND CONSULAR RELATIONS DEFINED.—In this paragraph, the term ''Vienna Conventions on Diplomatic and Consular Relations'' means—

(i) the Vienna Convention on Diplomatic Relations, done at Vienna April 18, 1961; and

(ii) the Vienna Convention on Consular Relations, done at Vienna April 24, 1963.

(c) TREATMENT OF FOREIGN NATIONALS FLEEING THE UNITED STATES DURING CRIMINAL PROCEEDINGS.—

(1) FOREIGN NATIONAL DEFINED.—In this subsection, the term ''foreign national'' means an individual in the United States who is not a citizen of the United States.

(2) REPORT.—Not later than 6 months after the date of enactment of this Act, and once every year thereafter, the Attorney General, acting through the Director of the Bureau of Justice Statistics, in coordination with the Secretary of Homeland Security, shall—

(A) collect information from State courts and law enforcement agencies on any foreign nationals who have, during the reporting period, departed from the United States while awaiting trial or sentencing for a criminal offense committed in the United States; and

(B) publish a report based on the information collected under subparagraph (A).

(3) LIST OF COUNTRIES.—

(A) IN GENERAL.—The Attorney General, in coordination with the Director of National Intelligence, shall establish and maintain a list of countries the governments of which have, in the determination of the Attorney General, materially assisted or facilitated the departure of any foreign national included in the report required under paragraph (2).

(B) DETERMINATION.—In establishing and maintaining the list required under subparagraph (A), the Attorney General—

(i) shall take into account the information in the annual reports published under paragraph (2)(B); and

(ii) may include or remove any country as the Attorney General determines appropriate.

(C) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and once every year thereafter, the Attorney General shall submit to Congress a report on the procedures used by the Attorney General in determining which countries are on the list maintained under subparagraph (A).

SA 1984. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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, add the following:

SEC. _____. REPORT ON THE DEMILITARIZATION ABROAD OF UNSERVICEABLE MUNITIONS LOCATED OUTSIDE THE UNITED STATES.

(a) IN GENERAL.—Not later than 180 days after the enactment of this Act, the Secretary of Defense shall submit to Congress a report setting forth an assessment of the feasability and advisability of demilitarizing abroad unserviceable munitions that are located outside the United States in order to avoid the costs of transporting such munitions to the United States for demilitarization.

(b) CONSIDERATIONS.—In preparing the evaluation required for the report, the Secretary shall take into account the following:

(1) The need for mitigation of adverse environmental impacts, or impacts to the health and safety of local populations, in the demilitarization of unserviceable munitions.

(2) The availability and ease of use of munitions demilitarization technologies and mechanisms abroad.

(3) Any costs savings achievable through demilitarization of unserviceable munitions abroad.

(c) TECHNOLOGIES.—If the Secretary determines for purposes of the report that the demilitarization abroad of unserviceable munitions located outside the United States is feasible and advisable, the report shall include a description and assessment of various technologies and other mechanisms that would be suitable for such demilitarization.

SA 1985. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. SECRETARY OF DEFENSE CONSIDERATION OF POWERED EXOSKELETONS AND HUMAN CONTROLLED ROBOTS FOR HEAVY LIFT SUSTAINMENT TASKS.

Whenever the Secretary of Defense evaluates the research and development of emerging war-fighting technologies, the Secretary shall consider the use of full-body, autonomously powered exoskeletons and semi-autonomous or tele-operated single or dual-armed, human controlled robots used for heavy lift sustainment tasks.

SA 1986. Mr. KENNEDY (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. SBIR AND STTR PILOT PROGRAM FOR UNDERPERFORMING STATES.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended by adding at the end the following:

''(vv) DEPARTMENT OF DEFENSE PILOT PROGRAM FOR UNDERPERFORMING STATES.—

''(1) DEFINITIONS.—In this section:

''(A) DEPARTMENT.—The term 'Department' means the Department of Defense.

''(B) UNDERPERFORMING STATE.—The term 'underperforming State' means any State participating in the SBIR or STTR program that is in the bottom 68 percent of all States historically receiving SBIR or STTR program funding.

''(2) ESTABLISHMENT.—The Secretary of Defense shall establish a pilot program to provide small business concerns located in underperforming States an increased level of assistance under the SBIR and STTR programs of the Department.

''(3) ACTIVITIES.—Under the pilot program, the Department, and any component agency thereof, may—

''(A) in any case in which the Department seeks to make a Phase II SBIR or STTR award to a small business concern based on the results of a Phase I award made to the small business concern by another agency, establish a streamlined transfer and fast track approval process for that Phase II award;

''(B) provide an additional Phase II SBIR or STTR award to a small business concern located in an underperforming State that received a Phase I SBIR or STTR award, subject to an increase in the allocation percentage;

''(C) establish a program to make Phase 1.5 SBIR or STTR awards to small business concerns located in underperforming States in order to provide funding for 12 to 24 months to continue the development of technology; and

''(D) carry out subparagraph (C) along with other mentorship programs.

''(4) DURATION.—The pilot program established under this subsection shall terminate 5 years after the date on which the pilot program is established.

''(5) REPORT.—The Department shall submit to Congress an annual report on the status of the pilot program established under this subsection, including the improvement in funding under the SBIR and STTR programs of the Department provided to small business concerns located in underperforming States.''.

SA 1987. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. PROVIDING INFORMATION TO STATES REGARDING UNDELIVERED SAVINGS BONDS.

Section 3105 of title 31, United States Code, is amended by adding at the end the following:

''(f)(1) Notwithstanding any other law to the contrary, the Secretary shall provide each State, as digital or other electronically searchable forms become available (including digital images), with sufficient information to identify the registered owner of any applicable savings bond with a registration address that is within such State, including the serial number of the bond, the name and registered address of such owner, and any registered beneficiaries.

''(2) The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this subsection, including rules to—

''(A) protect the privacy of the owners of applicable savings bonds;

''(B) ensure that any information provided to a State under this subsection shall be used solely to locate such owners and assist them in redeeming such bonds with the United States Treasury; and

''(C) ensure that owners of applicable savings bonds seeking to redeem such bonds with the United States Treasury are able to do so in an expeditious manner.

''(3) Not later than 12 months after the date of enactment of this subsection, and annually thereafter, the Secretary shall submit to the Committee on Appropriations and the Committee on Finance of the Senate a report assessing all efforts to satisfy the requirement under paragraph (1).

''(4) For purposes of this subsection, the term 'applicable savings bond' means a matured and unredeemed savings bond.''.

SA 1988. Mr. KENNEDY (for himself, Mr. VAN HOLLEN, Mr. RUBIO, Mr. COTTON, Mr. MENENDEZ, Mr. CRAMER, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. DISCLOSURE REQUIREMENTS FOR CERTAIN PUBLICLY TRADED COMPANIES.

(a) IN GENERAL.—Section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214) is amended by adding at the end the following:

''(i) DISCLOSURE REGARDING FOREIGN JURISDICTIONS THAT PREVENT INSPECTIONS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'covered issuer' means an issuer that is required to file reports under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); and

''(B) the term 'non-inspection year' means, with respect to a covered issuer, a year—

''(i) during which the Commission identifies the covered issuer under paragraph (2)(A) with respect to every report described in subparagraph (A) filed by the covered issuer during that year; and

''(ii) that begins after the date of enactment of this subsection.

''(2) DISCLOSURE TO COMMISSION.—The Commission shall—

''(A) identify each covered issuer that, with respect to the preparation of the audit report on the financial statement of the covered issuer that is included in a report described in paragraph (1)(A) filed by the covered issuer, retains a registered public accounting firm that has a branch or office that—

''(i) is located in a foreign jurisdiction; and

''(ii) the Board is unable to inspect or investigate completely because of a position taken by an authority in the foreign jurisdiction described in clause (i), as determined by the Board; and

''(B) require each covered issuer identified under subparagraph (A) to, in accordance with the rules issued by the Commission under paragraph (4), submit to the Commission documentation that establishes that the covered issuer is not owned or controlled by a governmental entity in the foreign jurisdiction described in subparagraph (A)(i).

''(3) TRADING PROHIBITION AFTER 3 YEARS OF NON-INSPECTIONS.—

''(A) IN GENERAL.—If the Commission determines that a covered issuer has 3 consecutive non-inspection years, the Commission shall prohibit the securities of the covered issuer from being traded—

''(i) on a national securities exchange; or

''(ii) through any other method that is within the jurisdiction of the Commission to regulate, including through the method of trading that is commonly referred to as the 'over-the-counter' trading of securities.

''(B) REMOVAL OF INITIAL PROHIBITION.—If, after the Commission imposes a prohibition on a covered issuer under subparagraph (A), the covered issuer certifies to the Commission that the covered issuer has retained a registered public accounting firm that the Board has inspected under this section to the satisfaction of the Commission, the Commission shall end that prohibition.

''(C) RECURRENCE OF NON-INSPECTION YEARS.—If, after the Commission ends a prohibition under subparagraph (B) or (D) with respect to a covered issuer, the Commission determines that the covered issuer has a non-inspection year, the Commission shall prohibit the securities of the covered issuer from being traded—

''(i) on a national securities exchange; or

''(ii) through any other method that is within the jurisdiction of the Commission to regulate, including through the method of trading that is commonly referred to as the 'over-the-counter' trading of securities.

''(D) REMOVAL OF SUBSEQUENT PROHIBITION.—If, after the end of the 5-year period beginning on the date on which the Commission imposes a prohibition on a covered issuer under subparagraph (C), the covered issuer certifies to the Commission that the covered issuer will retain a registered public accounting firm that the Board is able to inspect under this section, the Commission shall end that prohibition.

''(4) RULES.—Not later than 90 days after the date of enactment of this subsection, the Commission shall issue rules that establish the manner and form in which a covered issuer shall make a submission required under paragraph (2)(B).''.

(b) ADDITIONAL DISCLOSURE.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''audit report'' has the meaning given the term in section 2(a) of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7201(a));

(B) the term ''Commission'' means the Securities and Exchange Commission;

(C) the term ''covered form''—

(i) means—

(I) the form described in section 249.310 of title 17, Code of Federal Regulations, or any successor regulation; and

(II) the form described in section 249.220f of title 17, Code of Federal Regulations, or any successor regulation; and

(ii) includes a form that—

(I) is the equivalent of, or substantially similar to, the form described in subclause (I) or (II) of clause (i); and

(II) a foreign issuer files with the Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or rules issued under that Act;

(D) the terms ''covered issuer'' and ''non-inspection year'' have the meanings given the terms in subsection (i)(1) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by subsection (a) of this section; and

(E) the term ''foreign issuer'' has the meaning given the term in section 240.3b–4 of title 17, Code of Federal Regulations, or any successor regulation.

(2) REQUIREMENT.—Each covered issuer that is a foreign issuer and for which, during a non-inspection year with respect to the covered issuer, a registered public accounting firm described in subsection (i)(2)(A) of section 104 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7214), as added by subsection (a) of this section, has prepared an audit report shall disclose in each covered form filed by that issuer that covers such a non-inspection year—

(A) that, during the period covered by the covered form, such a registered public accounting firm has prepared an audit report for the issuer;

(B) the percentage of the shares of the issuer owned by governmental entities in the foreign jurisdiction in which the issuer is incorporated or otherwise organized;

(C) whether governmental entities in the applicable foreign jurisdiction with respect to that registered public accounting firm have a controlling financial interest with respect to the issuer;

(D) the name of each official of the Chinese Communist Party who is a member of the board of directors of—

(i) the issuer; or

(ii) the operating entity with respect to the issuer; and

(E) whether the articles of incorporation of the issuer (or equivalent organizing document) contains any charter of the Chinese Communist Party, including the text of any such charter.

SA 1989. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 333. INCLUSION OF CERTAIN MILITARY INSTALLATIONS IN MQ–25 STINGRAY PROGRAM.

The Secretary of the Navy shall include in the MQ–25 Stingray program as many military installations under the jurisdiction of the Secretary as feasible that—

(1) have joint air sovereignty and homeland defense requirements;

(2) fly aircraft from multiple service branches;

(3) have large bodies of water within their jurisdiction; and

(4) do not currently have air-refueling capabilities.

SA 1990. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 333. USE OF COST SAVINGS REALIZED FROM INTERGOVERNMENTAL SERVICES AGREEMENTS FOR INSTALLATION-SUPPORT SERVICES.

(a) REQUIREMENT.—Section 2679 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) USE OF COST SAVINGS REALIZED.—(1) With respect to a fiscal year in which cost savings are realized as a result of entering into an intergovernmental support agreement under this section for a military installation, the Secretary concerned shall make not less than 25 percent of the amount of such savings available for use by the commander of the installation solely for sustainment restoration and modernization requirements that have been approved by the major subordinate command or equivalent component.

''(2) Not less frequently than annually, the Secretary concerned shall certify to the congressional defense committee the amount of the cost savings achieved, the source and type of intergovernmental support agreement that achieved the savings, and the manner in which those savings were deployed, disaggregated by installation.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2021 and each subsequent fiscal year.

SA 1991. Mr. KENNEDY (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. RESTRICTIONS ON CONFUCIUS INSTITUTES.

(a) DEFINITION.—In this section, the term ''Confucius Institute'' means a cultural institute directly or indirectly funded by the Government of the People's Republic of China.

(b) RESTRICTIONS ON CONFUCIUS INSTITUTES.—An institution of higher education or other postsecondary educational institution (referred to in this section as an ''institution'') shall not be eligible to receive Federal funds from the Department of Education (except funds under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or other Department of Education funds that are provided directly to students) unless the institution ensures that any contract or agreement between the institution and a Confucius Institute includes clear provisions that—

(1) protect academic freedom at the institution;

(2) prohibit the application of any foreign law on any campus of the institution; and

(3) grant full managerial authority of the Confucius Institute to the institution, including full control over what is being taught, the activities carried out, the research grants that are made, and who is employed at the Confucius Institute.

SA 1992. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. EXPANSION OF AVAILABILITY OF FINANCIAL ASSETS OF IRAN TO VICTIMS OF TERRORISM.

Section 502 of the Iran Threat Reduction and Syria Human Rights Act of 2012 (22 U.S.C. 8772) is amended—

(1) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) VICTIMS OF 1983 ATTACK ON MARINE BARRACKS.—Any United States person with a final judgement issued by a district court of the United States against Iran for a claim relating to the attack on the Marine Corps barracks in Beirut, Lebanon, on October 23, 1983, and who not later than January 31, 2021, submits a motion to intervene in Peterson et al. v. Islamic Republic of Iran et al, Case No. 13 Civ. 9195 (LAP) shall—

''(1) have a legal right to intervene in that matter; and

''(2) be entitled to a pro-rated share of the financial assets described in subsection (b)(2).''.

SA 1993. Mr. HAWLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 section 808, add the following:

(h) SENSE OF CONGRESS ON MITIGATING RISKS OF RELIANCE ON CERTAIN SOURCES OF SUPPLY AND MANUFACTURING FOR PRINTED CIRCUIT BOARDS.—It is the sense of Congress that—

(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and

(2) the provisions of this section are intended to augment, rather than reduce or supersede, current efforts to reduce and mitigate such risks.

SA 1994. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. REPORT ON SUPPLY CHAIN ISSUES FOR RARE EARTH MATERIALS.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Defense Logistics Agency, in coordination with the Deputy Assistant Secretary of Defense for Industrial Policy, shall submit a report to Congress assessing issues relating to the supply chain for rare earth materials. Such report shall include the following:

(1) An assessment of the rare earth materials in the reserves held by the United States.

(2) A estimate of the needs of the United States for rare earth materials—

(A) in general; and

(B) to support a major near-peer conflict as described in war game scenarios in the 2018 National Defense Strategy.

(3) An assessment of the extent to which substitutes for rare earth materials are available.

(4) A strategy or plan to encourage the use of rare earth materials mined, refined, processed, melted, or sintered in the United States, or from trusted allies, including an assessment of the best acquisition practices (which shall include an analysis of best value contracting methods) to ensure the viability of trusted suppliers of rare earth materials to meet national security needs.

SA 1995. Mr. TOOMEY (for himself and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

After title XVI, insert the following:

TITLE XVII—HONG KONG AUTONOMY ACT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Hong Kong Autonomy Act''.

SEC. 1702. DEFINITIONS.

In this title:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms ''alien'', ''national'', and ''national of the United States'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate; and

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives.

(3) BASIC LAW.—The term ''Basic Law'' means the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

(4) CHINA.—The term ''China'' means the People's Republic of China.

(5) ENTITY.—The term ''entity'' means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any other form of business collaboration.

(6) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in section 5312(a)(2) of title 31, United States Code.

(7) HONG KONG.—The term ''Hong Kong'' means the Hong Kong Special Administrative Region of the People's Republic of China.

(8) JOINT DECLARATION.—The term ''Joint Declaration'' means the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing on December 19, 1984.

(9) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the conduct, the circumstance, or the result.

(10) PERSON.—The term ''person'' means an individual or entity.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

SEC. 1703. FINDINGS.

Congress makes the following findings:

(1) The Joint Declaration and the Basic Law clarify certain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were codified in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originate from the Joint Declaration, were passed into the domestic law of China by the National People's Congress, and are widely considered by citizens of Hong Kong as part of the de facto legal constitution of Hong Kong.

(4) Foremost among the obligations of the Government of China to Hong Kong is the promise that, pursuant to Paragraph 3b of the Joint Declaration, ''the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government''.

(5) The obligation specified in Paragraph 3b of the Joint Declaration is referenced, reinforced, and extrapolated on in several portions of the Basic Law, including Articles 2, 12, 13, 14, and 22.

(6) Article 22 of the Basic Law establishes that ''No department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law.''.

(7) The Joint Declaration and the Basic Law make clear that additional obligations shall be undertaken by China to ensure the ''high degree of autonomy'' of Hong Kong.

(8) Paragraph 3c of the Joint Declaration states, as reinforced by Articles 2, 16, 17, 18, 19, and 22 of the Basic Law, that Hong Kong ''will be vested with executive, legislative and independent judicial power, including that of final adjudication''.

(9) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People's Congress overruled a decision by the Hong Kong Court of Final Appeal on the right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, is suspected to have not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite restrictions on interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law—

(i) openly expressed support for candidates in Hong Kong for Chief Executive and Legislative Council;

(ii) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong; and

(iii) on April 17, 2020, asserted that both the Liaison Office of China in Hong Kong and the Hong Kong and Macau Affairs Office of the State Council ''have the right to exercise supervision . . . on affairs regarding Hong Kong and the mainland, in order to ensure correct implementation of the Basic Law''.

(D) The National People's Congress has passed laws requiring Hong Kong to pass laws banning disrespectful treatment of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 10, 2014, that stressed the ''comprehensive jurisdiction'' of the Government of China over Hong Kong and indicated that Hong Kong must be governed by ''patriots''.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnapping of, residents of Hong Kong, including businessman Xiao Jianhua and bookseller Gui Minhai.

(G) The Government of Hong Kong, acting with the support of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests for any individual present in Hong Kong, regardless of the legality of the request or the degree to which it compromised the judicial independence of Hong Kong.

(H) The spokesman for the Standing Committee of the National People's Congress said, ''Whether Hong Kong's laws are consistent with the Basic Law can only be judged and decided by the National People's Congress Standing Committee. No other authority has the right to make judgments and decisions.''.

(10) Paragraph 3e of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the ''current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.''.

(11) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (10) of this section, including the following:

(A) In 2002, the Government of China pressured the Government of Hong Kong to introduce ''patriotic'' curriculum in primary and secondary schools.

(B) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which infringes on freedom of speech.

(C) The Government of Hong Kong mandated that Mandarin, and not the native language of Cantonese, be the language of instruction in Hong Kong schools.

(D) The governments of China and Hong Kong agreed to a daily quota of mainland immigrants to Hong Kong, which is widely believed by citizens of Hong Kong to be part of an effort to ''mainlandize'' Hong Kong.

(12) Paragraph 3e of the Joint Declaration states, as reinforced by Articles 4, 26, 27, 28, 29, 30, 31, 32 33, 34, and 39 of the Basic Law, that the ''rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law'' in Hong Kong.

(13) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (12) of this section, including the following:

(A) On February 26, 2003, the Government of Hong Kong introduced a national security bill that would have placed restrictions on freedom of speech and other protected rights.

(B) The Liaison Office of China in Hong Kong has pressured businesses in Hong Kong not to advertise in newspapers and magazines critical of the governments of China and Hong Kong.

(C) The Hong Kong Police Force selectively blocked demonstrations and protests expressing opposition to the governments of China and Hong Kong or the policies of those governments.

(D) The Government of Hong Kong refused to renew work visa for a foreign journalist, allegedly for hosting a speaker from the banned Hong Kong National Party.

(E) The Justice Department of Hong Kong selectively prosecuted cases against leaders of the Umbrella Movement, while failing to prosecute police officers accused of using excessive force during the protests in 2014.

(F) On April 18, 2020, the Hong Kong Police Force arrested 14 high-profile democracy activists and campaigners for their role in organizing a protest march that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(14) Articles 45 and 68 of the Basic Law assert that the selection of Chief Executive and all members of the Legislative Council of Hong Kong should be by ''universal suffrage.''.

(15) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (14) of this section, including the following:

(A) In 2004, the National People's Congress created new, antidemocratic procedures restricting the adoption of universal suffrage for the election of the Chief Executive of Hong Kong.

(B) The decision by the National People's Congress on December 29, 2007, which ruled out universal suffrage in 2012 elections and set restrictions on when and if universal suffrage will be implemented.

(C) The decision by the National People's Congress on August 31, 2014, which placed

limits on the nomination process for the Chief Executive of Hong Kong as a condition for adoption of universal suffrage.

(D) On November 7, 2016, the National People's Congress interpreted Article 104 of the Basic Law in such a way to disqualify 6 elected members of the Legislative Council.

(E) In 2018, the Government of Hong Kong banned the Hong Kong National Party and blocked the candidacy of pro-democracy candidates.

(16) The ways in which the Government of China, at times with the support of a subservient Government of Hong Kong, has acted in contravention of its obligations under the Joint Declaration and the Basic Law, as set forth in this section, are deeply concerning to the people of Hong Kong, the United States, and members of the international community who support the autonomy of Hong Kong.

SEC. 1704. SENSE OF CONGRESS REGARDING HONG KONG.

It is the sense of Congress that—

(1) the United States continues to uphold the principles and policy established in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116–76; 22 U.S.C. 5701 note), which remain consistent with China's obligations under the Joint Declaration and certain promulgated objectives under the Basic Law, including that—

(A) as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5711(1)), ''The United States should play an active role, before, on, and after July 1, 1997, in maintaining Hong Kong's confidence and prosperity, Hong Kong's role as an international financial center, and the mutually beneficial ties between the people of the United States and the people of Hong Kong.''; and

(B) as set forth in section 2(5) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), ''Support for democratization is a fundamental principle of United States foreign policy. As such, it naturally applies to United States policy toward Hong Kong. This will remain equally true after June 30, 1997.'';

(2) although the United States recognizes that, under the Joint Declaration, the Government of China ''resumed the exercise of sovereignty over Hong Kong with effect on 1 July 1997'', the United States supports the autonomy of Hong Kong in furtherance of the United States-Hong Kong Policy Act of 1992 and the Hong Kong Human Rights and Democracy Act of 2019 and advances the desire of the people of Hong Kong to continue the ''one country, two systems'' regime, in addition to other obligations promulgated by China under the Joint Declaration and the Basic Law;

(3) in order to support the benefits and protections that Hong Kong has been afforded by the Government of China under the Joint Declaration and the Basic Law, the United States should establish a clear and unambiguous set of penalties with respect to foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, to be involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law and the financial institutions transacting with those foreign persons;

(4) the Secretary of State should provide an unclassified assessment of the reason for imposition of certain economic penalties on entities, so as to permit a clear path for the removal of economic penalties if the sanctioned behavior is reversed and verified by the Secretary of State;

(5) relevant Federal agencies should establish a multilateral sanctions regime with respect to foreign persons involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law; and

(6) in addition to the penalties on foreign persons, and financial institutions transacting with those foreign persons, for the contravention of the obligations of China under the Joint Declaration and the Basic Law, the United States should take steps, in a time of crisis, to assist permanent residents of Hong Kong who are persecuted or fear persecution as a result of the contravention by China of its obligations under the Joint Declaration and the Basic Law to become eligible to obtain lawful entry into the United States.

SEC. 1705. IDENTIFICATION OF FOREIGN PERSONS INVOLVED IN THE EROSION OF THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW AND FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH THOSE PERSONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that a foreign person is materially contributing to, has materially contributed to, or attempts to materially contribute to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law, the Secretary of State shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an identification of the foreign person; and

(2) a clear explanation for why the foreign person was identified and a description of the activity that resulted in the identification.

(b) IDENTIFYING FOREIGN FINANCIAL INSTITUTIONS.—Not earlier than 30 days and not later than 60 days after the Secretary of State submits to the appropriate congressional committees and leadership the report under subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the appropriate congressional committees and leadership a report that identifies any foreign financial institution that knowingly conducts a significant transaction with a foreign person identified in the report under subsection (a).

(c) EXCLUSION OF CERTAIN INFORMATION.—

(1) INTELLIGENCE.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Director of National Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the head of any other appropriate Federal law enforcement agency, and the Secretary of the Treasury, determines that such disclosure could reasonably be expected—

(A) to compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) to endanger the life or physical safety of any person; or

(D) to cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(d) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—

(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (e), or remove a foreign person from the report or update prior to the imposition of sanctions under section 1706(a) if the material contribution (as described in subsection (g)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 1707(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.

(3) NOTIFICATION REQUIRED.—If the President makes a determination under paragraph (1) or (2) to exclude or remove a foreign person or foreign financial institution from a report under subsection (a) or (b), as the case may be, the President shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(e) UPDATE OF REPORTS.—

(1) IN GENERAL.—Each report submitted under subsections (a) and (b) shall be updated in an ongoing manner and, to the extent practicable, updated reports shall be resubmitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) upon the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(f) FORM OF REPORTS.—

(1) IN GENERAL.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted in unclassified form and made available to the public.

(2) CLASSIFIED ANNEX.—The explanations and descriptions included in the report under subsection (a)(2) (including updates under subsection (e)) may be expanded on in a classified annex.

(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGATIONS OF CHINA DESCRIBED.—For purposes of this section, a foreign person materially contributes to the failure of the Government of China to meet its obligations

under the Joint Declaration or the Basic Law if the person—

(1) took action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or independent rule of law; or

(B) to participate in democratic outcomes; or

(2) otherwise took action that reduces the high degree of autonomy of Hong Kong.

SEC. 1706. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date on which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President may impose sanctions described in subsection (b) with respect to that foreign person.

(2) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person are the following:

(1) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 1707. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) INITIAL SANCTIONS.—Not later than one year after the date on which a foreign financial institution is included in the report under section 1705(b) or an update to that report under section 1705(e), the President shall impose not fewer than 5 of the sanctions described in subsection (b) with respect to that foreign financial institution.

(2) EXPANDED SANCTIONS.—Not later than two years after the date on which a foreign financial institution is included in the report under section 1705(b) or an update to that report under section 1705(e), the President shall impose each of the sanctions described in subsection (b).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign financial institution are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making loans or providing credits to the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the foreign financial institution as a primary dealer in United States Government debt instruments.

(3) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The foreign financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(6) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, importing, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign financial institution has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSFERS.—The President, in consultation with the Secretary of Commerce, may restrict or prohibit exports, reexports, and transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(8) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(9) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Homeland Security, to exclude from the United States any alien that is determined to be a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign financial institution, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign financial institution, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (1) through (8) that are applicable.

(c) TIMING OF SANCTIONS.—The President may impose sanctions required under subsection (a) with respect to a financial institution included in the report under section 1705(b) or an update to that report under section 1705(e) beginning on the day on which the financial institution is included in that report or update.

SEC. 1708. WAIVER, TERMINATION, EXCEPTIONS, AND CONGRESSIONAL REVIEW PROCESS.

(a) NATIONAL SECURITY WAIVER.—Unless a disapproval resolution is enacted under subsection (e), the President may waive the application of sanctions under section 1706 or 1707 with respect to a foreign person or foreign financial institution if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees and leadership a report on the determination and the reasons for the determination.

(b) TERMINATION OF SANCTIONS AND REMOVAL FROM REPORT.—Unless a disapproval resolution is enacted under subsection (e), the President may terminate the application of sanctions under section 1706 or 1707 with respect to a foreign person or foreign financial institution and remove the foreign person from the report required under section 1705(a) or the foreign financial institution from the report required under section 1705(b), as the case may be, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that the actions taken by the foreign person or foreign financial institution that led to the imposition of sanctions—

(1) do not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(2) are not likely to be repeated in the future; and

(3) have been reversed or otherwise mitigated through positive countermeasures taken by that foreign person or foreign financial institution.

(c) TERMINATION OF ACT.—

(1) REPORT.—

(A) IN GENERAL.—Not later than July 1, 2046, the President, in consultation with the Secretary of State, the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall submit to Congress a report evaluating the implementation of this title and sanctions imposed pursuant to this title.

(B) ELEMENTS.—The President shall include in the report submitted under subparagraph (A) an assessment of whether this title and the sanctions imposed pursuant to this title should be terminated.

(2) TERMINATION.—This title and the sanctions imposed pursuant to this title shall remain in effect unless a termination resolution is enacted under subsection (e) after July 1, 2047.

(d) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions under sections 1706 and 1707 shall not include the authority or requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this subsection, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

(e) CONGRESSIONAL REVIEW.—

(1) RESOLUTIONS.—

(A) DISAPPROVAL RESOLUTION.—In this section, the term ''disapproval resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution disapproving the waiver or termination of sanctions with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person.''; and

(ii) the sole matter after the resolving clause of which is the following: ''Congress disapproves of the action under section 1708 of the Hong Kong Autonomy Act relating to the application of sanctions imposed with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong, or a foreign financial institution that conducts a significant transaction with that person, on _____ relating to _____.'', with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) TERMINATION RESOLUTION.—In this section, the term ''termination resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution terminating sanctions with respect to foreign persons that contravene the obligations of China with respect to Hong Kong and foreign financial institutions that conduct significant transactions with those persons.''; and

(ii) the sole matter after the resolving clause of which is the following: ''The Hong Kong Autonomy Act and any sanctions imposed pursuant to that Act shall terminate on _____.'', with the blank space being filled with the termination date.

(C) COVERED RESOLUTION.—In this subsection, the term ''covered resolution'' means a disapproval resolution or a termination resolution.

(2) INTRODUCTION.—A covered resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a covered resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—

(i) DISAPPROVAL RESOLUTION.—A disapproval resolution introduced in the Senate shall be—

(I) referred to the Committee on Banking, Housing, and Urban Affairs if the resolution relates to an action that is not intended to significantly alter United States foreign policy with regard to China; and

(II) referred to the Committee on Foreign Relations if the resolution relates to an action that is intended to significantly alter United States foreign policy with regard to China.

(ii) TERMINATION RESOLUTION.—A termination resolution introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If a committee to which a covered resolution was referred has not reported the resolution within 10 calendar days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a covered resolution to the Senate or has been discharged from consideration of such a resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a covered resolution shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a covered resolution, including all debatable motions and appeals in connection with the resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House has already passed a resolution relating to the same proposed action):

(i) The resolution shall be referred to the appropriate committees.

(ii) If a committee to which a resolution has been referred has not reported the resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) Beginning on the third legislative day after each committee to which a resolution has been referred reports the resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The resolution shall be considered as read. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the resolution shall not be in order.

(B) TREATMENT OF HOUSE RESOLUTION IN SENATE.—

(i) RECEIVED BEFORE PASSAGE OF SENATE RESOLUTION.—If, before the passage by the Senate of a covered resolution, the Senate receives an identical resolution from the House of Representatives, the following procedures shall apply:

(I) That resolution shall not be referred to a committee.

(II) With respect to that resolution—

(aa) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the resolution from the House of Representatives.

(ii) RECEIVED AFTER PASSAGE OF SENATE RESOLUTION.—If, following passage of a covered resolution in the Senate, the Senate receives an identical resolution from the House of Representatives, that resolution shall be placed on the appropriate Senate calendar.

(iii) NO SENATE COMPANION.—If a covered resolution is received from the House of Representatives, and no companion resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the resolution from the House of Representatives.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) 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.

SEC. 1709. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this title.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 1706 or 1707 or any regulation, license, or order issued to carry out that section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 1710. RULE OF CONSTRUCTION.

Nothing in this title shall be construed as an authorization of military force against China.

SA 1996. Mr. TOOMEY (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII of division A, add the following:

SEC. 1287. BLOCKING DEADLY FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the ''Blocking Deadly Fentanyl Imports Act''.

(b) DEFINITIONS.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''in which'';

(B) in subparagraph (A), by inserting ''in which'' before ''1,000'';

(C) in subparagraph (B)—

(i) by inserting ''in which'' before ''1,000''; and

(ii) by striking ''or'' at the end;

(D) in subparagraph (C)—

(i) by inserting ''in which'' before ''5,000''; and

(ii) by inserting ''or'' after the semicolon; and

(E) by adding at the end the following:

''(D) that is a significant source of illicit synthetic opioids significantly affecting the United States;''; and

(2) in paragraph (4)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) in subparagraph (D), by adding ''and'' at the end; and

(C) by adding at the end the following:

''(E) assistance that furthers the objectives set forth in paragraphs (1) through (4) of section 664(b) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2151n–2(b));

''(F) assistance to combat trafficking authorized under the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.)); and

''(G) global health assistance authorized under sections 104 through 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b through 22 U.S.C. 2151b–4).''.

(c) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding at the end the following:

''(9) A separate section that contains the following:

''(A) An identification of the countries, to the extent feasible, that are the most significant sources of illicit fentanyl and fentanyl analogues significantly affecting the United States during the preceding calendar year.

''(B) A description of the extent to which each country identified pursuant to subparagraph (A) has cooperated with the United States to prevent the articles or chemicals described in subparagraph (A) from being exported from such country to the United States.

''(C) A description of whether each country identified pursuant to subparagraph (A) has adopted and utilizes scheduling or other procedures for illicit drugs that are similar in effect to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;

''(D) A description of whether each country identified pursuant to subparagraph (A) is following steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)); and

''(E) A description of whether each country identified pursuant to subparagraph (A) requires the registration of tableting machines and encapsulating machines or other measures similar in effect to the registration requirements set forth in part 1310 of title 21, Code of Federal Regulations, and has not made good faith efforts, in the opinion of the Secretary, to improve regulation of tableting machines and encapsulating machines.''.

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is amended—

(A) in paragraph (1), by striking ''or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting ''country identified pursuant to section 489(a)(8)(A), or country twice identified during a 5-year period pursuant to section 489(a)(9)(A)''; and

(B) in paragraph (2), by striking ''or major drug-transit country (as determined under subsection (h)) or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting '', major drug-transit country, country identified pursuant to section 489(a)(8)(A), or country twice identified during a 5-year period pursuant to section 489(a)(9)(A)''.

(2) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT SCHEDULING PROCEDURES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''also'';

(B) in subparagraph (A)(ii), by striking ''and'' at the end;

(C) by redesignating subparagraph (B) as subparagraph (E);

(D) by inserting after subparagraph (A) the following:

''(B) designate each country, if any, identified under section 489(a)(9) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that has failed to adopt and utilize scheduling procedures for illicit drugs that are comparable to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;''; and

(E) in subparagraph (E), as redesignated, by striking ''so designated'' and inserting ''designated under subparagraph (A), (B), (C), or (D)''.

(3) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS FOR THE MANUFACTURE OR DISTRIBUTION OF FENTANYL ANALOGUES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)), as amended by paragraph (2), is further amended by inserting after subparagraph (B) the following:

''(C) designate each country, if any, identified under section 489(a)(9) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that has not taken significant steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32));''.

(4) DESIGNATION OF ILLICIT FENTANYL COUNTRIES THAT DO NOT REQUIRE THE REGISTRATION OF PILL PRESSES AND TABLETING MACHINES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)), as amended by paragraphs (2) and (3), is further amended by inserting after subparagraph (C) the following:

''(D) designate each country, if any, identified under section 489(a)(9) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that—

''(i) does not require the registration of tableting machines and encapsulating machines in a manner comparable to the registration requirements set forth in part 1310 of title 21, Code of Federal Regulations; and

''(ii) has not made good faith efforts (in the opinion of the Secretary) to improve the regulation of tableting machines and encapsulating machines; and''.

(5) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—Section 706(3) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(3)) is amended by striking ''also designated under paragraph (2) in the report'' and inserting ''designated in the report under paragraph (2)(A) or twice designated during a 5-year period in the report under subparagraph (B), (C), or (D) of paragraph (2)''.

(6) EXCEPTION TO THE LIMITATION ON ASSISTANCE.—Section 706(5) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(5)) is amended—

(A) by redesignating subparagraph (C) as subparagraph (F);

(B) by inserting after subparagraph (B) the following:

''(C) Notwithstanding paragraph (3), assistance to promote democracy (as described in section 481(e)(4)(E) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)(E))) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B), (C), or (D) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

''(D) Notwithstanding paragraph (3), assistance to combat trafficking (as described in section 481(e)(4)(F) of such Act) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B), (C), or (D) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

''(E) Notwithstanding paragraph (3), global health assistance (as described in section 481(e)(4)(G) of such Act) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B), (C), or (D) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph''; and

(C) in subparagraph (F), as redesignated, by striking ''section clause (i) or (ii) of'' and inserting ''clause (i) or (ii) of section''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1997. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. REPORT ON CH–47F CHINOOK BLOCK-II UPGRADE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Army, shall submit to the congressional defense committees a report that includes the following elements:

(1) An analysis of the warfighting capability currently delivered by the Block I and Block II configurations of H–47 Chinook helicopters.

(2) An analysis of the feasibility and advisability of delaying or terminating the CH–47F Chinook Block-II upgrade.

(3) A plan to ensure that warfighter capability is not negatively affected by the delay

or termination of the CH–47F Chinook Block II upgrade.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1998. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. SENSE OF CONGRESS ON LONG-TERM INVESTMENT AND SUSTAINMENT PLAN FOR A SECOND SOURCE FOR CANNON TUBE PROCUREMENT.

It is the sense of Congress that—

(1) there are concerns with the depth and ability of the cannon tube industrial base to meet the Army's long-term demand;

(2) the current state of the supply chain risks not sufficiently meeting the Army's modernization priorities; and

(3) the Army should develop and implement a long-term investment and sustainment plan for a second-source for cannon tube procurement to mitigate risk to the Army and the industrial base.

SA 1999. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—INDUSTRIES OF THE FUTURE

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Industries of the Future Act of 2020''.

SEC. ___2. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments, infrastructure, and workforce development investments of the Federal Government that enable continued United States leadership in industries of the future.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A definition, for purposes of this Act, of the term ''industries of the future'' that includes emerging technologies.

(2) An assessment of the current baseline of investments in civilian research and development investments of the Federal Government in the industries of the future.

(3) A plan to double such baseline investments in artificial intelligence and quantum information science by fiscal year 2022.

(4) A detailed plan to increase investments described in paragraph (2) in industries of the future to $10,000,000,000 per year by fiscal year 2025.

(5) A plan to leverage investments described in paragraphs (2), (3), and (4) in industries of the future to elicit complimentary investments by non-Federal entities to the greatest extent practicable.

(6) Proposed legislation to implement such plans.

SEC. ___3. INDUSTRIES OF THE FUTURE COORDINATION COUNCIL.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The President shall establish or designate a council to advise the Director of the Office of Science and Technology Policy on matters relevant to the Director and the industries of the future.

(2) DESIGNATION.—The council established or designated under paragraph (1) shall be known as the ''Industries of the Future Coordination Council'' (in this section the ''Council'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of members from the Federal Government as follows:

(A) One member appointed by the Director.

(B) One member appointed by the Director of the Office of Management and Budget.

(C) A chairperson of the Select Committee on Artificial Intelligence of the National Science and Technology Council.

(D) A chairperson of the Subcommittee on Advanced Manufacturing of the National Science and Technology Council.

(E) A chairperson of the Subcommittee on Quantum Information Science of the National Science and Technology Council.

(F) Such other members as the President considers appropriate.

(2) CHAIRPERSON.—The member appointed to the Council under paragraph (1)(A) shall serve as the chairperson of the Council.

(c) DUTIES.—The duties of the Council are as follows:

(1) To provide the Director with advice on ways in which in the Federal Government can ensure the United States continues to lead the world in developing emerging technologies that improve the quality of life of the people of the United States, increase economic competitiveness of the United States, and strengthen the national security of the United States, including identification of the following:

(A) Investments required in fundamental research and development, infrastructure, and workforce development of the United States workers who will support the industries of the future.

(B) Actions necessary to create and further develop the workforce that will support the industries of the future.

(C) Actions required to leverage the strength of the research and development ecosystem of the United States, which includes academia, industry, and nonprofit organizations.

(D) Ways that the Federal Government can consider leveraging existing partnerships and creating new partnerships and other multisector collaborations to advance the industries of the future.

(2) To provide the Director with advice on matters relevant to the report required by section ___2.

(d) COORDINATION.—The Council shall coordinate with and utilize relevant existing National Science and Technology Council committees to the maximum extent feasible in order to minimize duplication of effort.

(e) SUNSET.—The Council shall terminate on the date that is 6 years after the date of the enactment of this Act.

SA 2000. Mr. WICKER (for himself and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. ENERGY EFFICIENCY AND BLAST FORCE PROTECTION TECHNOLOGIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should seek to use technological innovations to increase the energy efficiency of the existing buildings and structures of the Department of Defense to save taxpayer dollars on energy costs and reduce impact on the environment while reducing injuries and saving lives by providing increased force protection.

(b) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall use the authority provided by section 2371b of title 10, United States Code, to support the testing and development of advanced materials and technologies that can increase energy efficiency at a lower cost than replacing or rebuilding entire structures.

(c) BLAST FORCE PROTECTION.—In carrying out activities under subsection (b), the Secretary shall, to the maximum extent practicable, seek to support technologies that also provide increased force protection for existing structures.

SA 2001. Mr. LEE (for himself, Mr. JOHNSON, Mr. ROMNEY, and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—LEADERSHIP OVER NATIONAL EMERGENCIES

SEC. _____. SHORT TITLE.

This title may be cited as the ''Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act'' or the ''ARTICLE ONE Act''.

SEC. _____. CONGRESSIONAL REVIEW OF NATIONAL EMERGENCIES.

Title II of the National Emergencies Act (50 U.S.C. 1621 et seq.) is amended by striking sections 201 and 202 and inserting the following:

''SEC. 201. DECLARATIONS OF NATIONAL EMERGENCIES.

''(a) AUTHORITY TO DECLARE NATIONAL EMERGENCIES.—With respect to Acts of Congress authorizing the exercise, during the period of a national emergency, of any special or extraordinary power, the President is authorized to declare such a national emergency by proclamation. Such proclamation shall immediately be transmitted to Congress and published in the Federal Register.

''(b) SPECIFICATION OF PROVISIONS OF LAW TO BE EXERCISED.—No powers or authorities made available by statute for use during the period of a national emergency shall be exercised unless and until the President specifies the provisions of law under which the President proposes that the President or other officers will act in—

''(1) a proclamation declaring a national emergency under subsection (a); or

''(2) one or more Executive orders relating to the emergency published in the Federal Register and transmitted to Congress.

''(c) PROHIBITION ON SUBSEQUENT ACTIONS IF EMERGENCIES NOT APPROVED.—

''(1) SUBSEQUENT DECLARATIONS.—If a joint resolution of approval is not enacted under section 203 with respect to a national emergency before the expiration of the 30-day period described in section 202(a), or with respect to a national emergency proposed to be renewed under section 202(b), the President may not, during the remainder of the term of office of that President, declare a subsequent national emergency under subsection (a) with respect to the same circumstances.

''(2) EXERCISE OF AUTHORITIES.—If a joint resolution of approval is not enacted under section 203 with respect to a power or authority specified by the President in a proclamation under subsection (a) or an Executive order under subsection (b)(2) with respect to a national emergency, the President may not, during the remainder of the term of office of that President, exercise that power or authority with respect to that emergency.

''(d) EFFECT OF FUTURE LAWS.—No law enacted after the date of the enactment of this Act shall supersede this title unless it does so in specific terms, referring to this title, and declaring that the new law supersedes the provisions of this title.

''SEC. 202. EFFECTIVE PERIODS OF NATIONAL EMERGENCIES.

''(a) TEMPORARY EFFECTIVE PERIODS.—

''(1) IN GENERAL.—A declaration of a national emergency shall remain in effect for 30 days from the issuance of the proclamation under section 201(a) (not counting the day on which the proclamation was issued) and shall terminate when that 30-day period expires unless there is enacted into law a joint resolution of approval under section 203 with respect to the proclamation.

''(2) EXERCISE OF POWERS AND AUTHORITIES.—Any emergency power or authority made available under a provision of law specified pursuant to section 201(b) may be exercised pursuant to a declaration of a national emergency for 30 days from the issuance of the proclamation or Executive order (not counting the day on which such proclamation or Executive order was issued). That power or authority may not be exercised after that 30-day period expires unless there is enacted into law a joint resolution of approval under section 203 approving—

''(A) the proclamation of the national emergency or the Executive order; and

''(B) the exercise of the power or authority specified by the President in such proclamation or Executive order.

''(3) EXCEPTION IF CONGRESS IS UNABLE TO CONVENE.—If Congress is physically unable to convene as a result of an armed attack upon the United States or another national emergency, the 30-day periods described in paragraphs (1) and (2) shall begin on the first day Congress convenes for the first time after the attack or other emergency.

''(b) RENEWAL OF NATIONAL EMERGENCIES.—A national emergency declared by the President under section 201(a) or previously renewed under this subsection, and not already terminated pursuant to subsection (a) or (c), shall terminate on the date that is one year after the President transmitted to Congress the proclamation declaring the emergency or Congress approved a previous renewal pursuant to this subsection, unless—

''(1) the President publishes in the Federal Register and transmits to Congress an Executive order renewing the emergency; and

''(2) there is enacted into law a joint resolution of approval renewing the emergency pursuant to section 203 before the termination of the emergency or previous renewal of the emergency.

''(c) TERMINATION OF NATIONAL EMERGENCIES.—

''(1) IN GENERAL.—Any national emergency declared by the President under section 201(a) shall terminate on the earliest of—

''(A) the date provided for in subsection (a);

''(B) the date provided for in subsection (b);

''(C) the date specified in an Act of Congress terminating the emergency; or

''(D) the date specified in a proclamation of the President terminating the emergency.

''(2) EFFECT OF TERMINATION.—

''(A) IN GENERAL.—Effective on the date of the termination of a national emergency under paragraph (1)—

''(i) except as provided by subparagraph (B), any powers or authorities exercised by reason of the emergency shall cease to be exercised;

''(ii) any amounts reprogrammed or transferred under any provision of law with respect to the emergency that remain unobligated on that date shall be returned and made available for the purpose for which such amounts were appropriated; and

''(iii) any contracts entered into under any provision of law for construction relating to the emergency shall be terminated.

''(B) SAVINGS PROVISION.—The termination of a national emergency shall not affect—

''(i) any legal action taken or pending legal proceeding not finally concluded or determined on the date of the termination under paragraph (1);

''(ii) any legal action or legal proceeding based on any act committed prior to that date; or

''(iii) any rights or duties that matured or penalties that were incurred prior to that date.

''SEC. 203. REVIEW BY CONGRESS OF NATIONAL EMERGENCIES.

''(a) JOINT RESOLUTION OF APPROVAL DEFINED.—In this section, the term 'joint resolution of approval' means a joint resolution that contains only the following provisions after its resolving clause:

''(1) A provision approving—

''(A) a proclamation of a national emergency made under section 201(a);

''(B) an Executive order issued under section 201(b)(2); or

''(C) an Executive order issued under section 202(b).

''(2) A provision approving a list of all or a portion of the provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution.

''(b) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS OF APPROVAL.—

''(1) INTRODUCTION.—After the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a joint resolution of approval may be introduced in either House of Congress by any member of that House.

''(2) REQUESTS TO CONVENE CONGRESS DURING RECESSES.—If, when the President transmits to Congress a proclamation declaring a national emergency under section 201(a), or an Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), Congress has adjourned sine die or has adjourned for any period in excess of 3 calendar days, the majority leader of the Senate and the Speaker of the House of Representatives, or their respective designees, acting jointly after consultation with and with the concurrence of the minority leader of the Senate and the minority leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

''(3) COMMITTEE REFERRAL.—A joint resolution of approval shall be referred in each House of Congress to the committee or committees having jurisdiction over the emergency authorities invoked by the proclamation or Executive order that is the subject of the joint resolution.

''(4) CONSIDERATION IN SENATE.—In the Senate, the following shall apply:

''(A) REPORTING AND DISCHARGE.—If the committee to which a joint resolution of approval has been referred has not reported it at the end of 10 calendar days after its introduction, that committee shall be automatically discharged from further consideration of the resolution and it shall be placed on the calendar.

''(B) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, when the committee to which a joint resolution of approval is referred has reported the resolution, or when that committee is discharged under subparagraph (A) from further consideration of the resolution, 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 to proceed is subject to 4 hours of debate divided equally between those favoring and those opposing the joint resolution of approval. 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.

''(C) FLOOR CONSIDERATION.—A joint resolution of approval shall be subject to 10 hours of consideration, to be divided evenly between the proponents and opponents of the resolution.

''(D) AMENDMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), no amendments shall be in order with respect to a joint resolution of approval.

''(ii) AMENDMENTS TO STRIKE OR ADD SPECIFIED PROVISIONS OF LAW.—Clause (i) shall not apply with respect to any amendment—

''(I) to strike a provision or provisions of law from the list required by subsection (a)(2); or

''(II) to add to that list a provision or provisions of law specified by the President under section 201(b) in the proclamation or Executive order that is the subject of the joint resolution of approval.

''(E) MOTION TO RECONSIDER FINAL VOTE.—A motion to reconsider a vote on passage of a joint resolution of approval shall not be in order.

''(F) APPEALS.—Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

''(5) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—In the House of Representatives, if any committee to which a joint resolution of approval has been referred has not reported it to the House at the end of 10 calendar 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 Thursdays 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 3 calendar 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 on or before the close of the tenth calendar 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, such vote shall be taken on that day.

''(6) RECEIPT OF RESOLUTION FROM OTHER HOUSE.—If, before passing a joint resolution of approval, one House receives from the other a joint resolution of approval from the other House, then—

''(A) the joint resolution of the other House shall not be referred to a committee and shall be deemed to have been discharged from committee on the day it is received; and

''(B) the procedures set forth in paragraphs (3), (4), and (5), as applicable, shall apply in the receiving House to the joint resolution received from the other House to the same extent as such procedures apply to a joint resolution of the receiving House.

''(c) RULE OF CONSTRUCTION.—The enactment of a joint resolution of approval under this section shall not be interpreted to serve as a grant or modification by Congress of statutory authority for the emergency powers of the President.

''(d) RULES OF THE HOUSE AND SENATE.—This section is enacted by Congress—

''(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in the House in the case of joint resolutions described in this section, and supersedes other rules only to the extent that it is inconsistent with such other rules; and

''(2) 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.

''SEC. 204. EXCLUSION OF CERTAIN NATIONAL EMERGENCIES INVOKING INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

''(a) IN GENERAL.—In the case of a national emergency described in subsection (b), the provisions of this Act, as in effect on the day before the date of the enactment of the Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act, shall continue to apply on and after such date of enactment.

''(b) NATIONAL EMERGENCY DESCRIBED.—

''(1) IN GENERAL.—A national emergency described in this subsection is a national emergency pursuant to which the President proposes to exercise emergency powers or authorities made available under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), supplemented as necessary by a provision of law specified in paragraph (2).

''(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this paragraph are—

''(A) the United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.);

''(B) section 212(f) of the Immigration and Nationality Act (8 U.S.C. 1182(f)); or

''(C) any provision of law that authorizes the implementation, imposition, or enforcement of economic sanctions with respect to a foreign country.

''(c) EFFECT OF ADDITIONAL POWERS AND AUTHORITIES.—Subsection (a) shall not apply to a national emergency or the exercise of emergency powers and authorities pursuant to the national emergency if, in addition to the exercise of emergency powers and authorities described in subsection (b), the President proposes to exercise, pursuant to the national emergency, any emergency powers and authorities under any other provision of law.''.

SEC. _____. REPORTING REQUIREMENTS.

Section 401 of the National Emergencies Act (50 U.S.C. 1641) is amended by adding at the end the following:

''(d) REPORT ON EMERGENCIES.—The President shall transmit to Congress, with any proclamation declaring a national emergency under section 201(a) or any Executive order specifying emergency powers or authorities under section 201(b)(2) or renewing a national emergency under section 202(b), a report, in writing, that includes the following:

''(1) A description of the circumstances necessitating the declaration of a national emergency, the renewal of such an emergency, or the use of a new emergency authority specified in the Executive order, as the case may be.

''(2) The estimated duration of the national emergency, or a statement that the duration of the national emergency cannot reasonably be estimated at the time of transmission of the report.

''(3) A summary of the actions the President or other officers intend to take, including any reprogramming or transfer of funds, and the statutory authorities the President and such officers expect to rely on in addressing the national emergency.

''(4) In the case of a renewal of a national emergency, a summary of the actions the President or other officers have taken in the preceding one-year period, including any reprogramming or transfer of funds, to address the emergency.

''(e) PROVISION OF INFORMATION TO CONGRESS.—The President shall provide to Congress such other information as Congress may request in connection with any national emergency in effect under title II.

''(f) PERIODIC REPORTS ON STATUS OF EMERGENCIES.—If the President declares a national emergency under section 201(a), the President shall, not less frequently than every 6 months for the duration of the emergency, report to Congress on the status of the emergency and the actions the President or other officers have taken and authorities the President and such officers have relied on in addressing the emergency.''.

SEC. _____. EXCLUSION OF IMPOSITION OF DUTIES AND IMPORT QUOTAS FROM PRESIDENTIAL AUTHORITIES UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c)(1) The authority granted to the President by this section does not include the authority to impose duties or tariff-rate quotas or (subject to paragraph (2)) other quotas on articles entering the United States.

''(2) The limitation under paragraph (1) does not prohibit the President from excluding all articles imported from a country from entering the United States.''.

SEC. _____. CONFORMING AMENDMENTS.

(a) NATIONAL EMERGENCIES ACT.—Title III of the National Emergencies Act (50 U.S.C. 1631) is repealed.

(b) INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—Section 207 of the International Emergency Economic Powers Act (50 U.S.C. 1706) is amended—

(1) in subsection (b), by striking ''concurrent resolution'' and inserting ''joint resolution''; and

(2) by adding at the end the following:

''(e) In this section, the term 'National Emergencies Act' means the National Emergencies Act, as in effect on the day before the date of the enactment of the Assuring that Robust, Thorough, and Informed Congressional Leadership is Exercised Over National Emergencies Act.''.

SEC. _____. EFFECTIVE DATE; APPLICABILITY.

(a) IN GENERAL.—This title and the amendments made by this title shall—

(1) take effect on the date of the enactment of this Act; and

(2) except as provided in subsection (b), apply with respect to national emergencies declared under section 201 of the National Emergencies Act on or after that date.

(b) APPLICABILITY TO RENEWALS OF EXISTING EMERGENCIES.—When a national emergency declared under section 201 of the National Emergencies Act before the date of the enactment of this Act would expire or be renewed under section 202(d) of that Act (as in effect on the day before such date of enactment), that national emergency shall be subject to the requirements for renewal under section 202(b) of that Act, as amended by section _____.

SA 2002. Mr. LEE (for himself and Mr. ROMNEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. LIMITATION ON THE EXTENSION OR ESTABLISHMENT OF NATIONAL MONUMENTS IN THE STATE OF UTAH.

Section 320301(d) of title 54, United States Code, is amended—

(1) in the heading, by striking ''WYOMING'' and inserting ''THE STATE OF WYOMING OR UTAH''; and

(2) by striking ''Wyoming'' and inserting ''the State of Wyoming or Utah''.

SA 2003. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. CRUZ, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. DUE PROCESS GUARANTEE.

(a) SHORT TITLE.—This section may be cited as the ''Due Process Guarantee Act''.

(b) PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.—

(1) LIMITATION ON DETENTION.—

(A) IN GENERAL.—Section 4001(a) of title 18, United States Code, is amended—

(i) by striking ''No citizen'' and inserting the following:

''(1) No citizen or lawful permanent resident of the United States''; and

(ii) by adding at the end the following:

''(2) Any Act of Congress that authorizes an imprisonment or detention described in paragraph (1) shall be consistent with the Constitution and expressly authorize such imprisonment or detention.''.

(B) APPLICABILITY.—Nothing in section 4001(a)(2) of title 18, United States Code, as added by subparagraph (A)(ii), may be construed to limit, narrow, abolish, or revoke any detention authority conferred by statute, declaration of war, authorization to use military force, or similar authority effective prior to the date of the enactment of this Act.

(2) RELATIONSHIP TO AN AUTHORIZATION TO USE MILITARY FORCE, DECLARATION OF WAR, OR SIMILAR AUTHORITY.—Section 4001 of title 18, United States Code, as amended by paragraph (1) is further amended—

(A) by redesignating subsection (b) as subsection (c); and

(B) by inserting after subsection (a) the following:

''(b)(1) No United States citizen or lawful permanent resident who is apprehended in the United States may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an Act of Congress.

''(2) A general authorization to use military force, a declaration of war, or any similar authority, on its own, may not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

''(3) Paragraph (2) shall apply to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the Due Process Guarantee Act.

''(4) This section may not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.''.

SA 2004. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NORTH ATLANTIC TREATY ORGANIZATION COUNTRIES.

Section 8679 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''subsection (b)'' and inserting ''subsections (b) and (c)'';

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following new subsection (c):

''(c) CONSTRUCTION OF NAVAL VESSELS IN SHIPYARDS IN NATO COUNTRIES.—The Secretary of the Navy may construct a naval vessel in a foreign shipyard if—

''(1) the shipyard is located within the boundaries of a member country of the North Atlantic Treaty Organization; and

''(2) the cost of construction of such vessel in such shipyard will be less than the cost of construction of such vessel in a domestic shipyard.''.

SA 2005. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

Subtitle ____—MILITARY HUMANITARIAN OPERATIONS

SEC. _____. SHORT TITLE.

This subtitle may be cited as the ''Military Humanitarian Operations Act of 2020''.

SEC. _____. MILITARY HUMANITARIAN OPERATION DEFINED.

(a) IN GENERAL.—In this subtitle, the term ''military humanitarian operation'' means a military operation involving the deployment of members or weapons systems of the United States Armed Forces where hostile activities are reasonably anticipated and with the aim of preventing or responding to a humanitarian catastrophe, including its regional consequences, or addressing a threat posed to international peace and security. The term includes—

(1) operations undertaken pursuant to the principle of the ''responsibility to protect'' as referenced in United Nations Security Council Resolution 1674 (2006);

(2) operations specifically authorized by the United Nations Security Council, or other international organizations; and

(3) unilateral deployments and deployments made in coordination with international organizations, treaty-based organizations, or coalitions formed to address specific humanitarian catastrophes.

(b) OPERATIONS NOT INCLUDED.—The term ''military humanitarian operation'' does not mean a military operation undertaken for the following purposes:

(1) Responding to or repelling attacks, or preventing imminent attacks, on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(2) Direct acts of reprisal for attacks on the United States or any of its territorial possessions, embassies, or consulates, or members of the United States Armed Forces.

(3) Invoking the inherent right to individual or collective self-defense in accordance with Article 51 of the Charter of the United Nations.

(4) Military missions to rescue United States citizens or military or diplomatic personnel abroad.

(5) Humanitarian missions in response to natural disasters where no civil unrest or combat with hostile forces is reasonably anticipated, and where such operation is for not more than 30 days.

(6) Actions to maintain maritime freedom of navigation, including actions aimed at combating piracy.

(7) Training exercises conducted by the United States Armed Forces abroad where no combat with hostile forces is reasonably anticipated.

SEC. _____. REQUIREMENT FOR CONGRESSIONAL AUTHORIZATION.

The President may not deploy members of the United States Armed Forces into the territory, airspace, or waters of a foreign country for a military humanitarian operation not previously authorized by statute unless—

(1) the President submits to Congress a formal request for authorization to use members of the Armed Forces for the military humanitarian operation; and

(2) Congress enacts a specific authorization for such use of forces.

SEC. _____. SEVERABILITY.

If any provision of this subtitle is held to be unconstitutional, the remainder of the subtitle shall not be affected.

SA 2006. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. IMPROVED COORDINATION OF UNITED STATES SANCTIONS POLICY.

(a) OFFICE OF SANCTIONS COORDINATION OF THE DEPARTMENT OF STATE.—

(1) IN GENERAL.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following:

''(g) OFFICE OF SANCTIONS COORDINATION.—

''(1) IN GENERAL.—There is established, within the Department of State, an Office of Sanctions Coordination (in this subsection referred to as the 'Office').

''(2) HEAD.—The head of the Office shall—

''(A) have the rank and status of ambassador;

''(B) be appointed by the President, by and with the advice and consent of the Senate; and

''(C) report directly to the Secretary.

''(3) DUTIES.—The head of the Office shall—

''(A) exercise sanctions authorities delegated to the Secretary;

''(B) serve as the principal advisor to the senior management of the Department and the Secretary regarding the development and implementation of sanctions policy;

''(C) represent the United States in diplomatic engagement on sanctions matters;

''(D) consult and closely coordinate with allies and partners of the United States, including the United Kingdom, the European Union and member countries of the European Union, Canada, Australia, New Zealand, Japan, and South Korea, to ensure the maximum effectiveness of sanctions imposed by the United States and such allies and partners;

''(E) serve as the coordinator for the development and implementation of sanctions policy with respect to all activities, policies, and programs of all bureaus and offices of the Department relating to the development and implementation of sanctions policy; and

''(F) serve as the principal liaison of the Department to other Federal agencies involved in the development and implementation of sanctions policy.

''(4) DIRECT HIRE AUTHORITY.—The head of the Office may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, candidates directly to positions in the competitive service, as defined in section 2102 of that title, in the Office.''.

(2) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter until the date that is 2 years after such date of enactment, the Secretary of State shall brief the

appropriate congressional committees on the efforts of the Department of State to establish the Office of Sanctions Coordination pursuant to section 1(g) of the State Department Basic Authorities Act of 1956, as amended by paragraph (1), including a description of—

(A) measures taken to implement the requirements of that section and to establish the Office;

(B) actions taken by the Office to carry out the duties listed in paragraph (3) of that section;

(C) the resources devoted to the Office, including the number of employees working in the Office; and

(D) plans for the use of the direct hire authority provided under paragraph (4) of that section.

(b) COORDINATION WITH ALLIES AND PARTNERS OF THE UNITED STATES.—

(1) IN GENERAL.—The Secretary of State shall develop and implement mechanisms and programs, as appropriate, through the head of the Office of Sanctions Coordination established pursuant to section 1(g) of the State Department Basic Authorities Act of 1956, as amended by subsection (a)(1), to coordinate the development and implementation of United States sanctions policies with allies and partners of the United States, including the United Kingdom, the European Union and member countries of the European Union, Canada, Australia, New Zealand, Japan, and South Korea.

(2) INFORMATION SHARING.—The Secretary should pursue the development and implementation of mechanisms and programs under paragraph (1), as appropriate, that involve the sharing of information with respect to policy development and sanctions implementation.

(3) CAPACITY BUILDING.—The Secretary should pursue efforts, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, to assist allies and partners of the United States, including the countries specified in paragraph (1), as appropriate, in the development of their legal and technical capacities to develop and implement sanctions authorities.

(4) EXCHANGE PROGRAMS.—In furtherance of the efforts described in paragraph (3), the Secretary, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, may enter into agreements with counterpart agencies in foreign governments establishing exchange programs for the temporary detail of government employees to share information and expertise with respect to the development and implementation of sanctions authorities.

(5) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall brief the appropriate congressional committees on the efforts of the Department of State to implement this section, including a description of—

(A) measures taken to implement paragraph (1);

(B) actions taken pursuant to paragraphs (2) through (4);

(C) the extent of coordination between the United States and allies and partners of the United States, including the countries specified in paragraph (1), with respect to the development and implementation of sanctions policy; and

(D) obstacles preventing closer coordination between the United States and such allies and partners with respect to the development and implementation of sanctions policy.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that the President should appoint a coordinator for sanctions and national economic security issues within the framework of the National Security Council.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

SA 2007. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, add the following:

SEC. 894. APPLICABILITY OF REPORTING REQUIREMENT RELATED TO NOTIONAL MILESTONES AND STANDARD TIMELINES FOR FOREIGN MILITARY SALES.

Section 887 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115 –91; 22 U.S.C. 2761 note) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) APPLICABILITY.—The reporting requirements under this section apply only to foreign military sales processes within the Department of Defense.''.

SA 2008. Mr. RISCH (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 section 172, add the following:

(b) IMPOSITION OF CAATSA SECTION 231 SANCTIONS AGAINST TURKEY.—

(1) TREATMENT OF PURCHASE OF S-400 AIR AND MISSILE DEFENSE SYSTEM AS SANCTIONABLE TRANSACTION.—For the purposes of section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525), Turkey's acquisition of the S-400 air defense system from the Russian Federation beginning July 12, 2019, shall be considered to be a significant transaction described in that section.

(2) IMPOSITION OF SANCTIONS.—Not later than 30 days after the date of the enactment of this Act, the President shall, in accordance with section 231 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9525), impose 5 or more of the sanctions described in section 235 of that Act (22 U.S.C. 9529) with respect to each person that knowingly engaged in the acquisition of the S-400 air defense system from the Russian Federation referred to in paragraph (1).

SA 2009. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

On page 650, strike lines 7 through 13 and insert the following:

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

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

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

(C) the Committee on Armed Services of the House of Representatives; and

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

On page 653, between lines 7 and 8, insert the following:

(D) SECRETARY OF STATE CONCURRENCE.—

(i) IN GENERAL.—The vetting procedures established pursuant to subparagraph (A) shall require the vetting to be conducted with the concurrence of the Secretary of State, including subsequent vetting for admitted covered individuals who are being subjected to continuous review—

(I) to determine if their access should continue to be authorized; and

(II) to help inform whether visas should be revoked or the individuals should be removed.

(ii) STATE DEPARTMENT PROGRAMS.—If a foreign military student will be present on a base or installation while participating in a program under the jurisdiction of the Department of State, the vetting and continuous review required under subparagraph (A) of covered individuals associated with such programs shall be conducted with the concurrence of the Secretary of State.

(iii) CONTINUOUS REVIEW.—Continuous review under subparagraph (A)(ii) of all covered individuals initially admitted to, and present at, facilities described in clause (ii) for any programs under this section shall be conducted with the concurrence of the Secretary of State.

(iv) DEROGATORY INFORMATION.—The Secretary of State shall—

(I) review any derogatory information acquired after initial entry of covered individuals described in clause (iii) to assess whether such information constitutes a ground for visa revocation and removal; and

(II) after completing the review described in subclause (I), take immediate appropriate action if the Secretary determines that visa revocation and removal is warranted.

SA 2010. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. DEFINITION OF CRITICAL TECHNOLOGIES FOR PURPOSES OF REVIEWS BY THE COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

Section 721(a)(6)(A)(vi) of the Defense Production Act of 1950 (50 U.S.C. 4565(a)(6)(A)(vi)) is amended—

(1) by striking ''technologies controlled'' and inserting the following: ''technologies—

''(I) controlled'';

(2) by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(II) identified by not fewer than 2 members of the Committee as essential to the national security of the United States.''.

SA 2011. Mr. PAUL (for himself and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1216. WITHDRAWAL OF UNITED STATES ARMED FORCES FROM AFGHANISTAN.

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

(1) The Joint Resolution to authorize the use of United States Armed Forces against those responsible for the attacks launched against the United States (Public Law 107–40) states, ''That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001''.

(2) Since 2001, more than 3,002,635 men and women of the United States Armed Forces have deployed in support of the Global War on Terrorism, with more than 1,400,000 of them deploying more than once, and these Americans who volunteered in a time of war have served their country honorably and with distinction.

(3) In November 2009 there were fewer than 100 Al-Qaeda members remaining in Afghanistan.

(4) On May 2, 2011, Osama Bin Laden, the founder of Al-Qaeda, was killed by United States Armed Forces in Pakistan.

(5) United States Armed Forces have successfully routed Al-Qaeda from the battlefield in Afghanistan, thus fulfilling the original intent of Public Law 107–40 and the justification for the invasion of Afghanistan, but public support for United States continued presence in Afghanistan has waned in recent years.

(6) An October 2018 poll found that 57 percent of Americans, including 69 percent of United States veterans, believe that all United States troops should be removed from Afghanistan.

(7) In June 2018, the Department of Defense reported, ''The al-Qa'ida threat to the United States and its allies and partners has decreased and the few remaining al-Qa'ida core members are focused on their own survival''.

(b) PLAN REQUIRED.—Not later than 45 days after the date of the enactment of this Act, the Secretary of Defense, or designee, in cooperation with the heads of all other relevant Federal agencies involved in the conflict in Afghanistan shall—

(1)(A) formulate a plan for the orderly drawdown and withdrawal of all soldiers, sailors, airmen, and Marines from Afghanistan who were involved in operations intended to provide security to the people of Afghanistan, including policing action, or military actions against paramilitary organizations inside Afghanistan, excluding members of the military assigned to support United States embassies or consulates, or intelligence operations authorized by Congress; and

(B) appear before the relevant congressional committees to explain the proposed implementation of the plan formulated under subparagraph (A); and

(2)(A) formulate a framework for political reconciliation and popular democratic elections independent of United States involvement in Afghanistan, which may be used by the Government of Afghanistan to ensure that any political party that meets the requirements under Article 35 of the Constitution of Afghanistan is permitted to participate in general elections; and

(B) appear before the relevant congressional committees to explain the proposed implementation of the framework formulated under subparagraph (A).

(c) REMOVAL AND BONUSES.—Not later than 1 year after the date of the enactment of this Act—

(1) all United States Armed Forces in Afghanistan as of such date of enactment shall be withdrawn and removed from Afghanistan; and

(2) the Secretary of Defense shall provide all members of the United States Armed Forces who were deployed in support of the Global War on Terror with a $2,500 bonus to recognize that these Americans have served in the Global War On Terrorism exclusively on a volunteer basis and to demonstrate the heartfelt gratitude of our Nation.

(d) REPEAL OF AUTHORIZATION FOR USE OF MILITARY FORCE.—The Authorization for Use of Military Force (Public Law 107–40) is repealed effective on the earlier of—

(1) the date that is 395 days after the date of the enactment of this Act: or

(2) the date on which the Secretary of Defense certifies that all United States Armed Forces involved in operations or military actions in Afghanistan (as described in subsection (b)(1)(A)) have departed from Afghanistan.

SA 2012. Ms. MURKOWSKI (for herself, Mr. BOOKER, Mr. TILLIS, Mr. MANCHIN, Mr. JONES, Ms. MCSALLY, Mrs. BLACKBURN, Mrs. HYDE-SMITH, Mr. RISCH, Mr. CRAPO, Mr. WHITEHOUSE, Mr. COONS, Mr. PORTMAN, Mr. CRAMER, Mr. CARDIN, and Ms. DUCKWORTH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____—NUCLEAR ENERGY LEADERSHIP

SEC. ___01. ADVANCED NUCLEAR REACTOR RESEARCH AND DEVELOPMENT GOALS.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following:

''SEC. 959A. ADVANCED NUCLEAR REACTOR RESEARCH AND DEVELOPMENT GOALS.

''(a) DEFINITIONS.—In this section:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

''(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to the most recent generation of fission reactors, including improvements such as—

''(i) additional inherent safety features;

''(ii) lower waste yields;

''(iii) improved fuel performance;

''(iv) increased tolerance to loss of fuel cooling;

''(v) enhanced reliability;

''(vi) increased proliferation resistance;

''(vii) increased thermal efficiency;

''(viii) reduced consumption of cooling water;

''(ix) the ability to integrate into electric applications and nonelectric applications;

''(x) modular sizes to allow for deployment that corresponds with the demand for electricity; or

''(xi) operational flexibility to respond to changes in demand for electricity and to complement integration with intermittent renewable energy; and

''(B) a fusion reactor.

''(2) DEMONSTRATION PROJECT.—The term 'demonstration project' means an advanced nuclear reactor operated in any manner, including as part of the power generation facilities of an electric utility system, for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor.

''(b) PURPOSE.—The purpose of this section is to direct the Secretary, as soon as practicable after the date of enactment of this section, to advance the research and development of domestic advanced, affordable, and clean nuclear energy by—

''(1) demonstrating different advanced nuclear reactor technologies that could be used by the private sector to produce—

''(A) emission-free power at a levelized cost of electricity of $60 per megawatt-hour or less;

''(B) heat for community heating, industrial purposes, or synthetic fuel production;

''(C) remote or off-grid energy supply; or

''(D) backup or mission-critical power supplies;

''(2) developing subgoals for nuclear energy research programs that would accomplish the goals of the demonstration projects carried out under subsection (c);

''(3) identifying research areas that the private sector is unable or unwilling to undertake due to the cost of, or risks associated with, the research; and

''(4) facilitating the access of the private sector—

''(A) to Federal research facilities and personnel; and

''(B) to the results of research relating to civil nuclear technology funded by the Federal Government.

''(c) DEMONSTRATION PROJECTS.—

''(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable—

''(A) enter into agreements to complete not fewer than 2 demonstration projects by not later than December 31, 2025; and

''(B) establish a program to enter into agreements to complete 1 additional operational demonstration project by not later than December 31, 2035.

''(2) REQUIREMENTS.—In carrying out demonstration projects under paragraph (1), the Secretary shall—

''(A) include diversity in designs for the advanced nuclear reactors demonstrated under this section, including designs using various—

''(i) primary coolants;

''(ii) fuel types and compositions; and

''(iii) neutron spectra;

''(B) seek to ensure that—

''(i) the long-term cost of electricity or heat for each design to be demonstrated under this subsection is cost-competitive in the applicable market;

''(ii) the selected projects can meet the deadline established in paragraph (1) to demonstrate first-of-a-kind advanced nuclear reactor technologies, for which additional information shall be considered, including—

''(I) the technology readiness level of a proposed advanced nuclear reactor technology;

''(II) the technical abilities and qualifications of teams desiring to demonstrate a proposed advanced nuclear reactor technology; and

''(III) the capacity to meet cost-share requirements of the Department;

''(C) ensure that each evaluation of candidate technologies for the demonstration projects is completed through an external review of proposed designs, which review shall—

''(i) be conducted by a panel that includes not fewer than 1 representative of each of—

''(I) an electric utility; and

''(II) an entity that uses high-temperature process heat for manufacturing or industrial processing, such as a petrochemical company, a manufacturer of metals, or a manufacturer of concrete;

''(ii) include a review of cost-competitiveness and other value streams, together with the technology readiness level, of each design to be demonstrated under this subsection; and

''(iii) not be required for a demonstration project that receives no financial assistance from the Department for construction costs;

''(D) for federally funded demonstration projects, enter into cost-sharing agreements with private sector partners in accordance with section 988 for the conduct of activities relating to the research, development, and demonstration of private-sector advanced nuclear reactor designs under the program;

''(E) work with private sector partners to identify potential sites, including Department-owned sites, for demonstrations, as appropriate;

''(F) align specific activities carried out under demonstration projects carried out under this subsection with priorities identified through direct consultations between—

''(i) the Department;

''(ii) National Laboratories;

''(iii) institutions of higher education;

''(iv) traditional end-users (such as electric utilities);

''(v) potential end-users of new technologies (such as users of high-temperature process heat for manufacturing processing, including petrochemical companies, manufacturers of metals, or manufacturers of concrete); and

''(vi) developers of advanced nuclear reactor technology; and

''(G) seek to ensure that the demonstration projects carried out under paragraph (1) do not cause any delay in a deployment of an advanced reactor by private industry and the Department that is underway as of the date of enactment of this section.

''(3) ADDITIONAL REQUIREMENTS.—In carrying out demonstration projects under paragraph (1), the Secretary shall—

''(A) identify candidate technologies that—

''(i) are not developed sufficiently for demonstration within the initial required timeframe described in paragraph (1)(A); but

''(ii) could be demonstrated within the timeframe described in paragraph (1)(B);

''(B) identify technical challenges to the candidate technologies identified in subparagraph (A);

''(C) support near-term research and development to address the highest-risk technical challenges to the successful demonstration of a selected advanced reactor technology, in accordance with—

''(i) subparagraph (B); and

''(ii) the research and development activities under sections 952 and 958;

''(D) establish such technology advisory working groups as the Secretary determines to be appropriate to advise the Secretary regarding the technical challenges identified under subparagraph (B) and the scope of research and development programs to address the challenges, in accordance with subparagraph (C), to be comprised of—

''(i) private-sector advanced nuclear reactor technology developers;

''(ii) technical experts with respect to the relevant technologies at institutions of higher education; and

''(iii) technical experts at the National Laboratories.

''(d) GOALS.—

''(1) IN GENERAL.—The Secretary shall establish goals for research relating to advanced nuclear reactors facilitated by the Department that support the objectives of the program for demonstration projects established under subsection (c).

''(2) COORDINATION.—In developing the goals under paragraph (1), the Secretary shall coordinate, on an ongoing basis, with members of private industry to advance the demonstration of various designs of advanced nuclear reactors.

''(3) REQUIREMENTS.—In developing the goals under paragraph (1), the Secretary shall ensure that—

''(A) research activities facilitated by the Department to meet the goals developed under this subsection are focused on key areas of nuclear research and deployment ranging from basic science to full-design development, safety evaluation, and licensing;

''(B) research programs designed to meet the goals emphasize—

''(i) resolving materials challenges relating to extreme environments, including extremely high levels of—

''(I) radiation fluence;

''(II) temperature;

''(III) pressure; and

''(IV) corrosion; and

''(ii) qualification of advanced fuels;

''(C) activities are carried out that address near-term challenges in modeling and simulation to enable accelerated design and licensing;

''(D) related technologies, such as technologies to manage, reduce, or reuse nuclear waste, are developed;

''(E) nuclear research infrastructure is maintained or constructed, such as—

''(i) currently operational research reactors at the National Laboratories and institutions of higher education;

''(ii) hot cell research facilities;

''(iii) a versatile fast neutron source; and

''(iv) a molten salt testing facility;

''(F) basic knowledge of non-light water coolant physics and chemistry is improved;

''(G) advanced sensors and control systems are developed; and

''(H) advanced manufacturing and advanced construction techniques and materials are investigated to reduce the cost of advanced nuclear reactors.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) is amended—

(1) in the item relating to section 917, by striking ''Efficiency'';

(2) in the items relating to each of sections 957, 958, and 959 by inserting ''Sec.'' before the item number; and

(3) by inserting after the item relating to section 959 the following:

''Sec. 959A. Advanced nuclear reactor research and development goals.''.

SEC. ___02. NUCLEAR ENERGY STRATEGIC PLAN.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by ⟦section ___01(a)⟧) is amended by adding at the end the following:

''SEC. 959B. NUCLEAR ENERGY STRATEGIC PLAN.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives a 10-year strategic plan for the Office of Nuclear Energy of the Department, in accordance with this section.

''(b) REQUIREMENTS.—

''(1) COMPONENTS.—The strategic plan under this section shall designate—

''(A) programs that support the planned accomplishment of—

''(i) the goals established under section 959A; and

''(ii) the demonstration programs identified under subsection (c) of that section; and

''(B) programs that—

''(i) do not support the planned accomplishment of demonstration programs, or the goals, referred to in subparagraph (A); but

''(ii) are important to the mission of the Office of Nuclear Energy, as determined by the Secretary.

''(2) PROGRAM PLANNING.—In developing the strategic plan under this section, the Secretary shall specify expected timelines for, as applicable—

''(A) the accomplishment of relevant objectives under current programs of the Department; or

''(B) the commencement of new programs to accomplish those objectives.

''(c) UPDATES.—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives an updated 10-year strategic plan in accordance with subsection (b), which shall identify, and provide a justification for, any major deviation from a previous strategic plan submitted under this section.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) (as amended by ⟦section ___01(b)(3)⟧) is amended by inserting after the item relating to section 959A the following:

''Sec. 959B. Nuclear energy strategic plan.''.

SEC. ___03. VERSATILE, REACTOR-BASED FAST NEUTRON SOURCE.

Section 955(c)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16275(c)(1)) is amended—

(1) in the paragraph heading, by striking ''MISSION NEED'' and inserting ''AUTHORIZATION''; and

(2) in subparagraph (A), by striking ''determine the mission need'' and inserting ''provide''.

SEC. ___04. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by ⟦section ___02(a)⟧) is amended by adding at the end the following:

''SEC. 960. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) HALEU TRANSPORTATION PACKAGE.—The term 'HALEU transportation package' means a transportation package that is suitable for transporting high-assay, low-enriched uranium.

''(2) HIGH-ASSAY, LOW-ENRICHED URANIUM.—The term 'high-assay, low-enriched uranium' means uranium with an assay greater than 5 weight percent, but less than 20 weight percent, of the uranium-235 isotope.

''(3) HIGH-ENRICHED URANIUM.—The term 'high-enriched uranium' means uranium with an assay of 20 weight percent or more of the uranium-235 isotope.

''(b) HIGH-ASSAY, LOW-ENRICHED URANIUM PROGRAM FOR ADVANCED REACTORS.—

''(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Secretary shall establish a program to make available high-assay, low-enriched uranium, through contracts for sale, resale, transfer, or lease, for use in commercial or noncommercial advanced nuclear reactors.

''(2) NUCLEAR FUEL OWNERSHIP.—Each lease under this subsection shall include a provision establishing that the high-assay, low-enriched uranium that is the subject of the lease shall remain the property of the Department, including with respect to responsibility for the storage, use, or final disposition of all radioactive waste created by the irradiation, processing, or purification of any leased high-assay, low-enriched uranium.

''(3) QUANTITY.—In carrying out the program under this subsection, the Secretary shall make available—

''(A) by December 31, 2022, high-assay, low-enriched uranium containing not less than 2 metric tons of the uranium-235 isotope; and

''(B) by December 31, 2025, high-assay, low-enriched uranium containing not less than 10 metric tons of the uranium-235 isotope (as determined including the quantities of the uranium-235 isotope made available before December 31, 2022).

''(4) FACTORS FOR CONSIDERATION.—In carrying out the program under this subsection, the Secretary shall take into consideration—

''(A) options for providing the high-assay, low-enriched uranium under this subsection from a stockpile of uranium owned by the Department (including the National Nuclear Security Administration), including—

''(i) fuel that—

''(I) directly meets the needs of an end-user; but

''(II) has been previously used or fabricated for another purpose;

''(ii) fuel that can meet the needs of an end-user after removing radioactive or other contaminants that resulted from a previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department (including activities of the National Nuclear Security Administration); and

''(iii) fuel from a high-enriched uranium stockpile, which can be blended with lower-assay uranium to become high-assay, low-enriched uranium to meet the needs of an end-user; and

''(B) requirements to support molybdenum-99 production under the American Medical Isotopes Production Act of 2012 (Public Law 112–239; 126 Stat. 2211).

''(5) LIMITATIONS.—

''(A) FINAL DISPOSITION OF RADIOACTIVE WASTE.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to the final disposition of radioactive waste from uranium that is the subject of a lease under this subsection.

''(B) NATIONAL SECURITY NEEDS.—The Secretary shall only make available from Department stockpiles under this subsection high-assay, low-enriched uranium that is not needed for national security.

''(6) SUNSET.—The program under this subsection shall terminate on the earlier of—

''(A) January 1, 2035; and

''(B) the date on which uranium enriched up to, but not equal to, 20 weight percent can be obtained in the commercial market from domestic suppliers.

''(c) REPORT.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report that describes actions proposed to be carried out by the Secretary—

''(A) under the program under subsection (b); or

''(B) otherwise to enable the commercial use of high-assay, low-enriched uranium.

''(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report under this subsection, the Secretary shall seek input from—

''(A) the Nuclear Regulatory Commission;

''(B) the National Laboratories;

''(C) institutions of higher education;

''(D) producers of medical isotopes;

''(E) a diverse group of entities operating in the nuclear energy industry; and

''(F) a diverse group of technology developers.

''(3) COST AND SCHEDULE ESTIMATES.—The report under this subsection shall include estimated costs, budgets, and timeframes for enabling the use of high-assay, low-enriched uranium.

''(4) REQUIRED EVALUATIONS.—The report under this subsection shall evaluate—

''(A) the costs and actions required to establish and carry out the program under subsection (b), including with respect to—

''(i) proposed preliminary terms for the sale, resale, transfer, and leasing of high-assay, low-enriched uranium (including guidelines defining the roles and responsibilities between the Department and the purchaser, transfer recipient, or lessee); and

''(ii) the potential to coordinate with purchasers, transfer recipients, and lessees regarding—

''(I) fuel fabrication; and

''(II) fuel transport;

''(B) the potential sources and fuel forms available to provide uranium for the program under subsection (b);

''(C) options to coordinate the program under subsection (b) with the operation of the versatile reactor-based fast neutron source under section 955(c)(1);

''(D) the ability of the domestic uranium market to provide materials for advanced nuclear reactor fuel; and

''(E) any associated legal, regulatory, and policy issues that should be addressed to enable—

''(i) the program under subsection (b); and

''(ii) the establishment of a domestic industry capable of providing high-assay, low-enriched uranium for commercial and noncommercial purposes, including with respect to the needs of—

''(I) the Department;

''(II) the Department of Defense; and

''(III) the National Nuclear Security Administration.

''(d) HALEU TRANSPORTATION PACKAGE RESEARCH PROGRAM.—

''(1) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall establish a research, development, and demonstration program under which the Secretary shall provide financial assistance, on a competitive basis, to establish the capability to transport high-assay, low-enriched uranium.

''(2) REQUIREMENT.—The focus of the program under this subsection shall be to establish 1 or more HALEU transportation packages that can be certified by the Nuclear Regulatory Commission to transport high-assay, low-enriched uranium to the various facilities involved in producing or using nuclear fuel containing high-assay, low-enriched uranium, such as—

''(A) enrichment facilities;

''(B) fuel processing facilities;

''(C) fuel fabrication facilities; and

''(D) nuclear reactors.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) (as amended by [section ___02(b)]) is amended by inserting after the item relating to section 959B the following:

''Sec. 960. Advanced nuclear fuel security program.''.

SEC. ___05. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.

Section 313 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (42 U.S.C. 16274a) is amended to read as follows:

''SEC. 313. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

''(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to the most recent generation of fission reactors, including improvements such as—

''(i) additional inherent safety features;

''(ii) lower waste yields;

''(iii) improved fuel performance;

''(iv) increased tolerance to loss of fuel cooling;

''(v) enhanced reliability;

''(vi) increased proliferation resistance;

''(vii) increased thermal efficiency;

''(viii) reduced consumption of cooling water;

''(ix) the ability to integrate into electric applications and nonelectric applications;

''(x) modular sizes to allow for deployment that corresponds with the demand for electricity; or

''(xi) operational flexibility to respond to changes in demand for electricity and to complement integration with intermittent renewable energy; and

''(B) a fusion reactor.

''(2) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

''(3) PROGRAM.—The term 'Program' means the University Nuclear Leadership Program established under subsection (b).

''(b) ESTABLISHMENT.—The Secretary of Energy, the Administrator of the National Nuclear Security Administration, and the Chairman of the Nuclear Regulatory Commission shall jointly establish a program, to be known as the 'University Nuclear Leadership Program'.

''(c) USE OF FUNDS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), amounts made available to carry out the Program shall be used to provide financial assistance for scholarships, fellowships, and research and development projects at institutions of higher education in areas relevant to the programmatic mission of the applicable Federal agency, with an emphasis on providing the financial assistance with respect to research, development, demonstration, and deployment activities for technologies relevant to advanced nuclear reactors, including relevant fuel cycle technologies.

''(2) EXCEPTION.—Notwithstanding paragraph (1), amounts made available to carry out the Program may be used to provide financial assistance for a scholarship, fellowship, or multiyear research and development

project that does not align directly with a programmatic mission of the applicable Federal agency providing the financial assistance, if the activity for which assistance is provided would facilitate the maintenance of the discipline of nuclear science or engineering.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the Program for fiscal year 2021 and each fiscal year thereafter—

''(1) $30,000,000 to the Secretary of Energy; and

''(2) $15,000,000 to the Nuclear Regulatory Commission.''.

SEC. ___06. ADJUSTING STRATEGIC PETROLEUM RESERVE MANDATED DRAWDOWNS.

(a) BIPARTISAN BUDGET ACT OF 2015.—Section 403(a) of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241 note; Public Law 114–74) is amended—

(1) by striking paragraph (6);

(2) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively; and

(3) in paragraph (7) (as so redesignated), by striking ''10,000,000'' and inserting ''20,000,000''.

(b) FIXING AMERICA'S SURFACE TRANSPORTATION ACT.—Section 32204(a)(1) of the FAST Act (42 U.S.C. 6241 note; Public Law 114–94) is amended—

(1) in subparagraph (B)—

(A) by striking ''16,000,000'' and inserting ''11,000,000''; and

(B) by striking ''2023'' and inserting ''2022''; and

(2) in subparagraph (C), by striking ''25,000,000'' and inserting ''30,000,000''.

(c) AMERICA'S WATER INFRASTRUCTURE ACT OF 2018.—Section 3009(a)(1) of America's Water Infrastructure Act of 2018 (42 U.S.C. 6241 note; Public Law 115–270) is amended by striking ''2028'' and inserting ''2030.''

(d) BIPARTISAN BUDGET ACT OF 2018.—Section 30204(a)(1) of the Bipartisan Budget Act of 2018 (42 U.S.C. 6241 note; Public Law 115–123) is amended by striking subparagraphs (A) through (C) and inserting the following:

''(A) 7,500,000 barrels of crude oil during fiscal year 2022;

''(B) 7,500,000 barrels of crude oil during fiscal year 2024;

''(C) 15,000,000 barrels of crude oil during fiscal year 2025;

''(D) 30,000,000 barrels of crude oil during fiscal year 2029; and

''(E) 40,000,000 barrels of crude oil during fiscal year 2030.''.

(e) RECONCILIATION ON THE BUDGET FOR 2018.—Section 20003(a)(1) of Public Law 115–97 (42 U.S.C. 6241 note) is amended by striking ''the period of fiscal years 2026 through 2027'' and inserting ''fiscal year 2030''.

SA 2013. Ms. MURKOWSKI (for herself, Mr. SULLIVAN, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

On page 454, line 12, strike ''Synthetic'' and insert ''Natural or synthetic''.

SA 2014. Ms. MURKOWSKI (for herself, Mr. MANCHIN, Mr. RISCH, Ms. MCSALLY, and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title XXXI, add the following:

SEC. 3168. MINERAL SECURITY.

(a) DEFINITIONS.—In this section:

(1) BYPRODUCT.—The term ''byproduct'' means a critical mineral—

(A) the recovery of which depends on the production of a host mineral that is not designated as a critical mineral; and

(B) that exists in sufficient quantities to be recovered during processing or refining.

(2) CRITICAL MINERAL.—

(A) IN GENERAL.—The term ''critical mineral'' means any mineral, element, substance, or material designated as critical by the Secretary under subsection (c).

(B) EXCLUSIONS.—The term ''critical mineral'' does not include—

(i) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(ii) water, ice, or snow.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands; and

(G) the United States Virgin Islands.

(b) POLICY.—

(1) IN GENERAL.—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended in the second sentence—

(A) by striking paragraph (3) and inserting the following:

''(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts;'';

(B) in paragraph (6), by striking ''and'' after the semicolon at the end; and

(C) by striking paragraph (7) and inserting the following:

''(7) facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs;

''(8) avoid duplication of effort, prevent unnecessary paperwork, and minimize delays in the administration of applicable laws (including regulations) and the issuance of permits and authorizations necessary to explore for, develop, and produce critical minerals and to construct critical mineral manufacturing facilities in accordance with applicable environmental and land management laws;

''(9) strengthen—

''(A) educational and research capabilities at not lower than the secondary school level; and

''(B) workforce training for exploration and development of critical minerals and critical mineral manufacturing;

''(10) bolster international cooperation through technology transfer, information sharing, and other means;

''(11) promote the efficient production, use, and recycling of critical minerals;

''(12) develop alternatives to critical minerals; and

''(13) establish contingencies for the production of, or access to, critical minerals for which viable sources do not exist within the United States.''.

(2) CONFORMING AMENDMENT.—Section 2(b) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601(b)) is amended by striking ''(b) As used in this Act, the term'' and inserting the following:

''(b) DEFINITIONS.—In this Act:

''(1) CRITICAL MINERAL.—The term 'critical mineral' means any mineral, element, substance, or material designated as critical by the Secretary under section 3168(c) of the National Defense Authorization Act for Fiscal Year 2021.

''(2) MATERIALS.—The term''.

(c) CRITICAL MINERAL DESIGNATIONS.—

(1) DRAFT METHODOLOGY AND LIST.—The Secretary, acting through the Director of the United States Geological Survey (referred to in this subsection as the ''Secretary''), shall publish in the Federal Register for public comment—

(A) a description of the draft methodology used to identify a draft list of critical minerals;

(B) a draft list of minerals, elements, substances, and materials that qualify as critical minerals; and

(C) a draft list of critical minerals recovered as byproducts.

(2) AVAILABILITY OF DATA.—If available data is insufficient to provide a quantitative basis for the methodology developed under this subsection, qualitative evidence may be used to the extent necessary.

(3) FINAL METHODOLOGY AND LIST.—After reviewing public comments on the draft methodology and the draft lists published under paragraph (1) and updating the methodology and lists as appropriate, not later than 45 days after the date on which the public comment period with respect to the draft methodology and draft lists closes, the Secretary shall publish in the Federal Register—

(A) a description of the final methodology for determining which minerals, elements, substances, and materials qualify as critical minerals;

(B) the final list of critical minerals; and

(C) the final list of critical minerals recovered as byproducts.

(4) DESIGNATIONS.—

(A) IN GENERAL.—For purposes of carrying out this subsection, the Secretary shall maintain a list of minerals, elements, substances, and materials designated as critical, pursuant to the final methodology published under paragraph (3), that the Secretary determines—

(i) are essential to the economic or national security of the United States;

(ii) the supply chain of which is vulnerable to disruption (including restrictions associated with foreign political risk, abrupt demand growth, military conflict, violent unrest, anti-competitive or protectionist behaviors, and other risks throughout the supply chain); and

(iii) serve an essential function in the manufacturing of a product (including energy technology-, defense-, currency-, agriculture-, consumer electronics-, and health care-related applications), the absence of which would have significant consequences for the economic or national security of the United States.

(B) INCLUSIONS.—Notwithstanding the criteria under paragraph (3), the Secretary may

designate and include on the list any mineral, element, substance, or material determined by another Federal agency to be strategic and critical to the defense or national security of the United States.

(C) REQUIRED CONSULTATION.—The Secretary shall consult with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative in designating minerals, elements, substances, and materials as critical under this paragraph.

(5) SUBSEQUENT REVIEW.—

(A) IN GENERAL.—The Secretary, in consultation with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative, shall review the methodology and list under paragraph (3) and the designations under paragraph (4) at least every 3 years, or more frequently as the Secretary considers to be appropriate.

(B) REVISIONS.—Subject to paragraph (4)(A), the Secretary may—

(i) revise the methodology described in this subsection;

(ii) determine that minerals, elements, substances, and materials previously determined to be critical minerals are no longer critical minerals; and

(iii) designate additional minerals, elements, substances, or materials as critical minerals.

(6) NOTICE.—On finalization of the methodology and the list under paragraph (3), or any revision to the methodology or list under paragraph (5), the Secretary shall submit to Congress written notice of the action.

(d) RESOURCE ASSESSMENT.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, in consultation with applicable State (including geological surveys), local, academic, industry, and other entities, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, shall complete a comprehensive national assessment of each critical mineral that—

(A) identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories; and

(B) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories.

(2) SUPPLEMENTARY INFORMATION.—In carrying out this subsection, the Secretary may carry out surveys and field work (including drilling, remote sensing, geophysical surveys, topographical and geological mapping, and geochemical sampling and analysis) to supplement existing information and datasets available for determining the existence of critical minerals in the United States.

(3) PUBLIC ACCESS.—Subject to applicable law, to the maximum extent practicable, the Secretary shall make all data and metadata collected from the comprehensive national assessment carried out under paragraph (1) publically and electronically accessible.

(4) TECHNICAL ASSISTANCE.—At the request of the Governor of a State or the head of an Indian tribe, the Secretary may provide technical assistance to State governments and Indian tribes conducting critical mineral resource assessments on non-Federal land.

(5) PRIORITIZATION.—

(A) IN GENERAL.—The Secretary may sequence the completion of resource assessments for each critical mineral such that critical minerals considered to be most critical under the methodology established under subsection (c) are completed first.

(B) REPORTING.—During the period beginning not later than 1 year after the date of enactment of this Act and ending on the date of completion of all of the assessments required under this subsection, the Secretary shall submit to Congress on an annual basis an interim report that—

(i) identifies the sequence and schedule for completion of the assessments if the Secretary sequences the assessments; or

(ii) describes the progress of the assessments if the Secretary does not sequence the assessments.

(6) UPDATES.—The Secretary may periodically update the assessments conducted under this subsection based on—

(A) the generation of new information or datasets by the Federal Government; or

(B) the receipt of new information or datasets from critical mineral producers, State geological surveys, academic institutions, trade associations, or other persons.

(7) ADDITIONAL SURVEYS.—The Secretary shall complete a resource assessment for each additional mineral or element subsequently designated as a critical mineral under subsection (c)(5)(B) not later than 2 years after the designation of the mineral or element.

(8) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the status of geological surveying of Federal land for any mineral commodity—

(A) for which the United States was dependent on a foreign country for more than 25 percent of the United States supply, as depicted in the report issued by the United States Geological Survey entitled ''Mineral Commodity Summaries 2020''; but

(B) that is not designated as a critical mineral under subsection (c).

(e) PERMITTING.—

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

(A) critical minerals are fundamental to the economy, competitiveness, and security of the United States;

(B) to the maximum extent practicable, the critical mineral needs of the United States should be satisfied by minerals responsibly produced and recycled in the United States; and

(C) the Federal permitting process has been identified as an impediment to mineral production and the mineral security of the United States.

(2) PERFORMANCE IMPROVEMENTS.—To improve the quality and timeliness of decisions, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) (referred to in this subsection as the ''Secretaries'') shall, to the maximum extent practicable, with respect to critical mineral production on Federal land, complete Federal permitting and review processes with maximum efficiency and effectiveness, while supporting vital economic growth, by—

(A) establishing and adhering to timelines and schedules for the consideration of, and final decisions regarding, applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on Federal land;

(B) establishing clear, quantifiable, and temporal permitting performance goals and tracking progress against those goals;

(C) engaging in early collaboration among agencies, project sponsors, and affected stakeholders—

(i) to incorporate and address the interests of those parties; and

(ii) to minimize delays;

(D) ensuring transparency and accountability by using cost-effective information technology to collect and disseminate information regarding individual projects and agency performance;

(E) engaging in early and active consultation with State, local, and Indian tribal governments to avoid conflicts or duplication of effort, resolve concerns, and allow for concurrent, rather than sequential, reviews;

(F) providing demonstrable improvements in the performance of Federal permitting and review processes, including lower costs and more timely decisions;

(G) expanding and institutionalizing permitting and review process improvements that have proven effective;

(H) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national, regional, State, and local levels; and

(I) developing other practices, such as preapplication procedures.

(3) REVIEW AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to Congress a report that—

(A) identifies additional measures (including regulatory and legislative proposals, as appropriate) that would increase the timeliness of permitting activities for the exploration and development of domestic critical minerals;

(B) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities and personnel responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land;

(C) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the executive branch, such as judicial review, applicant decisions, or State and local government involvement) associated with the development and processing of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metric under paragraph (4); and

(D) describes actions carried out pursuant to paragraph (2).

(4) PERFORMANCE METRIC.—Not later than 90 days after the date of submission of the report under paragraph (3), the Secretaries, after providing public notice and an opportunity to comment, shall develop and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.

(5) ANNUAL REPORTS.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, after publication of the performance metric required under paragraph (4), and annually thereafter, the Secretaries shall submit to Congress a report that—

(A) summarizes the implementation of recommendations, measures, and options identified in subparagraphs (A) and (B) of paragraph (3);

(B) using the performance metric under paragraph (4), describes progress made by the executive branch, as compared to the baseline established pursuant to paragraph (3)(C), on expediting the permitting of activities that will increase exploration for, and development of, domestic critical minerals; and

(C) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

(6) INDIVIDUAL PROJECTS.—Using data from the Secretaries generated under paragraph (5), the Director of the Office of Management and Budget shall prioritize inclusion of individual critical mineral projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(7) REPORT OF SMALL BUSINESS ADMINISTRATION.—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the applicable committees of Congress a report that assesses the performance of Federal agencies with respect to—

(A) complying with chapter 6 of title 5, United States Code (commonly known as the ''Regulatory Flexibility Act''), in promulgating regulations applicable to the critical minerals industry; and

(B) performing an analysis of regulations applicable to the critical minerals industry that may be outmoded, inefficient, duplicative, or excessively burdensome.

(f) FEDERAL REGISTER PROCESS.—

(1) DEPARTMENTAL REVIEW.—Absent any extraordinary circumstance, and except as otherwise required by law, the Secretary and the Secretary of Agriculture shall ensure that each Federal Register notice described in paragraph (2) shall be—

(A) subject to any required reviews within the Department of the Interior or the Department of Agriculture; and

(B) published in final form in the Federal Register not later than 45 days after the date of initial preparation of the notice.

(2) PREPARATION.—The preparation of Federal Register notices required by law associated with the issuance of a critical mineral exploration or mine permit shall be delegated to the organizational level within the agency responsible for issuing the critical mineral exploration or mine permit.

(3) TRANSMISSION.—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(A) the documents or meetings are held; or

(B) the activity is initiated.

(g) RECYCLING, EFFICIENCY, AND ALTERNATIVES.—

(1) ESTABLISHMENT.—The Secretary of Energy (referred to in this subsection as the ''Secretary'') shall conduct a program of research and development—

(A) to promote the efficient production, use, and recycling of critical minerals throughout the supply chain; and

(B) to develop alternatives to critical minerals that do not occur in significant abundance in the United States.

(2) COOPERATION.—In carrying out the program, the Secretary shall cooperate with appropriate—

(A) Federal agencies and National Laboratories;

(B) critical mineral producers;

(C) critical mineral processors;

(D) critical mineral manufacturers;

(E) trade associations;

(F) academic institutions;

(G) small businesses; and

(H) other relevant entities or individuals.

(3) ACTIVITIES.—Under the program, the Secretary shall carry out activities that include the identification and development of—

(A) advanced critical mineral extraction, production, separation, alloying, or processing technologies that decrease the energy consumption, environmental impact, and costs of those activities, including—

(i) efficient water and wastewater management strategies;

(ii) technologies and management strategies to control the environmental impacts of radionuclides in ore tailings;

(iii) technologies for separation and processing; and

(iv) technologies for increasing the recovery rates of byproducts from host metal ores;

(B) technologies or process improvements that minimize the use, or lead to more efficient use, of critical minerals across the full supply chain;

(C) technologies, process improvements, or design optimizations that facilitate the recycling of critical minerals, and options for improving the rates of collection of products and scrap containing critical minerals from post-consumer, industrial, or other waste streams;

(D) commercial markets, advanced storage methods, energy applications, and other beneficial uses of critical minerals processing byproducts;

(E) alternative minerals, metals, and materials, particularly those available in abundance within the United States and not subject to potential supply restrictions, that lessen the need for critical minerals; and

(F) alternative energy technologies or alternative designs of existing energy technologies, particularly those that use minerals that—

(i) occur in abundance in the United States; and

(ii) are not subject to potential supply restrictions.

(4) REPORTS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report summarizing the activities, findings, and progress of the program.

(h) ANALYSIS AND FORECASTING.—

(1) CAPABILITIES.—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, in consultation with the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(A) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(i) the quantity of each critical mineral domestically produced during the preceding year;

(ii) the quantity of each critical mineral domestically consumed during the preceding year;

(iii) market price data or other price data for each critical mineral;

(iv) an assessment of—

(I) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States during the preceding year;

(II) the reliance of the United States on foreign sources to meet those needs during the preceding year; and

(III) the implications of any supply shortages, restrictions, or disruptions during the preceding year;

(v) the quantity of each critical mineral domestically recycled during the preceding year;

(vi) the market penetration during the preceding year of alternatives to each critical mineral;

(vii) a discussion of international trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(viii) such other data, analyses, and evaluations as the Secretary finds are necessary to achieve the purposes of this subsection; and

(B) a comprehensive forecast, entitled the ''Annual Critical Minerals Outlook'', of projected critical mineral production, consumption, and recycling patterns, including—

(i) the quantity of each critical mineral projected to be domestically produced over the subsequent 1-year, 5-year, and 10-year periods;

(ii) the quantity of each critical mineral projected to be domestically consumed over the subsequent 1-year, 5-year, and 10-year periods;

(iii) an assessment of—

(I) critical mineral requirements to meet projected national security, energy, economic, industrial, technological, and other needs of the United States;

(II) the projected reliance of the United States on foreign sources to meet those needs; and

(III) the projected implications of potential supply shortages, restrictions, or disruptions;

(iv) the quantity of each critical mineral projected to be domestically recycled over the subsequent 1-year, 5-year, and 10-year periods;

(v) the market penetration of alternatives to each critical mineral projected to take place over the subsequent 1-year, 5-year, and 10-year periods;

(vi) a discussion of reasonably foreseeable international trends associated with the discovery, production, consumption, use, costs of production, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(vii) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this subsection.

(2) PROPRIETARY INFORMATION.—In preparing a report described in paragraph (1), the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(f)), that—

(A) no person uses the information and data collected for the report for a purpose other than the development of or reporting of aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information;

(B) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not allow the identification of the person or firm who supplied particular information; and

(C) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to protect proprietary information, including any trade secrets or other confidential information.

(i) EDUCATION AND WORKFORCE.—

(1) WORKFORCE ASSESSMENT.—Not later than 1 year and 300 days after the date of enactment of this Act, the Secretary of Labor

(in consultation with the Secretary, the Director of the National Science Foundation, institutions of higher education with substantial expertise in mining, institutions of higher education with significant expertise in minerals research, including fundamental research into alternatives, and employers in the critical minerals sector) shall submit to Congress an assessment of the domestic availability of technically trained personnel necessary for critical mineral exploration, development, assessment, production, manufacturing, recycling, analysis, forecasting, education, and research, including an analysis of—

(A) skills that are in the shortest supply as of the date of the assessment;

(B) skills that are projected to be in short supply in the future;

(C) the demographics of the critical minerals industry and how the demographics will evolve under the influence of factors such as an aging workforce;

(D) the effectiveness of training and education programs in addressing skills shortages;

(E) opportunities to hire locally for new and existing critical mineral activities;

(F) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602); and

(G) the potential need for new training programs to have a measurable effect on the supply of trained workers in the critical minerals industry.

(2) CURRICULUM STUDY.—

(A) IN GENERAL.—The Secretary and the Secretary of Labor shall jointly enter into an arrangement with the National Academy of Sciences and the National Academy of Engineering under which the Academies shall coordinate with the National Science Foundation on conducting a study—

(i) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(ii) to address undergraduate and graduate education, especially to assist in the development of graduate level programs of research and instruction that lead to advanced degrees with an emphasis on the critical mineral supply chain or other positions that will increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(iii) to develop guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling; and

(iv) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish and carry out the program described in paragraph (3).

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a description of the results of the study required under subparagraph (A).

(3) PROGRAM.—

(A) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(i) startup costs for newly designated faculty positions in integrated critical mineral education, research, innovation, training, and workforce development programs consistent with paragraph (2);

(ii) internships, scholarships, and fellowships for students enrolled in programs related to critical minerals;

(iii) equipment necessary for integrated critical mineral innovation, training, and workforce development programs; and

(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.

(B) RENEWAL.—A grant under this paragraph shall be renewable for up to 2 additional 3-year terms based on performance criteria outlined under paragraph (2)(A)(iv).

(j) NATIONAL GEOLOGICAL AND GEOPHYSICAL DATA PRESERVATION PROGRAM.—Section 351(k) of the Energy Policy Act of 2005 (42 U.S.C. 15908(k)) is amended by striking ''$30,000,000 for each of fiscal years 2006 through 2010'' and inserting ''$5,000,000 for each of fiscal years 2021 through 2030, to remain available until expended''.

(k) ADMINISTRATION.—

(1) IN GENERAL.—The National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 3(d) of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5202(d)) is amended in the first sentence by striking '', with the assistance of the National Critical Materials Council as specified in the National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.),''.

(3) SAVINGS CLAUSES.—

(A) IN GENERAL.—Nothing in this section or an amendment made by this section modifies any requirement or authority provided by—

(i) the matter under the heading ''**GEOLOGICAL SURVEY**'' of the first section of the Act of March 3, 1879 (43 U.S.C. 31(a)); or

(ii) the first section of Public Law 87–626 (43 U.S.C. 31(b)).

(B) EFFECT ON DEPARTMENT OF DEFENSE.—Nothing in this section or an amendment made by this section affects the authority of the Secretary of Defense with respect to the work of the Department of Defense on critical material supplies in furtherance of the national defense mission of the Department of Defense.

(C) SECRETARIAL ORDER NOT AFFECTED.—This section shall not apply to any mineral described in Secretarial Order No. 3324, issued by the Secretary on December 3, 2012, in any area to which the order applies.

(4) APPLICATION OF CERTAIN PROVISIONS.—

(A) IN GENERAL.—Subsections (e) and (f) shall apply to—

(i) an exploration project in which the presence of a byproduct is reasonably expected, based on known mineral companionality, geologic formation, mineralogy, or other factors; and

(ii) a project that demonstrates that the byproduct is of sufficient grade that, when combined with the production of a host mineral, the byproduct is economic to recover, as determined by the applicable Secretary in accordance with subparagraph (B).

(B) REQUIREMENT.—In making the determination under subparagraph (A)(ii), the applicable Secretary shall consider the cost effectiveness of the byproducts recovery.

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2030.

SEC. 3169. RARE EARTH ELEMENT ADVANCED COAL TECHNOLOGIES.

(a) PROGRAM FOR EXTRACTION AND RECOVERY OF RARE EARTH ELEMENTS AND MINERALS FROM COAL AND COAL BYPRODUCTS.—

(1) IN GENERAL.—The Secretary of Energy, acting through the Assistant Secretary for Fossil Energy (referred to in this section as the ''Secretary''), shall carry out a program under which the Secretary shall develop advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the program described in paragraph (1) $23,000,000 for each of fiscal years 2021 through 2028.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report evaluating the development of advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts, including acid mine drainage from coal mines.

SA 2015. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. REPORTS ON THEFT OF INTELLECTUAL PROPERTY CONDUCTED BY CHINESE PERSONS.

(a) CLASSIFIED REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress a report on theft of intellectual property conducted by Chinese persons.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An identification of the United States entities from which a Chinese person has conducted theft of intellectual property.

(B) For each United States entity identified under subparagraph (A), to the extent practicable—

(i) a description of the type of intellectual property theft;

(ii) an assessment of whether the theft made the United States entity vulnerable or unable to compete;

(iii) an identification of the Chinese person or Chinese persons that conducted the theft; and

(iv) an identification of any Chinese person that is using or has used the stolen intellectual property in commercial activity in Australia, Canada, the European Union, Japan, New Zealand, South Korea, the United Kingdom, or the United States.

(C) An identification of United States entities that have gone out of business in part due to theft of intellectual property conducted by Chinese persons.

(3) INTELLECTUAL PROPERTY THEFT RELATED TO COVID–19 RESPONSE.—The report required by paragraph (1) shall highlight and detail any theft of intellectual property by a Chinese person relating to efforts to prevent, prepare for, or respond to the 2019 Novel

Coronavirus, including with respect to medical treatments, personal protective equipment, diagnostic tests, therapeutics, vaccines, or any other medical countermeasure used in the mitigation of the 2019 Novel Coronavirus.

(4) FORM.—The report required by paragraph (1) shall be submitted in classified form.

(b) UNCLASSIFIED REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to Congress and make available to the public an unclassified report on theft of intellectual property conducted by Chinese persons.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An identification of any Chinese person that—

(i) has conducted theft of intellectual property from one or more United States entities; or

(ii) is using or has used intellectual property stolen by a Chinese person in commercial activity in Australia, Canada, the European Union, Japan, New Zealand, South Korea, the United Kingdom, or the United States.

(B) A general description of the intellectual property involved.

(C) For each Chinese person identified under subparagraph (A), an assessment of whether that person is using or has used the stolen intellectual property in commercial activity in Australia, Canada, the European Union, Japan, New Zealand, South Korea, the United Kingdom, or the United States.

(D) An assessment regarding whether any theft of intellectual property by a Chinese person described in the report is related to efforts to prevent, prepare for, or respond to the 2019 Novel Coronavirus, including with respect to medical treatments, personal protective equipment, diagnostic tests, therapeutics, vaccines, or any other medical countermeasure used in the mitigation of the 2019 Novel Coronavirus.

(c) DEFINITIONS.—In this section:

(1) AGENCY OR INSTRUMENTALITY OF THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—The term ''agency or instrumentality of the Government of the People's Republic of China'' means any entity—

(A) that is a separate legal person, corporate or otherwise;

(B) that is an organ of the Government of the People's Republic of China or a political subdivision thereof, or a majority of whose shares or other ownership interest is owned by that government or a political subdivision thereof; and

(C) that is neither a citizen of the United States, nor created under the laws of any third country.

(2) CHINESE PERSON.—The term ''Chinese person'' means—

(A) an individual who is a citizen or national of the People's Republic of China;

(B) an entity organized under the laws of the People's Republic of China or otherwise subject to the jurisdiction of the Government of the People's Republic of China; or

(C) the Government of the People's Republic of China or any agency or instrumentality of the Government of the People's Republic of China.

(3) COMMERCIAL ACTIVITY.—The term ''commercial activity'' means either a regular course of commercial conduct or a particular commercial transaction or act. The commercial character of an activity shall be determined by reference to the nature of the course of conduct or particular transaction or act, rather than by reference to its purpose.

(4) INTELLECTUAL PROPERTY.—The term ''intellectual property'' means—

(A) any work protected by a copyright under title 17, United States Code;

(B) any property protected by a patent granted by the United States Patent and Trademark Office under title 35, United States Code;

(C) any word, name, symbol, or device, or any combination thereof, that is registered as a trademark with the United States Patent and Trademark Office under the Act entitled ''An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (commonly known as the ''Lanham Act'' or the ''Trademark Act of 1946'') (15 U.S.C. 1051 et seq.);

(D) a trade secret (as defined in section 1839 of title 18, United States Code); or

(E) any other form of intellectual property.

(5) UNITED STATES ENTITY.—The term ''United States entity'' means an entity organized under the laws of the United States or any jurisdiction within the United States.

SA 2016. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. UPDATE ON COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON WEAPON SYSTEMS CYBERSECURITY.

(a) UPDATE REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress an update to the October 2018 report of the Comptroller General entitled ''Weapon Systems Cybersecurity''.

(b) CONTENTS.—The update required by subsection (a) shall include the following:

(1) Recommendations to minimize cyber vulnerabilities in weapon systems.

(2) A proposed timeline for implementing such recommendations.

(c) FORM.—The update submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 2017. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. MONITORING MINERAL INVESTMENTS UNDER BELT AND ROAD INITIATIVE OF PEOPLE'S REPUBLIC OF CHINA.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Director of National Intelligence, in consultation with the Secretary of Interior, the Secretary of Energy, the Secretary of State, the Secretary of Defense, the Secretary of Commerce, and the United States Trade Representative, shall submit to the appropriate congressional committees a report on investments in minerals under the Belt and Road Initiative of the People's Republic of China that includes an assessment of—

(1) notable past mineral investments;

(2) whether and how such investments have increased the extent of control of minerals by the People's Republic of China;

(3) any efforts by the People's Republic of China to counter or interfere with the goals of the Energy Resource Governance Initiative of the Department of State; and

(4) the strategy of the People's Republic of China with respect to mineral investments.

(b) MONITORING MECHANISM.—In conjunction with each report required by subsection (a), the Director shall submit to the appropriate congressional committees a list of any minerals with respect to which—

(1) the People's Republic of China, directly or through the Belt and Road Initiative—

(A) is increasing its concentration of extraction and processing;

(B) is acquiring significant mining and processing facilities;

(C) is maintaining or increasing export restrictions; or

(D) has achieved substantial control of the supply of minerals used within an industry or related minerals; or

(2) there is a significant difference between domestic prices in the People's Republic of China as compared to prices on international markets; or

(3) there is a significant increase or volatility in price as a result of the Belt and Road Initiative of the People's Republic of China.

(c) ANNUAL UPDATES.—The Director shall update the report required by subsection (a) and list required by subsection (b) not less frequently than annually.

(d) FORM.—Each report or list required by this section shall be submitted in unclassified form but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Energy and Natural Resources, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Finance, the Committee on Homeland Security and Governmental Affairs, and the Committee on Appropriations of the Senate; and

(2) the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Ways and Means, the Committee on Homeland Security, and the Committee on Appropriations of the House of Representatives.

SA 2018. Mr. ROMNEY (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title X, add the following:

SEC. 1064. REPORT ON THE CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to

the congressional defense committees a report on the Chemical and Biological Defense Program of the Department of Defense.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the significance of the Chemical and Biological Defense Program within the 2018 National Defense Strategy.

(2) A description and assessment of the threats the Chemical and Biological Defense Program is designed to address.

(3) An assessment of the capacity of current Chemical and Biological Defense Program facilities to complete their missions if funding levels for the Program are reduced.

(4) An estimate of the length of time required to return the Chemical and Biological Defense Program to its current capacity if funding levels reduced for the Program as described in paragraph (3) are restored.

(5) An assessment of the threat posed to members of the Armed Forces as a result of a reduction in testing of gear for field readiness by the Chemical and Biological Defense Program by reason of reduced funding levels for the Program.

(6) A description and assessment of the necessity of Non Traditional Agent Defense Testing under the Chemical and Biological Defense Program for Individual Protection Systems, Collective Protection Systems, field decontamination systems, and chemical agent detectors.

(c) FORM.—The report required by subsection (a) shall be submitted in classified form, available for review by any Member of Congress, but shall include an unclassified summary.

SA 2019. Mr. ROMNEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. REPORT ON IMPLICATIONS OF RUSSIA-CHINA GAS PIPELINE.

(a) REPORT REQUIRED.—The Director of National Intelligence shall submit to the appropriate committees of Congress a report on the implications for the United States and the allies of the United States of the gas pipeline between Russia and China that was put into use starting in 2019.

(b) CONTENTS.—The report submitted under subsection (a) shall include an assessment of the following:

(1) The economic, national security, or energy security implications for the United States of the pipeline described in subsection (a).

(2) The economic, national security, or energy security implications for Europe of such pipeline.

(3) Whether such pipeline is part of a trend of cooperation between Russia and China.

(4) The motivation for such cooperation.

(c) FORM.—The report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

SA 2020. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 520. REPORTS ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.

(a) REPORT ON FINDINGS OF DEFENSE BOARD ON DIVERSITY AND INCLUSION IN THE MILITARY.—

(1) IN GENERAL.—Upon the completion by the Defense Board on Diversity and Inclusion in the Military of its report on actionable recommendations to increase racial diversity and ensure equal opportunity across all grades of the Armed Forces, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the report of the Defense Board, including the findings and recommendations of the Defense Board.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A comprehensive description of the findings and recommendations of the Defense Board in its report referred to in paragraph (1).

(B) A comprehensive description of any actionable recommendations of the Defense Board in its report.

(C) A description of the actions proposed to be undertaken by the Secretary in connection with such recommendations, and a timeline for implementation of such actions.

(D) A description of the resources used by the Defense Board for its report, and a description and assessment of any shortfalls in such resources for purposes of the Defense Board.

(b) REPORT ON DEFENSE ADVISORY COMMITTEE ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.—

(1) IN GENERAL.—At the same time the Secretary of Defense submits the report required by subsection (a), the Secretary shall also submit to the Committee on Armed Services of the Senate and the House of Representatives a report on the Defense Advisory Committee on Diversity and Inclusion in the Armed Forces.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) The mission statement or purpose of the Advisory Committee, and any proposed objectives and goals of the Advisory Committee

(B) A description of current members of the Advisory Committee and the criteria used for selecting members.

(C) A description of the duties and scope of activities of the Advisory Committee.

(D) The reporting structure of the Advisory Committee.

(E) An estimate of the annual operating costs and staff years of the Advisory Committee.

(F) An estimate of the number and frequency of meetings of the Advisory Committee.

(G) Any subcommittees, established or proposed, that would support the Advisory Committee.

(H) Such recommendations for legislative or administrative action as the Secretary considers appropriate to extend the term of the Advisory Committee beyond the proposed termination date of the Advisory Committee.

(c) REPORT ON CURRENT DIVERSITY AND INCLUSION IN THE ARMED FORCES.—

(1) IN GENERAL.—At the same time the Secretary of Defense submits the reports required by subsections (a) and (b), the Secretary shall also submit to the Committee on Armed Services of the Senate and the House of Representatives a report on current diversity and inclusion in the Armed Forces.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An identification of the current racial, ethnic, and gender composition of each Armed Force generally.

(B) An identification of the current racial, ethnic, and gender composition of each Armed Force by grade.

(C) A comparison of the participation rates of minority populations in officer grades, warrant officer grades, and enlisted member grades in each Armed Force with the percentage of such populations among the general population.

(D) A comparison of the participation rates of minority populations in each career field in each Armed Force with the percentage of such populations among the general population.

(E) A comparison among the Armed Forces of the percentage of minority populations in each officer grade above grade O–4.

(F) A comparison among the Armed Forces of the percentage of minority populations in each enlisted grade above grade E–6.

(G) A description and assessment of barriers to minority participation in the Armed Forces in connection with accession, assessment, and training.

(d) SENSE OF SENATE ON DEFENSE ADVISORY COMMITTEE ON DIVERSITY AND INCLUSION IN THE ARMED FORCES.—It is the sense of the Senate that the Defense Advisory Committee on Diversity and Inclusion in the Armed Forces—

(1) should consist of diverse group of individuals, including—

(A) a general or flag officer from each regular component of the Armed Forces;

(B) a retired general or flag officer from not fewer than two of the Armed Forces;

(C) a regular officer of the Armed Forces in a grade O–5 or lower;

(D) a regular enlisted member of the Armed Forces in a grade E–7 or higher;

(E) a regular enlisted member of the Armed Forces in a grade E–6 or lower;

(F) a member of a reserve component of the Armed Forces in any grade;

(G) a member of the Department of Defense civilian workforce;

(H) an member of the academic community with expertise in diversity studies; and

(I) an individual with appropriate expertise in diversity and inclusion;

(2) should include individuals from a variety of military career paths, including—

(A) aviation;

(B) special operations;

(C) intelligence;

(D) cyber;

(E) space; and

(F) surface warfare;

(3) should have a membership such that not fewer than 20 percent of members possess—

(A) a firm understanding of the role of mentorship and best practices in finding and utilizing mentors;

(B) experience and expertise in change of culture of large organizations; or

(C) experience and expertise in implementation science; and

(4) should focus on objectives that address—

(A) barriers to promotion within the Armed Forces, including development of recommendations on mechanisms to enhance and increase racial diversity and ensure equal opportunity across all grades in the Armed Forces;

(B) participation of minority officers and senior noncommissioned officers in the Armed Forces, including development of recommendations on mechanisms to enhance and increase such participation;

(C) recruitment of minority candidates for innovative pre-service programs in the Junior Reserve Officers' Training Corps (JROTC), Senior Reserve Officers' Training Corps (SROTC), and military service academies, including programs in connection with flight instruction, special operations, and national security, including development of recommendations on mechanisms to enhance and increase such recruitment;

(D) retention of minority individuals in senior leadership and mentorship positions in the Armed Forces, including development of recommendations on mechanisms to enhance and increase such retention; and

(E) achievement of cultural and ethnic diversity in recruitment for the Armed Forces, including development of recommendations on mechanisms to enhance and increase such diversity in recruitment.

SA 2021. Mr. SULLIVAN (for himself and Mr. JONES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title X, add the following:

SEC. _____. EVALUATION AND REPORT ON ESTABLISHMENT OF A HEALTHCARE READY RESERVE FORCE.

(a) EVALUATION REQUIRED.—Not later than December 31, 2021, the Secretary of Defense shall conduct an evaluation of options for establishing a healthcare ready reserve force, in times of war and during public health and other national emergencies, in order—

(1) to enhance and facilitate the medical capabilities of the Armed Forces, including training for such capabilities;

(2) to provide for a surge in medical capabilities for the Armed Forces;

(3) to act as a reserve force of medical expertise for the Nation during public health or other national emergencies;

(4) to provide a training platform on medical and health care skills and capabilities if called upon by the Secretary; and

(5) to provide a strategic reserve of health care knowledge and skills for the Armed Forces or the Nation.

(b) ELEMENTS.—The evaluation conducted under subsection (a) shall include an assessment of the following:

(1) The capabilities and deficiencies in military and civilian personnel with needed medical expertise, and the quantity of personnel with such expertise, in the Department of Defense.

(2) The potential for a uniformed, civilian, or mixed healthcare ready reserve force to remedy shortfalls in expertise and capacity in the Department and for the Nation.

(3) The ability of the Department to attract personnel with the desired expertise to a uniformed or civilian healthcare ready reserve force.

(4) The number of personnel, the level of funding, and the composition of a healthcare ready reserve force that would be required for purposes described in subsection (a).

(5) Proposed means to facilitate the rapid training of health care professionals in a healthcare ready reserve force through the Medical and Education Training Campus (METC) of the Defense Health Agency, including through one or both of the following:

(A) The Medical and Education Training Campus Bridge Partners program.

(B) Partnerships with other accredited institutions of higher education.

(6) A rapid mobilization training plan for a healthcare ready reserve force, including—

(A) a specialized curriculum for each medical specialty to be maintained within such force, including initial training elements and future currency requirements;

(B) an identification of the pool of instructors to provide training for members of such force; and

(C) a description of the in-person and online educational requirements to be satisfied by members of such force, and a strategy to maximize the use of online training in connection with such requirements.

(7) Alternative models for establishing a healthcare ready reserve force, including the following:

(A) A nontraditional uniformed military reserve component, with respect to drilling and other requirements such as grooming and physical fitness.

(B) One or more nontraditional civilian healthcare ready reserves.

(C) Partnership with the Ready Reserve Corps of the United States Public Health Service.

(8) The impact of a uniformed military healthcare ready reserve on regular and existing reserve forces, including with respect to the following:

(A) Recruitment.

(B) Promotion.

(C) Retention.

(9) The impact of a civilian healthcare ready reserve on regular and existing reserve forces, and on healthcare delivery in the private sector.

(10) Areas of potential collaboration with similar entities within the Federal Government.

(11) The authorities, manpower authorizations, and resources the Secretary of Defense considers necessary for the establishment and maintenance of a healthcare ready reserve force.

(12) Any other matters the Secretary considers appropriate.

(c) REPORT.—Not later than 180 days after the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the evaluation conducted under subsection (a).

SA 2022. Mr. SULLIVAN (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. AUTHORITY TO PLAN, DESIGN, AND CONSTRUCT, OR LEASE, SHARED MEDICAL FACILITIES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1104 the following new section:

"§ 1104a. Shared medical facilities with the Department of Veterans Affairs

''(a) AGREEMENTS.—The Secretary of Defense and the Secretary of Veterans Affairs may enter into agreements with each other for the planning, design, and construction, or leasing, of facilities to be operated as shared medical facilities.

''(b) TRANSFER OF AMOUNTS BY SECRETARY OF DEFENSE.—(1) The Secretary of Defense may transfer to the Secretary of Veterans Affairs amounts as follows:

''(A) Amounts, not in excess of the amount authorized by law for an unspecified minor military construction project, for the construction of a shared medical facility if—

''(i) the amount of the share of the Department of Defense for the estimated cost of the project does not exceed the amount specified in subsection (a)(2) of section 2805 of this title; and

''(ii) the other requirements of such section have been met with respect to amounts identified for transfer.

''(B) Amounts appropriated for the Defense Health Program for the purpose of the planning, design, and construction, or the leasing of space, for a shared medical facility.

''(2) The authority to transfer amounts under this section is in addition to any other authority to transfer amounts available to the Secretary of Defense.

''(3) Section 2215 of this title does not apply to a transfer of funds under this subsection.

''(c) TRANSFER OF AMOUNTS BY SECRETARY OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs may transfer to the Secretary of Defense amounts as follows:

''(1) Amounts appropriated to the Secretary of Veterans Affairs for 'Construction, minor projects' for use for the planning, design, or construction of a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 8104(a)(3)(A) of title 38.

''(2) Amounts appropriated to the Secretary of Veterans Affairs for 'Construction, major projects' for use for the planning, design, or construction of a shared medical facility if—

''(A) the amount of the share of the Department of Veterans Affairs for the estimated cost of the project exceeds the amount specified in subsection (a)(3)(A) of section 8104 of title 38; and

''(B) the other requirements of such section have been met with respect to amounts identified for transfer.

''(3) Amounts appropriated to the applicable appropriation account of the Department of Veterans Affairs for the purpose of leasing space for a shared medical facility if the amount of the share of the Department of Veterans Affairs for the estimated cost of the project does not exceed the amount specified in section 8104(a)(3)(B) of title 38.

''(d) RECEIPT OF AMOUNTS BY SECRETARY OF DEFENSE.—(1) Any amount transferred to the Secretary of Defense by the Secretary of Veterans Affairs for necessary expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title, may be credited to accounts of the Department of Defense available for the construction of a shared medical facility.

''(2) Any amount transferred to the Secretary of Defense by the Secretary of Veterans Affairs for the purpose of the planning and design, or the leasing of space, for a shared medical facility may be credited to accounts of the Department of Defense available for such purposes, and may be used for such purposes.

''(3) Using accounts credited with transfers from the Secretary of Veterans Affairs under paragraph (1), the Secretary of Defense may carry out unspecified minor military construction projects, if the share of the Department of Defense for the cost of such project does not exceed the amount specified in section 2805(a)(2) of this title.

''(e) RECEIPT OF AMOUNTS BY SECRETARY OF VETERANS AFFAIRS.—(1) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Veterans Affairs for the cost of such project does not exceed the amount specified in section 8104(a)(3)(A) of title 38, may be credited to the 'Construction, minor projects' account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility.

''(2) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for necessary expenses for the planning, design, and construction of a shared medical facility, if the amount of the share of the Department of Veterans Affairs for the cost of such project exceeds the amount specified in subsection (a)(3)(A) of section 8104 of title 38, may be credited to the 'Construction, major projects' account of the Department of Veterans Affairs and used for the necessary expenses of constructing such shared medical facility if the other requirements of such section have been met with respect to amounts identified for transfer.

''(3) Any amount transferred to the Secretary of Veterans Affairs by the Secretary of Defense for the purpose of leasing space for a shared medical facility may be credited to accounts of the Department of Veterans Affairs available for such purposes, and may be used for such purposes.

''(f) MERGER OF AMOUNTS TRANSFERRED.—Any amount transferred under this section shall be merged with, and be available for the same purposes and the same time period as, the appropriation or fund to which transferred.

''(g) SHARED MEDICAL FACILITY DEFINED.—(1) In this section, the term 'shared medical facility' means a building or buildings, or a campus, intended to be used by both the Department of Defense and the Department of Veterans Affairs for the provision of health care services, whether under the jurisdiction of the Secretary of Defense or the Secretary of Veterans Affairs, and whether or not located on a military installation or on real property under the jurisdiction of the Secretary of Veterans Affairs.

''(2) Such term includes any necessary building and auxiliary structure, garage, parking facility, mechanical equipment, abutting sidewalks, and accommodations for attending personnel.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1104 the following new item:

''1104a. Shared medical facilities with the Department of Veterans Affairs.''.

SA 2023. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 I, insert the following:

SEC. _____. LIMITATION ON ALTERATION OF NAVY FLEET MIX.

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

(1) the United States shipbuilding and supporting vendor base constitute a national security imperative that is unique and must be protected;

(2) a healthy and efficient industrial base continues to be a fundamental driver for achieving and sustaining a successful shipbuilding procurement strategy;

(3) without consistent and continuous commitment to steady and predictable acquisition profiles, the industrial base will struggle and some elements may not survive; and

(4) proposed reductions in the future-years defense program to the DDG–51 Destroyer procurement profile without a clear transition to procurement of the next Large Surface Combatant would adversely affect the shipbuilding industrial base and long-term strategic objectives of the Navy.

(b) LIMITATION.—

(1) IN GENERAL.—The Secretary of the Navy may not deviate from the 2016 Navy Force Structure Assessment to implement the results of a new force structure assessment or new annual long-range plan for construction of naval vessels that would reduce the requirement for Large Surface Combatants to fewer than 104 such vessels until the date on which the Secretary of the Navy submits to the congressional defense committees the certification under paragraph (1) and the report under subsection (c).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification, in writing, that each of the following conditions have been satisfied:

(A) The large surface combatant shipbuilding industrial base and supporting vendor base would not significantly deteriorate due to a reduced procurement profile.

(B) The Navy can mitigate the reduction in anti-air and ballistic missile defense capabilities due to having a reduced number of DDG–51 Destroyers with the advanced AN/SPY–6 radar in the next three decades.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes—

(1) a description of likely detrimental impacts to the large surface combatant industrial base and the Navy's plan to mitigate any such impacts if the fiscal year 2021 future-years defense program were implemented as proposed;

(2) a review of the benefits to the Navy fleet of the new AN/SPY–6 radar to be deployed aboard Flight III variant DDG–51 Destroyers, which are currently under construction, as well as an analysis of impacts to the fleet's warfighting capabilities, should the number of such destroyers be reduced; and

(3) a plan to fully implement section 131 of the National Defense Authorization for Fiscal Year 2020 (Public Law 116–92), including subsystem prototyping efforts and funding by fiscal year.

SA 2024. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. FEASIBILITY STUDY ON INCREASED ROTATIONAL DEPLOYMENTS TO GREECE AND ENHANCEMENT OF UNITED STATES-GREECE DIPLOMATIC ENGAGEMENT.

(a) FEASIBILITY STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility of increased rotational deployments of members of the Armed Forces to Greece, including to Souda Bay, Alexandroupoli, Larissa, Volos, and Stefanovikeio.

(2) ELEMENT.—The study required by paragraph (1) shall include an evaluation of any infrastructure investment necessary to support such increased rotational deployments.

(3) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the study required by paragraph (1).

(b) DIPLOMATIC ENGAGEMENT.—The Secretary of State shall ensure the persistent United States diplomatic engagement with respect to the Greece-Cyprus-Israel and Greece-Cyprus-Egypt trilateral agreements beyond the occasional participation of United States diplomats in the regular summits of the countries party to such agreements.

SA 2025. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—STOP MILITARIZING LAW ENFORCEMENT ACT

SEC. __01. SHORT TITLE.

This title may be cited as the ''Stop Militarizing Law Enforcement Act''.

SEC. __02. ADDITIONAL LIMITATIONS ON TRANSFER OF DEPARTMENT OF DEFENSE PERSONAL PROPERTY TO FEDERAL AND STATE LAW ENFORCEMENT AGENCIES.

(a) ADDITIONAL LIMITATIONS.—

(1) IN GENERAL.—Section 2576a of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''subsection (b)'' and inserting ''the provisions of this section''; and

(II) in subparagraph (A), by striking '', including counter-drug and counterterrorism activities''; and

(ii) in paragraph (2), by striking ''and the Director of National Drug Control Policy'';

(B) in subsection (b)—

(i) in paragraph (5), by striking ''and'' at the end;

(ii) in paragraph (6), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following new paragraphs:

''(7) the recipient certifies to the Department of Defense that it has the personnel and technical capacity, including training, to operate the property; and

''(8) the recipient certifies to the Department of Defense that if the recipient determines that the property is surplus to the needs of the recipient, the recipient will return the property to the Department of Defense.'';

(C) by striking subsections (d), (e), and (f); and

(D) by adding at the end the following:

''(d) LIMITATIONS ON TRANSFERS.—The Secretary of Defense may not transfer under this section any property as follows:

''(1) Weapons, weapon parts, and weapon components, including camouflage and deception equipment, and optical sights.

''(2) Weapon system specific vehicular accessories.

''(3) Demolition materials.

''(4) Explosive ordinance.

''(5) Night vision equipment.

''(6) Tactical clothing, including uniform clothing and footwear items, special purpose clothing items, and specialized flight clothing and accessories.

''(7) Drones.

''(8) Combat, assault, and tactical vehicles, including Mine-Resistant Ambush Protected (MRAP) vehicles.

''(9) Training aids and devices.

''(10) Firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, and bayonets.

''(e) APPROVAL BY LAW REQUIRED FOR TRANSFER OF PROPERTY NOT PREVIOUSLY TRANSFERRABLE.—(1) In the event the Secretary of Defense proposes to make available for transfer under this section any property of the Department of Defense not previously made available for transfer under this section, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

''(A) A description of the property proposed to be made available for transfer.

''(B) A description of the conditions, if any, to be imposed on use of the property after transfer.

''(C) A certification that transfer of the property would not violate a provision of this section or any other provision of law.

''(2) The Secretary may not transfer any property covered by a report under this subsection unless authorized by a law enacted by Congress after the date of the receipt of the report by Congress.

''(f) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) The Secretary of Defense shall submit to the appropriate committees of Congress each year a certification in writing that each recipient to which the Secretary has transferred property under this section during the preceding fiscal year—

''(A) has provided to the Secretary documentation accounting for all property the Secretary has previously transferred to such recipient under this section; and

''(B) has complied with paragraphs (7) and (8) of subsection (b) with respect to the property so transferred during such fiscal year.

''(2) If the Secretary cannot provide a certification under paragraph (1) for a recipient, the Secretary may not transfer additional property to such recipient under this section, effective as of the date on which the Secretary would otherwise make the certification under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this section.

''(g) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to the appropriate committees of Congress a certification that for the preceding fiscal year that—

''(1) each recipient agency that has received property under this section has—

''(A) demonstrated 100 percent accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

''(B) been suspended or terminated from the program pursuant to paragraph (4);

''(2) with respect to each non-Federal agency that has received property under this section, the State Coordinator responsible for each such agency has verified that the State Coordinator or an agent of the State Coordinator has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(3) with respect to each Federal agency that has received property under this section, the Secretary of Defense or an agent of the Secretary has conducted an in-person inventory of the property transferred to the agency and that 100 percent of such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(4) the eligibility of any agency that has received property under this section for which 100 percent of the equipment was not accounted for during an inventory described in paragraph (2) or (3), as applicable, to receive property transferred under this section has been suspended or terminated;

''(5) each State Coordinator has certified, for each non-Federal agency located in the State for which the State Coordinator is responsible that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated; and

''(6) the Secretary of Defense has certified, for each Federal agency that has received property under this section that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated.

''(h) WEBSITE.—The Defense Logistics Agency shall maintain, and update on a quarterly basis, an Internet website on which the following information shall be made publicly available in a searchable format:

''(1) A description of each transfer made under this section, including transfers made before the date of the enactment of the Stop Militarizing Law Enforcement Act, set forth by State, county, and recipient agency, and including item name, item type, item model, and quantity.

''(2) A list of all property transferred under this section that is not accounted for by the Defense Logistics Agency, including—

''(A) the name of the State, county, and recipient agency;

''(B) the item name, item type, and item model;

''(C) the date on which such property became unaccounted for by the Defense Logistics Agency; and

''(D) the current status of such item.

''(3) A list of each agency suspended or terminated from further receipt of property under this section, including State, county, and agency, and the reason for and duration of such suspension or termination.

''(i) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

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

''(B) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

''(2) The term 'agent of a State Coordinator' means any individual to whom a State Coordinator formally delegates responsibilities for the duties of the State Coordinator to conduct inventories described in subsection (g)(2).

''(3) The term 'controlled property' means any item assigned a demilitarization code of B, C, D, E, G, or Q under Department of Defense Manual 4160.21-M, 'Defense Materiel Disposition Manual', or any successor document.

''(4) The term 'State Coordinator', with respect to a State, means the individual appointed by the governor of the State to maintain property accountability records and oversee property use by the State.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(b) RETURN OF PROPERTY TO DEPARTMENT OF DEFENSE.—Not later than one year after the date of the enactment of this Act, each Federal or State agency to which property described by subsection (d) of section 2576a of title 10, United States Code (as added by subsection (a)(1) of this section), was transferred before the date of the enactment of this Act shall return such property to the Defense Logistics Agency on behalf of the Department of Defense.

SEC. __03. USE OF DEPARTMENT OF HOMELAND SECURITY PREPAREDNESS GRANT FUNDS.

(a) DEFINITIONS.—In this section—

(1) the term ''Agency'' means the Federal Emergency Management Agency; and

(2) the term ''preparedness grant program'' includes—

(A) the Urban Area Security Initiative authorized under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604);

(B) the State Homeland Security Grant Program authorized under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605);

(C) the Port Security Grant Program authorized under section 70107 of title 46, United States Code; and

(D) any other non-disaster preparedness grant program of the Agency.

(b) LIMITATION.—The Agency may not permit awards under a preparedness grant program to be used to buy, maintain, or alter—

(1) explosive entry equipment;

(2) canines (other than bomb-sniffing canines for agencies with certified bomb technicians or for use in search and rescue operations);

(3) tactical or armored vehicles;

(4) long-range hailing and warning devices;

(5) tactical entry equipment (other than for use by specialized teams such as Accredited Bomb Squads, Tactical Entry, or Special Weapons and Tactics (SWAT) Teams); or

(6) firearms of .50 caliber or higher, ammunition of .50 caliber or higher, grenade launchers, flash grenades, or bayonets.

(c) REVIEW OF PRIOR RECEIPT OF PROPERTY BEFORE AWARD.—In making an award under a preparedness grant program, the Agency shall—

(1) determine whether the awardee has already received, and still retains, property from the Department of Defense pursuant to section 2576a of title 10, United States Code, including through review of the website maintained by the Defense Logistics Agency pursuant to subsection (h) of such section (as added by section __02(a)(1) of this Act);

(2) require that the award may not be used by the awardee to procure or obtain property determined to be retained by the awardee pursuant to paragraph (1); and

(3) require that the award only be used to procure or obtain property in accordance with use restrictions contained within the Agency's State and Local Preparedness Grant Programs' Authorized Equipment List.

(d) USE OF GRANT PROGRAM FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State or local agency to return to the Department of Defense property transferred to such State or local agency pursuant to section 2676a of title 10, United States Code, as such return is required by section __02(b) of this Act, shall be an allowable use of preparedness grant program funds by such agency.

(e) ACCOUNTABILITY MEASURES.—

(1) AUDIT OF USE OF PREPAREDNESS GRANT FUNDS.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct an audit covering the period of fiscal year 2010 through the current fiscal year on the use of preparedness grant program funds. The audit shall assess how funds have been used to procure equipment, how the equipment has been used, and whether the grant awards have furthered the Agency's goal of improving the preparedness of State and local communities.

(2) ANNUAL ACCOUNTING OF USE OF AWARD FUNDS.—Not later than one year after the date of the enactment of this Act, the Agency shall develop and implement a system of accounting on an annual basis how preparedness grant program funds have been used to procure equipment, how the equipment has been used, whether grantees have complied with restrictions on the use of equipment contained with the Authorized Equipment List, and whether the awards have furthered the Agency's goal of enhancing the capabilities of State agencies to prevent, deter, respond to, and recover from terrorist attacks, major disasters, and other emergencies.

SEC. __04. USE OF EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUNDS.

(a) LIMITATION.—Section 501(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10152(d)) is amended by adding at the end the following:

''(3) The purchase, maintenance, alteration, or operation of—

''(A) lethal weapons; or

''(B) less-lethal weapons.''.

(b) USE OF GRANT FUNDS FOR REQUIRED RETURN OF PROPERTY TO DOD.—Notwithstanding any other provision of law, the use of funds by a State agency or unit of local government to return to the Department of Defense property transferred to such agency or unit of local government pursuant to section 2676a of title 10, United States Code, as such return is required by section __02(b) of this Act, shall be an allowable use of grant amounts under the Edward Byrne Memorial Justice Assistance Grant Program.

SEC. __05. COMPTROLLER GENERAL REPORT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report on Federal agencies, including offices of Inspector General for Federal agencies, that have specialized units that receive special tactical or military-style training or use hard-plated body armor, shields, or helmets and that respond to high-risk situations that fall outside the capabilities of regular law enforcement officers, including any special weapons and tactics (SWAT) team, tactical response teams, special events teams, special response teams, or active shooter teams.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of each specialized unit described under such subsection.

(2) A description of the training and weapons of each such unit.

(3) The criteria for activating each such unit and how often each such unit was activated for each year of the previous ten years.

(4) An estimate of the annual cost of equipping and operating each such unit.

(5) Any other information that is relevant to understanding the usefulness and justification for the units.

SA 2026. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. USE FOR DEVELOPMENT OF FINANCIAL MANAGEMENT SYSTEMS AND RETIREMENT OF LEGACY FINANCIAL MANAGEMENT SYSTEMS OF AMOUNTS OTHERWISE AVAILABLE FOR AUDITS OF FINANCIAL STATEMENT.

(a) PROHIBITION ON USE OF FUNDS FOR AUDITS.—Amounts authorized to appropriated by this Act and available for the Department of Defense for purposes in connection with the audit of the full financial statements of the Department for fiscal year 2021 may not be obligated or expended for such purposes.

(b) USE IN CONNECTION WITH FINANCIAL MANAGEMENT SYSTEMS.—Amounts described in subsection (a), namely $190,000,000, shall be available instead for obligation and expenditure for the development of fully integrated financial management systems for the Department and the retirement of legacy financial management systems of the Department.

SA 2027. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. LIMITATION ON AMOUNT AVAILABLE FOR TRAVEL OF DEPARTMENT OF DEFENSE EDUCATION ACTIVITY PERSONNEL.

The total amount obligated or expended in fiscal year 2021 for travel of Department of Defense Education Activity (DoDEA) personnel may not exceed $9,000,000.

SA 2028. Mr. GRASSLEY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1003. REPORT TO CONGRESS ON CERTAIN EFFORTS IN CONNECTION WITH THE FINANCIAL MANAGEMENT SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—No later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the progress of the Department of the Defense in—

(1) retiring legacy financial management systems; and

(2) obtaining or developing a fully-integrated, United States Standard General Ledger (USSGL)-compliant financial management system or systems.

(b) ELEMENTS.—The report required by subsection (a) shall include following:

(1) The name of each financial management system in use by the Department of Defense.

(2) The anticipated date of retirement for each such system planned to be retired.

(3) A summary of the retirement plan for any system that will be retired, including the manner in which data in such system will be transferred to a different system.

(4) In the case of a system that is not planned for retirement, a justification of the determination not to retire such system.

(5) The average aggregate amount spent by the Department on operating and maintaining legacy financial management systems during the five fiscal years ending with fiscal year 2020.

(6) The average aggregate amount spent by the Department on acquiring or developing new financial management systems during such five fiscal years.

SA 2029. Mr. RISCH (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title XXXI, add the following:

SEC. 3168. MINERAL SECURITY.

(a) DEFINITIONS.—In this section:

(1) BYPRODUCT.—The term ''byproduct'' means a critical mineral—

(A) the recovery of which depends on the production of a host mineral that is not designated as a critical mineral; and

(B) that exists in sufficient quantities to be recovered during processing or refining.

(2) CRITICAL MINERAL.—

(A) IN GENERAL.—The term ''critical mineral'' means any mineral, element, substance, or material designated as critical by the Secretary under subsection (c).

(B) EXCLUSIONS.—The term ''critical mineral'' does not include—

(i) fuel minerals, including oil, natural gas, or any other fossil fuels; or

(ii) water, ice, or snow.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means—

(A) a State;

(B) the District of Columbia;

(C) the Commonwealth of Puerto Rico;

(D) Guam;

(E) American Samoa;

(F) the Commonwealth of the Northern Mariana Islands; and

(G) the United States Virgin Islands.

(b) POLICY.—

(1) IN GENERAL.—Section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602) is amended in the second sentence—

(A) by striking paragraph (3) and inserting the following:

''(3) establish an analytical and forecasting capability for identifying critical mineral demand, supply, and other factors to allow informed actions to be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts;'';

(B) in paragraph (6), by striking ''and'' after the semicolon at the end; and

(C) by striking paragraph (7) and inserting the following:

''(7) facilitate the availability, development, and environmentally responsible production of domestic resources to meet national material or critical mineral needs;

''(8) avoid duplication of effort, prevent unnecessary paperwork, and minimize delays in the administration of applicable laws (including regulations) and the issuance of permits and authorizations necessary to explore for, develop, and produce critical minerals and to construct critical mineral manufacturing facilities in accordance with applicable environmental and land management laws;

''(9) strengthen—

''(A) educational and research capabilities at not lower than the secondary school level; and

''(B) workforce training for exploration and development of critical minerals and critical mineral manufacturing;

''(10) bolster international cooperation through technology transfer, information sharing, and other means;

''(11) promote the efficient production, use, and recycling of critical minerals;

''(12) develop alternatives to critical minerals; and

''(13) establish contingencies for the production of, or access to, critical minerals for which viable sources do not exist within the United States.''.

(2) CONFORMING AMENDMENT.—Section 2(b) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1601(b)) is amended by striking ''(b) As used in this Act, the term'' and inserting the following:

''(b) DEFINITIONS.—In this Act:

''(1) CRITICAL MINERAL.—The term 'critical mineral' means any mineral, element, substance, or material designated as critical by the Secretary under section 3168(c) of the National Defense Authorization Act for Fiscal Year 2021.

''(2) MATERIALS.—The term''.

(c) CRITICAL MINERAL DESIGNATIONS.—

(1) DRAFT METHODOLOGY AND LIST.—The Secretary, acting through the Director of the United States Geological Survey (referred to in this subsection as the ''Secretary''), shall publish in the Federal Register for public comment—

(A) a description of the draft methodology used to identify a draft list of critical minerals;

(B) a draft list of minerals, elements, substances, and materials that qualify as critical minerals; and

(C) a draft list of critical minerals recovered as byproducts.

(2) AVAILABILITY OF DATA.—If available data is insufficient to provide a quantitative basis for the methodology developed under this subsection, qualitative evidence may be used to the extent necessary.

(3) FINAL METHODOLOGY AND LIST.—After reviewing public comments on the draft methodology and the draft lists published under paragraph (1) and updating the methodology and lists as appropriate, not later than 45 days after the date on which the public comment period with respect to the draft methodology and draft lists closes, the Secretary shall publish in the Federal Register—

(A) a description of the final methodology for determining which minerals, elements, substances, and materials qualify as critical minerals;

(B) the final list of critical minerals; and

(C) the final list of critical minerals recovered as byproducts.

(4) DESIGNATIONS.—

(A) IN GENERAL.—For purposes of carrying out this subsection, the Secretary shall maintain a list of minerals, elements, substances, and materials designated as critical, pursuant to the final methodology published under paragraph (3), that the Secretary determines—

(i) are essential to the economic or national security of the United States;

(ii) the supply chain of which is vulnerable to disruption (including restrictions associated with foreign political risk, abrupt demand growth, military conflict, violent unrest, anti-competitive or protectionist behaviors, and other risks throughout the supply chain); and

(iii) serve an essential function in the manufacturing of a product (including energy technology-, defense-, currency-, agriculture-, consumer electronics-, and health care-related applications), the absence of which would have significant consequences for the economic or national security of the United States.

(B) INCLUSIONS.—Notwithstanding the criteria under paragraph (3), the Secretary may designate and include on the list any mineral, element, substance, or material determined by another Federal agency to be strategic and critical to the defense or national security of the United States.

(C) REQUIRED CONSULTATION.—The Secretary shall consult with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative in designating minerals, elements, substances, and materials as critical under this paragraph.

(5) SUBSEQUENT REVIEW.—

(A) IN GENERAL.—The Secretary, in consultation with the Secretaries of Defense, Commerce, Agriculture, and Energy and the United States Trade Representative, shall review the methodology and list under paragraph (3) and the designations under paragraph (4) at least every 3 years, or more frequently as the Secretary considers to be appropriate.

(B) REVISIONS.—Subject to paragraph (4)(A), the Secretary may—

(i) revise the methodology described in this subsection;

(ii) determine that minerals, elements, substances, and materials previously determined to be critical minerals are no longer critical minerals; and

(iii) designate additional minerals, elements, substances, or materials as critical minerals.

(6) NOTICE.—On finalization of the methodology and the list under paragraph (3), or any revision to the methodology or list under paragraph (5), the Secretary shall submit to Congress written notice of the action.

(d) RESOURCE ASSESSMENT.—

(1) IN GENERAL.—Not later than 4 years after the date of enactment of this Act, in consultation with applicable State (including geological surveys), local, academic, industry, and other entities, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, shall complete a comprehensive national assessment of each critical mineral that—

(A) identifies and quantifies known critical mineral resources, using all available public and private information and datasets, including exploration histories; and

(B) provides a quantitative and qualitative assessment of undiscovered critical mineral resources throughout the United States, including probability estimates of tonnage and grade, using all available public and private information and datasets, including exploration histories.

(2) SUPPLEMENTARY INFORMATION.—In carrying out this subsection, the Secretary may carry out surveys and field work (including drilling, remote sensing, geophysical surveys, topographical and geological mapping, and geochemical sampling and analysis) to supplement existing information and datasets available for determining the existence of critical minerals in the United States.

(3) PUBLIC ACCESS.—Subject to applicable law, to the maximum extent practicable, the Secretary shall make all data and metadata collected from the comprehensive national assessment carried out under paragraph (1) publically and electronically accessible.

(4) TECHNICAL ASSISTANCE.—At the request of the Governor of a State or the head of an Indian tribe, the Secretary may provide technical assistance to State governments and Indian tribes conducting critical mineral resource assessments on non-Federal land.

(5) PRIORITIZATION.—

(A) IN GENERAL.—The Secretary may sequence the completion of resource assessments for each critical mineral such that critical minerals considered to be most critical under the methodology established under subsection (c) are completed first.

(B) REPORTING.—During the period beginning not later than 1 year after the date of enactment of this Act and ending on the date of completion of all of the assessments required under this subsection, the Secretary shall submit to Congress on an annual basis an interim report that—

(i) identifies the sequence and schedule for completion of the assessments if the Secretary sequences the assessments; or

(ii) describes the progress of the assessments if the Secretary does not sequence the assessments.

(6) UPDATES.—The Secretary may periodically update the assessments conducted under this subsection based on—

(A) the generation of new information or datasets by the Federal Government; or

(B) the receipt of new information or datasets from critical mineral producers, State geological surveys, academic institutions, trade associations, or other persons.

(7) ADDITIONAL SURVEYS.—The Secretary shall complete a resource assessment for each additional mineral or element subsequently designated as a critical mineral under subsection (c)(5)(B) not later than 2 years after the designation of the mineral or element.

(8) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the status of geological surveying of Federal land for any mineral commodity—

(A)(i) for which the United States was dependent on a foreign country for more than 25 percent of the United States supply, as depicted in the report issued by the United States Geological Survey entitled ''Mineral Commodity Summaries 2020''; but

(ii) that is not designated as a critical mineral under subsection (c); and

(B) that is determined by the Secretary, in coordination with the Secretary of Defense, to have significant strategic value to the United States for national security, defense, or advanced technology purposes.

(e) PERMITTING.—

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

(A) critical minerals are fundamental to the economy, competitiveness, and security of the United States;

(B) to the maximum extent practicable, the critical mineral needs of the United States should be satisfied by minerals responsibly produced and recycled in the United States; and

(C) the Federal permitting process has been identified as an impediment to mineral production and the mineral security of the United States.

(2) PERFORMANCE IMPROVEMENTS.—To improve the quality and timeliness of decisions, the Secretary (acting through the Director of the Bureau of Land Management) and the Secretary of Agriculture (acting through the Chief of the Forest Service) (referred to in this subsection as the ''Secretaries'') shall, to the maximum extent practicable, with respect to critical mineral production on Federal land, complete Federal permitting and review processes with maximum efficiency and effectiveness, while supporting vital economic growth, by—

(A) establishing and adhering to timelines and schedules for the consideration of, and final decisions regarding, applications, operating plans, leases, licenses, permits, and other use authorizations for mineral-related activities on Federal land;

(B) establishing clear, quantifiable, and temporal permitting performance goals and tracking progress against those goals;

(C) engaging in early collaboration among agencies, project sponsors, and affected stakeholders—

(i) to incorporate and address the interests of those parties; and

(ii) to minimize delays;

(D) ensuring transparency and accountability by using cost-effective information technology to collect and disseminate information regarding individual projects and agency performance;

(E) engaging in early and active consultation with State, local, and Indian tribal governments to avoid conflicts or duplication of effort, resolve concerns, and allow for concurrent, rather than sequential, reviews;

(F) providing demonstrable improvements in the performance of Federal permitting and review processes, including lower costs and more timely decisions;

(G) expanding and institutionalizing permitting and review process improvements that have proven effective;

(H) developing mechanisms to better communicate priorities and resolve disputes among agencies at the national, regional, State, and local levels; and

(I) developing other practices, such as preapplication procedures.

(3) REVIEW AND REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretaries shall submit to Congress a report that—

(A) identifies additional measures (including regulatory and legislative proposals, as appropriate) that would increase the timeliness of permitting activities for the exploration and development of domestic critical minerals;

(B) identifies options (including cost recovery paid by permit applicants) for ensuring adequate staffing and training of Federal entities and personnel responsible for the consideration of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land;

(C) quantifies the amount of time typically required (including range derived from minimum and maximum durations, mean, median, variance, and other statistical measures or representations) to complete each step (including those aspects outside the control of the executive branch, such as judicial review, applicant decisions, or State and local government involvement) associated with the development and processing of applications, operating plans, leases, licenses, permits, and other use authorizations for critical mineral-related activities on Federal land, which shall serve as a baseline for the performance metric under paragraph (4); and

(D) describes actions carried out pursuant to paragraph (2).

(4) PERFORMANCE METRIC.—Not later than 90 days after the date of submission of the report under paragraph (3), the Secretaries, after providing public notice and an opportunity to comment, shall develop and publish a performance metric for evaluating the progress made by the executive branch to expedite the permitting of activities that will increase exploration for, and development of, domestic critical minerals, while maintaining environmental standards.

(5) ANNUAL REPORTS.—Beginning with the first budget submission by the President under section 1105 of title 31, United States Code, after publication of the performance metric required under paragraph (4), and annually thereafter, the Secretaries shall submit to Congress a report that—

(A) summarizes the implementation of recommendations, measures, and options identified in subparagraphs (A) and (B) of paragraph (3);

(B) using the performance metric under paragraph (4), describes progress made by the executive branch, as compared to the baseline established pursuant to paragraph (3)(C), on expediting the permitting of activities that will increase exploration for, and development of, domestic critical minerals; and

(C) compares the United States to other countries in terms of permitting efficiency and any other criteria relevant to the globally competitive critical minerals industry.

(6) INDIVIDUAL PROJECTS.—Using data from the Secretaries generated under paragraph (5), the Director of the Office of Management and Budget shall prioritize inclusion of individual critical mineral projects on the website operated by the Office of Management and Budget in accordance with section 1122 of title 31, United States Code.

(7) REPORT OF SMALL BUSINESS ADMINISTRATION.—Not later than 1 year and 300 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall submit to the applicable committees of Congress a report that assesses the performance of Federal agencies with respect to—

(A) complying with chapter 6 of title 5, United States Code (commonly known as the ''Regulatory Flexibility Act''), in promulgating regulations applicable to the critical minerals industry; and

(B) performing an analysis of regulations applicable to the critical minerals industry that may be outmoded, inefficient, duplicative, or excessively burdensome.

(f) FEDERAL REGISTER PROCESS.—

(1) DEPARTMENTAL REVIEW.—Absent any extraordinary circumstance, and except as otherwise required by law, the Secretary and the Secretary of Agriculture shall ensure that each Federal Register notice described in paragraph (2) shall be—

(A) subject to any required reviews within the Department of the Interior or the Department of Agriculture; and

(B) published in final form in the Federal Register not later than 45 days after the date of initial preparation of the notice.

(2) PREPARATION.—The preparation of Federal Register notices required by law associated with the issuance of a critical mineral exploration or mine permit shall be delegated to the organizational level within the agency responsible for issuing the critical mineral exploration or mine permit.

(3) TRANSMISSION.—All Federal Register notices regarding official document availability, announcements of meetings, or notices of intent to undertake an action shall be originated in, and transmitted to the Federal Register from, the office in which, as applicable—

(A) the documents or meetings are held; or

(B) the activity is initiated.

(g) RECYCLING, EFFICIENCY, AND ALTERNATIVES.—

(1) ESTABLISHMENT.—The Secretary of Energy and the Secretary of Defense (referred to in this subsection as the ''Secretaries''), shall conduct a program of research and development—

(A) to promote the efficient production, use, and recycling of critical minerals throughout the supply chain; and

(B) to develop alternatives to critical minerals that do not occur in significant abundance in the United States.

(2) COOPERATION.—In carrying out the program, the Secretaries shall cooperate with appropriate—

(A) Federal agencies and National Laboratories;

(B) critical mineral producers;

(C) critical mineral processors;

(D) critical mineral manufacturers;

(E) trade associations;

(F) academic institutions;

(G) small businesses; and

(H) other relevant entities or individuals.

(3) ACTIVITIES.—Under the program, the Secretaries shall carry out activities that include the identification and development of—

(A) advanced critical mineral extraction, production, separation, alloying, or processing technologies that decrease the energy consumption, environmental impact, and costs of those activities, including—

(i) efficient water and wastewater management strategies;

(ii) technologies and management strategies to control the environmental impacts of radionuclides in ore tailings;

(iii) technologies for separation and processing; and

(iv) technologies for increasing the recovery rates of byproducts from host metal ores;

(B) technologies or process improvements that minimize the use, or lead to more efficient use, of critical minerals across the full supply chain;

(C) technologies, process improvements, or design optimizations that facilitate the recycling of critical minerals, and options for improving the rates of collection of products and scrap containing critical minerals from post-consumer, industrial, or other waste streams;

(D) commercial markets, advanced storage methods, energy applications, and other beneficial uses of critical minerals processing byproducts;

(E) alternative minerals, metals, and materials, particularly those available in abundance within the United States and not subject to potential supply restrictions, that lessen the need for critical minerals; and

(F) alternative energy technologies or alternative designs of existing energy technologies, particularly those that use minerals that—

(i) occur in abundance in the United States; and

(ii) are not subject to potential supply restrictions.

(4) REPORTS.—Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretaries shall submit to Congress a report summarizing the activities, findings, and progress of the program.

(h) ANALYSIS AND FORECASTING.—

(1) CAPABILITIES.—In order to evaluate existing critical mineral policies and inform future actions that may be taken to avoid supply shortages, mitigate price volatility, and prepare for demand growth and other market shifts, the Secretary (acting through the Director of the United States Geological Survey) or a designee of the Secretary, in consultation with the Secretary of Defense, the Energy Information Administration, academic institutions, and others in order to maximize the application of existing competencies related to developing and maintaining computer-models and similar analytical tools, shall conduct and publish the results of an annual report that includes—

(A) as part of the annually published Mineral Commodity Summaries from the United States Geological Survey, a comprehensive review of critical mineral production, consumption, and recycling patterns, including—

(i) the quantity of each critical mineral domestically produced during the preceding year;

(ii) the quantity of each critical mineral domestically consumed during the preceding year;

(iii) market price data or other price data for each critical mineral;

(iv) an assessment of—

(I) critical mineral requirements to meet the national security, energy, economic, industrial, technological, and other needs of the United States during the preceding year;

(II) the reliance of the United States on foreign sources to meet those needs during the preceding year; and

(III) the implications of any supply shortages, restrictions, or disruptions during the preceding year;

(v) the quantity of each critical mineral domestically recycled during the preceding year;

(vi) the market penetration during the preceding year of alternatives to each critical mineral;

(vii) a discussion of international trends associated with the discovery, production, consumption, use, costs of production, prices, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(viii) such other data, analyses, and evaluations as the Secretary finds are necessary to achieve the purposes of this subsection; and

(B) a comprehensive forecast, entitled the ''Annual Critical Minerals Outlook'', of projected critical mineral production, consumption, and recycling patterns, including—

(i) the quantity of each critical mineral projected to be domestically produced over the subsequent 1-year, 5-year, and 10-year periods;

(ii) the quantity of each critical mineral projected to be domestically consumed over the subsequent 1-year, 5-year, and 10-year periods;

(iii) an assessment of—

(I) critical mineral requirements to meet projected national security, energy, economic, industrial, technological, and other needs of the United States;

(II) the projected reliance of the United States on foreign sources to meet those needs; and

(III) the projected implications of potential supply shortages, restrictions, or disruptions;

(iv) the quantity of each critical mineral projected to be domestically recycled over the subsequent 1-year, 5-year, and 10-year periods;

(v) the market penetration of alternatives to each critical mineral projected to take place over the subsequent 1-year, 5-year, and 10-year periods;

(vi) a discussion of reasonably foreseeable international trends associated with the discovery, production, consumption, use, costs of production, and recycling of each critical mineral as well as the development of alternatives to critical minerals; and

(vii) such other projections relating to each critical mineral as the Secretary determines to be necessary to achieve the purposes of this subsection.

(2) PROPRIETARY INFORMATION.—In preparing a report described in paragraph (1), the Secretary shall ensure, consistent with section 5(f) of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1604(f)), that—

(A) no person uses the information and data collected for the report for a purpose other than the development of or reporting of aggregate data in a manner such that the identity of the person or firm who supplied the information is not discernible and is not material to the intended uses of the information;

(B) no person discloses any information or data collected for the report unless the information or data has been transformed into a statistical or aggregate form that does not allow the identification of the person or firm who supplied particular information; and

(C) procedures are established to require the withholding of any information or data collected for the report if the Secretary determines that withholding is necessary to protect proprietary information, including any trade secrets or other confidential information.

(i) EDUCATION AND WORKFORCE.—

(1) WORKFORCE ASSESSMENT.—Not later than 1 year and 300 days after the date of enactment of this Act, the Secretary of Labor (in consultation with the Secretary, the Director of the National Science Foundation, institutions of higher education with substantial expertise in mining, institutions of higher education with significant expertise in minerals research, including fundamental research into alternatives, and employers in the critical minerals sector) shall submit to Congress an assessment of the domestic availability of technically trained personnel necessary for critical mineral exploration, development, assessment, production, manufacturing, recycling, analysis, forecasting, education, and research, including an analysis of—

(A) skills that are in the shortest supply as of the date of the assessment;

(B) skills that are projected to be in short supply in the future;

(C) the demographics of the critical minerals industry and how the demographics will evolve under the influence of factors such as an aging workforce;

(D) the effectiveness of training and education programs in addressing skills shortages;

(E) opportunities to hire locally for new and existing critical mineral activities;

(F) the sufficiency of personnel within relevant areas of the Federal Government for achieving the policies described in section 3 of the National Materials and Minerals Policy, Research and Development Act of 1980 (30 U.S.C. 1602); and

(G) the potential need for new training programs to have a measurable effect on the supply of trained workers in the critical minerals industry.

(2) CURRICULUM STUDY.—

(A) IN GENERAL.—The Secretary and the Secretary of Labor shall jointly enter into an arrangement with the National Academy of Sciences and the National Academy of Engineering under which the Academies shall coordinate with the National Science Foundation on conducting a study—

(i) to design an interdisciplinary program on critical minerals that will support the critical mineral supply chain and improve the ability of the United States to increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(ii) to address undergraduate and graduate education, especially to assist in the development of graduate level programs of research and instruction that lead to advanced degrees with an emphasis on the critical mineral supply chain or other positions that will increase domestic, critical mineral exploration, development, production, manufacturing, research, including fundamental research into alternatives, and recycling;

(iii) to develop guidelines for proposals from institutions of higher education with substantial capabilities in the required disciplines for activities to improve the critical mineral supply chain and advance the capacity of the United States to increase domestic, critical mineral exploration, research, development, production, manufacturing, and recycling; and

(iv) to outline criteria for evaluating performance and recommendations for the amount of funding that will be necessary to establish and carry out the program described in paragraph (3).

(B) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a description of the results of the study required under subparagraph (A).

(3) PROGRAM.—

(A) ESTABLISHMENT.—The Secretary and the Secretary of Labor shall jointly conduct a competitive grant program under which institutions of higher education may apply for and receive 4-year grants for—

(i) startup costs for newly designated faculty positions in integrated critical mineral education, research, innovation, training, and workforce development programs consistent with paragraph (2);

(ii) internships, scholarships, and fellowships for students enrolled in programs related to critical minerals;

(iii) equipment necessary for integrated critical mineral innovation, training, and workforce development programs; and

(iv) research of critical minerals and their applications, particularly concerning the manufacture of critical components vital to national security.

(B) RENEWAL.—A grant under this paragraph shall be renewable for up to 2 additional 3-year terms based on performance criteria outlined under paragraph (2)(A)(iv).

(j) NATIONAL GEOLOGICAL AND GEOPHYSICAL DATA PRESERVATION PROGRAM.—Section 351(k) of the Energy Policy Act of 2005 (42 U.S.C. 15908(k)) is amended by striking ''$30,000,000 for each of fiscal years 2006 through 2010'' and inserting ''$5,000,000 for each of fiscal years 2021 through 2030, to remain available until expended''.

(k) ADMINISTRATION.—

(1) IN GENERAL.—The National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.) is repealed.

(2) CONFORMING AMENDMENT.—Section 3(d) of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5202(d)) is amended in the first sentence by striking '', with the assistance of the National Critical

Materials Council as specified in the National Critical Materials Act of 1984 (30 U.S.C. 1801 et seq.),''.

(3) SAVINGS CLAUSES.—

(A) IN GENERAL.—Nothing in this section or an amendment made by this section modifies any requirement or authority provided by—

(i) the matter under the heading ''**GEOLOGICAL SURVEY**'' of the first section of the Act of March 3, 1879 (43 U.S.C. 31(a)); or

(ii) the first section of Public Law 87–626 (43 U.S.C. 31(b)).

(B) EFFECT ON DEPARTMENT OF DEFENSE.—Nothing in this section or an amendment made by this section affects the authority of the Secretary of Defense with respect to the work of the Department of Defense on critical material supplies in furtherance of the national defense mission of the Department of Defense.

(C) SECRETARIAL ORDER NOT AFFECTED.—This section shall not apply to any mineral described in Secretarial Order No. 3324, issued by the Secretary on December 3, 2012, in any area to which the order applies.

(4) APPLICATION OF CERTAIN PROVISIONS.—

(A) IN GENERAL.—Subsections (e) and (f) shall apply to—

(i) an exploration project in which the presence of a byproduct is reasonably expected, based on known mineral companionality, geologic formation, mineralogy, or other factors; and

(ii) a project that demonstrates that the byproduct is of sufficient grade that, when combined with the production of a host mineral, the byproduct is economic to recover, as determined by the applicable Secretary in accordance with subparagraph (B).

(B) REQUIREMENT.—In making the determination under subparagraph (A)(ii), the applicable Secretary shall consider the cost effectiveness of the byproducts recovery.

(l) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for each of fiscal years 2021 through 2030.

SEC. 3169. RARE EARTH ELEMENT ADVANCED COAL TECHNOLOGIES.

(a) PROGRAM FOR EXTRACTION AND RECOVERY OF RARE EARTH ELEMENTS AND MINERALS FROM COAL AND COAL BYPRODUCTS.—

(1) IN GENERAL.—The Secretary of Energy, acting through the Assistant Secretary for Fossil Energy (referred to in this section as the ''Secretary''), shall carry out a program under which the Secretary shall develop advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out the program described in paragraph (1) $23,000,000 for each of fiscal years 2021 through 2028.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report evaluating the development of advanced separation technologies for the extraction and recovery of rare earth elements and minerals from coal and coal byproducts, including acid mine drainage from coal mines.

SA 2030. Mr. CRAPO (for himself, Mrs. SHAHEEN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—BRING OUR HEROS HOME

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Bring Our Heroes Home Act''.

SEC. 1702. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) A vast number of records relating to Missing Armed Forces Personnel have not been identified, located, or transferred to the National Archives following review and declassification. Only in the rarest cases is there any legitimate need for continued protection of records pertaining to Missing Armed Forces Personnel who have been missing for decades.

(2) There has been insufficient priority placed on identifying, locating, reviewing, or declassifying records relating to Missing Armed Forces Personnel and then transferring the records to the National Archives for public access.

(3) Mandates for declassification set forth in multiple Executive orders have been broadly written, loosely interpreted, and often ignored by Federal agencies in possession and control of records related to Missing Armed Forces Personnel.

(4) No individual or entity has been tasked with oversight of the identification, collection, review, and declassification of records related to Missing Armed Forces Personnel.

(5) The interest, desire, workforce, and funding of Federal agencies to assemble, review, and declassify records relating to Missing Armed Forces Personnel have been lacking.

(6) All records of the Federal Government relating to Missing Armed Forces Personnel should be preserved for historical and governmental purposes and for public research.

(7) All records of the Federal Government relating to Missing Armed Forces Personnel should carry a presumption of declassification, and all such records should be disclosed under this title to enable the fullest possible accounting for Missing Armed Forces Personnel.

(8) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of records relating to Missing Armed Forces Personnel.

(9) Legislation is necessary because section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), as implemented by Federal agencies, has prevented the timely public disclosure of records relating to Missing Armed Forces Personnel.

(b) PURPOSES.—The purposes of this title are—

(1) to provide for the creation of the Missing Armed Forces Personnel Records Collection at the National Archives; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of Missing Armed Forces Personnel records, subject to narrow exceptions, as set forth in this title.

SEC. 1703. DEFINITIONS.

In this title:

(1) ARCHIVIST.—The term ''Archivist'' means Archivist of the United States.

(2) COLLECTION.—The term ''Collection'' means the Missing Armed Forces Personnel Records Collection established under section 1704(a).

(3) EXECUTIVE AGENCY.—The term ''Executive agency''—

(A) means an agency, as defined in section 552(f) of title 5, United States Code; and

(B) includes any Executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Federal Government, including the Executive Office of the President, any branch of the Armed Forces, and any independent regulatory agency.

(4) EXECUTIVE BRANCH MISSING ARMED FORCES PERSONNEL RECORD.—The term ''executive branch Missing Armed Forces Personnel record'' means a Missing Armed Forces Personnel record of an Executive agency, or information contained in such a Missing Armed Forces Personnel record obtained by or developed within the executive branch of the Federal Government.

(5) GOVERNMENT OFFICE.—The term ''Government office'' means an Executive agency, the Library of Congress, or the National Archives.

(6) MISSING ARMED FORCES PERSONNEL.—

(A) DEFINITION.—The term ''Missing Armed Forces Personnel'' means 1 or more missing persons.

(B) INCLUSIONS.—The term ''Missing Armed Forces Personnel'' includes an individual who was a missing person and whose status was later changed to ''missing and presumed dead''.

(7) MISSING ARMED FORCES PERSONNEL RECORD.—The term ''Missing Armed Forces Personnel record'' means a record that relates, directly or indirectly, to the loss, fate, or status of Missing Armed Forces Personnel that—

(A) was created or made available for use by, obtained by, or otherwise came into the custody, possession, or control of—

(i) any Government office;

(ii) any Presidential library; or

(iii) any of the Armed Forces; and

(B) relates to 1 or more Missing Armed Forces Personnel who became missing persons during the period—

(i) beginning on December 7, 1941; and

(ii) ending on the date of enactment of this Act.

(8) MISSING PERSON.—The term ''missing person'' has the meaning given that term in section 1513 of title 10, United States Code.

(9) NATIONAL ARCHIVES.—The term ''National Archives''—

(A) means the National Archives and Records Administration; and

(B) includes any component of the National Archives and Records Administration (including Presidential archival depositories established under section 2112 of title 44, United States Code).

(10) OFFICIAL INVESTIGATION.—The term ''official investigation'' means a review, briefing, inquiry, or hearing relating to Missing Armed Forces Personnel conducted by a Presidential commission, committee of Congress, or agency, regardless of whether it is conducted independently, at the request of any Presidential commission or committee of Congress, or at the request of any official of the Federal Government.

(11) ORIGINATING BODY.—The term ''originating body'' means the Government office or other initial source that created a record or particular information within a record.

(12) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of Missing Armed Forces Personnel records for historical and governmental purposes, for public research, and for the purpose of fully informing the people of the United States, most importantly families of Missing Armed Forces Personnel, about the fate of the Missing Armed Forces Personnel and the process by which the Federal Government has sought to account for them.

(13) RECORD.—The term ''record'' has the meaning given the term ''records'' in section 3301 of title 44, United States Code.

(14) REVIEW BOARD.—The term ''Review Board'' means the Missing Armed Forces Personnel Records Review Board established under section 1707.

SEC. 1704. MISSING ARMED FORCES PERSONNEL RECORDS COLLECTION AT THE NATIONAL ARCHIVES.

(a) ESTABLISHMENT OF COLLECTION.—Not later than 90 days after the date of enactment of this Act, the Archivist shall—

(1) commence establishment of a collection of records to be known as the ''Missing Armed Forces Personnel Records Collection'';

(2) commence preparing the subject guidebook and index to the Collection; and

(3) establish criteria for Executive agencies to follow when transmitting copies of Missing Armed Forces Personnel Records to the Archivist, to include required metadata.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Review Board shall promulgate rules to establish guidelines and processes for the disclosure of records contained in the Collection.

SEC. 1705. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF MISSING ARMED FORCES PERSONNEL RECORDS BY GOVERNMENT OFFICES.

(a) IN GENERAL.—

(1) PREPARATION.—As soon as practicable after the date of enactment of this Act, and sufficiently in advance of the deadlines established under this title, each Government office shall—

(A) identify and locate any Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(B) prepare for transmission to the Archivist in accordance with the criteria established by the Archivist a copy of any Missing Armed Forces Personnel records that have not previously been transmitted to the Archivist by the Government office.

(2) CERTIFICATION.—Each Government office shall submit to the Archivist, under penalty of perjury, a certification indicating—

(A) whether the Government office has conducted a thorough search for all Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(B) whether a copy of any Missing Armed Forces Personnel record has not been transmitted to the Archivist.

(3) PRESERVATION.—No Missing Armed Forces Personnel record shall be destroyed, altered, or mutilated in any way.

(4) EFFECT OF PREVIOUS DISCLOSURE.—Information that was made available or disclosed to the public before the date of enactment of this Act in a Missing Armed Forces Personnel record may not be withheld, redacted, postponed for public disclosure, or reclassified.

(5) WITHHELD AND SUBSTANTIALLY REDACTED RECORDS.—For any Missing Armed Forces Personnel record that is transmitted to the Archivist which a Government office proposes to substantially redact or withhold in full from public access, the head of the Government office shall submit an unclassified and publicly releasable report to the Archivist, the Review Board, and each appropriate committee of the Senate and the House of Representatives justifying the decision of the Government office to substantially redact or withhold the record by demonstrating that the release of information would clearly and demonstrably be expected to cause an articulated harm, and that the harm would be of such gravity as to outweigh the public interest in access to the information.

(b) REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, each Government office shall, in accordance with the criteria established by the Archivist and the rules promulgated under paragraph (2)—

(A) identify, locate, copy, and review each Missing Armed Forces Personnel record in the custody, possession, or control of the Government office for transmission to the Archivist and disclosure to the public or, if needed, review by the Review Board; and

(B) cooperate fully, in consultation with the Archivist, in carrying out paragraph (3).

(2) REQUIREMENT.—The Review Board shall promulgate rules for the disclosure of relevant records by Government offices under paragraph (1).

(3) NATIONAL ARCHIVES RECORDS.—Not later than 180 days after the date of enactment of this Act, the Archivist shall—

(A) locate and identify all Missing Armed Forces Personnel records in the custody of the National Archives as of the date of enactment of this Act that remain classified, in whole or in part;

(B) notify a Government office if the Archivist locates and identifies a record of the Government office under subparagraph (A); and

(C) make each classified Missing Armed Forces Personnel record located and identified under subparagraph (A) available for review by Executive agencies through the National Declassification Center established under Executive Order 13526.

(4) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody of the National Archives on the date of enactment of this Act and that has been publicly available in its entirety without redaction shall be made available in the Collection without any additional review by the Archivist, the Review Board, or any other Government office under this title.

(c) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each Government office shall—

(1) not later than 180 days after the date of enactment of this Act, commence transmission to the Archivist of copies of the Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(2) not later than 1 year after the date of enactment of this Act, complete transmission to the Archivist of copies of all Missing Armed Forces Personnel records in the possession or control of the Government office.

(d) PERIODIC REVIEW OF POSTPONED MISSING ARMED SERVICES PERSONNEL RECORDS.—

(1) IN GENERAL.—All Missing Armed Forces Personnel records, or information within a Missing Armed Forces Personnel record, the public disclosure of which has been postponed under the standards under this title shall be reviewed by the originating body—

(A)(i) periodically, but not less than every 5 years, after the date on which the Review Board terminates under section 1707(o); and

(ii) at the direction of the Archivist; and

(B) consistent with the recommendations of the Review Board under section 1709(b)(3)(B).

(2) CONTENTS.—

(A) IN GENERAL.—A periodic review of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, by the originating body shall address the public disclosure of the Missing Armed Forces Personnel record under the standards under this title.

(B) CONTINUED POSTPONEMENT.—If an originating body conducting a periodic review of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the public disclosure of which has been postponed under the standards under this title, determines that continued postponement is required, the originating body shall provide to the Archivist an unclassified written description of the reason for the continued postponement that the Archivist shall highlight and make accessible on a publicly accessible website administered by the National Archives.

(C) SCOPE.—The periodic review of postponed Missing Armed Forces Personnel records, or information within a Missing Armed Forces Personnel record, shall serve the purpose stated in section 1702(b)(2), to provide expeditious public disclosure of Missing Armed Forces Personnel records, to the fullest extent possible, subject only to the grounds for postponement of disclosure under section 1706.

(D) DISCLOSURE ABSENT CERTIFICATION BY PRESIDENT.—Not later than 10 years after the date of enactment of this Act, all Missing Armed Forces Personnel records, and information within a Missing Armed Forces Personnel record, shall be publicly disclosed in full, and available in the Collection, unless—

(i) the head of the originating body, Executive agency, or other Government office recommends in writing that continued postponement is necessary;

(ii) the written recommendation described in clause (i)—

(I) is provided to the Archivist in unclassified and publicly releasable form not later than 180 days before the date that is 10 years after the date of enactment of this Act; and

(II) includes—

(aa) a justification of the recommendation to postpone disclosure with clear and convincing evidence that the identifiable harm is of such gravity that it outweighs the public interest in disclosure; and

(bb) a recommended specified time at which or a specified occurrence following which the material may be appropriately disclosed to the public under this title;

(iii) the Archivist transmits all recommended postponements and the recommendation of the Archivist to the President not later than 90 days before the date that is 10 years after the date of enactment of this Act; and

(iv) the President transmits to the Archivist a certification indicating that continued postponement is necessary and the identifiable harm, as demonstrated by clear and convincing evidence, is of such gravity that it outweighs the public interest in disclosure not later than the date that is 10 years after the date of enactment of this Act.

SEC. 1706. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS.

(a) IN GENERAL.—Disclosure to the public of a Missing Armed Forces Personnel record or particular information in a Missing Armed Forces Personnel record created after the date that is 25 years before the date of the review of the Missing Armed Forces Personnel record by the Archivist may be postponed subject to the limitations under this title only—

(1) if it pertains to—

(A) military plans, weapons systems, or operations;

(B) foreign government information;

(C) intelligence activities (including covert action), intelligence sources or methods, or cryptology;

(D) foreign relations or foreign activities of the United States, including confidential sources;

(E) scientific, technological, or economic matters relating to the national security;

(F) United States Government programs for safeguarding nuclear materials or facilities;

(G) vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to the national security; or

(H) the development, production, or use of weapons of mass destruction; and

(2) the threat posed by the public disclosure of the Missing Armed Forces Personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(b) OLDER RECORDS.—Disclosure to the public of a Missing Armed Forces Personnel record or particular information in a Missing Armed Forces Personnel record created on or before the date that is 25 years before the date of the review of the Missing Armed Forces Personnel record by the Archivist may be postponed subject to the limitations under this title only if, as demonstrated by clear and convincing evidence—

(1) the release of the information would be expected to—

(A) reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign government or international organization, or a nonhuman intelligence source, or impair the effectiveness of an intelligence method currently in use, available for use, or under development;

(B) reveal information that would impair United States cryptologic systems or activities;

(C) reveal formally named or numbered United States military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans; or

(D) reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States; and

(2) the threat posed by the public disclosure of the Missing Armed Forces Personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(c) EXCEPTION.—Regardless of the age of a Missing Armed Forces Personnel record—the date on which a Missing Armed Forces Personnel record was created—disclosure to the public of information in the Missing Armed Forces Personnel record may be postponed if—

(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest; or

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by members of the Armed Forces to survive, evade, resist, or escape.

SEC. 1707. ESTABLISHMENT AND POWERS OF THE MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent establishment in the executive branch a board to be known as the ''Missing Armed Forces Personnel Records Review Board''.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The President shall appoint, by and with the advice and consent of the Senate, 5 individuals to serve as a member of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records.

(2) QUALIFICATIONS.—The President shall appoint individuals to serve as members of the Review Board—

(A) without regard to political affiliation;

(B) who are citizens of the United States of integrity and impartiality;

(C) who are not an employee of an Executive agency on the date of the appointment;

(D) who have high national professional reputation in their fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the identification, location, review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records;

(E) who possess an appreciation of the value of Missing Armed Forces Personnel records to scholars, the Federal Government, and the public, particularly families of Missing Armed Forces Personnel;

(F) not less than 1 of whom is a professional historian; and

(G) not less than 1 of whom is an attorney.

(3) DEADLINES.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the President shall submit nominations for all members of the Review Board.

(B) CONFIRMATION REJECTED.—If the Senate votes not to confirm a nomination to serve as a member of the Review Board, not later than 90 days after the date of the vote the President shall submit the nomination of an additional individual to serve as a member of the Review Board.

(4) CONSULTATION.—The President shall make nominations to the Review Board after considering individuals recommended by the American Historical Association, the Organization of American Historians, the Society of American Archivists, the American Bar Association, veterans' organizations, and organizations representing families of Missing Armed Forces Personnel.

(c) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be a member of the Review Board, seeking security clearances necessary to carry out the duties of the Review Board, is expeditiously reviewed and granted or denied.

(d) CONFIRMATION.—

(1) HEARINGS.—Not later than 30 days on which the Senate is in session after the date on which not less than 3 individuals have been nominated to serve as members of the Review Board, the Committee on Homeland Security and Governmental Affairs of the Senate shall hold confirmation hearings on the nominations.

(2) COMMITTEE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs holds a confirmation hearing on the nomination of an individual to serve as a member of the Review Board, the committee shall vote on the nomination and report the results to the full Senate immediately.

(3) SENATE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs reports the results of a vote on a nomination of an individual to serve as a member of the Review Board, the Senate shall vote on the confirmation of the nominee.

(e) VACANCY.—Not later than 60 days after the date on which a vacancy on the Review Board occurs, the vacancy shall be filled in the same manner as specified for original appointment.

(f) CHAIRPERSON.—The members of the Review Board shall elect a member as Chairperson at the initial meeting of the Review Board.

(g) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—A member of the Review Board shall not be removed from office, other than—

(A) by impeachment by Congress; or

(B) by the action of the President for inefficiency, neglect of duty, malfeasance in office, physical disability, mental incapacity, or any other condition that substantially impairs the performance of the member's duties.

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) RELIEF.—The member may be reinstated or granted other appropriate relief by order of the court.

(h) COMPENSATION OF MEMBERS.—

(1) BASIC PAY.—A member of the Review Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(i) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render a decision on a determination by a Government office to seek to postpone the disclosure of a Missing Armed Forces Personnel record, in whole or in part.

(2) RECORDS.—In carrying out paragraph (1), the Review Board shall consider and render a decision regarding—

(A) whether a record constitutes a Missing Armed Forces Personnel record; and

(B) whether a Missing Armed Forces Personnel record, or particular information in a Missing Armed Forces Personnel record, qualifies for postponement of disclosure under this title.

(j) POWERS.—The Review Board shall have the authority to act in a manner prescribed under this title, including authority to—

(1) direct Government offices to transmit to the Archivist Missing Armed Forces Personnel records as required under this title;

(2) direct Government offices to transmit to the Archivist substitutes and summaries of Missing Armed Forces Personnel records that can be publicly disclosed to the fullest extent for any Missing Armed Forces Personnel record that is proposed for postponement;

(3) obtain access to Missing Armed Forces Personnel records that have been identified by a Government office;

(4) direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals, which the Review Board has reason to believe is required to fulfill its functions and responsibilities under this title;

(5) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Review Board considers advisable to carry out its responsibilities under this title;

(6) hold individuals in contempt for failure to comply with directives and mandates issued by the Review Board under this title, which shall not include the authority to imprison or fine any individual;

(7) require any Government office to account in writing for the destruction of any records relating to the loss, fate, or status of Missing Armed Forces Personnel;

(8) receive information from the public regarding the identification and public disclosure of Missing Armed Forces Personnel records; and

(9) make a final determination regarding whether a Missing Armed Forces Personnel record will be disclosed to the public or disclosure of the Missing Armed Forces Personnel record to the public will be postponed, notwithstanding the determination of an Executive agency.

(k) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code.

(l) OVERSIGHT.—

(1) IN GENERAL.—The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives shall have—

(A) continuing oversight jurisdiction with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board; and

(B) upon request, access to any records held or created by the Review Board.

(2) DUTY OF REVIEW BOARD.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction under paragraph (1).

(m) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(n) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(o) TERMINATION AND WINDING UP.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Review Board shall, by majority vote, determine whether all Government offices have complied with the obligations, mandates, and directives under this title.

(2) TERMINATION DATE.—The Review Board shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) REPORT.—Before the termination of the Review Board under paragraph (2), the Review Board shall submit to Congress reports, including a complete and accurate accounting of expenditures during its existence, and shall complete all other reporting requirements under this title.

(4) RECORDS.—Upon termination of the Review Board, the Review Board shall transfer all records of the Review Board to the Archivist for inclusion in the Collection, and no record of the Review Board shall be destroyed.

SEC. 1708. MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) IN GENERAL.—Not later than 45 days after the initial meeting of the Review Board, the Review Board shall appoint an individual to the position of Executive Director.

(2) QUALIFICATIONS.—The individual appointed as Executive Director of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality;

(B) shall be appointed without regard to political affiliation; and

(C) shall not have any conflict of interest with the mission of the Review Board.

(3) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as Executive Director until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be Executive Director, seeking security clearances necessary to carry out the duties of the Executive Director, is expeditiously reviewed and granted or denied.

(4) DUTIES.—The Executive Director shall—

(A) serve as principal liaison to Government offices;

(B) be responsible for the administration and coordination of the review of records by the Review Board;

(C) be responsible for the administration of all official activities conducted by the Review Board; and

(D) not have the authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure.

(5) REMOVAL.—The Executive Director may be removed by a majority vote of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board may, in accordance with the civil service laws, but without regard to civil service law and regulation for competitive service as defined in subchapter I of chapter 33 of title 5, United States Code, appoint and terminate additional employees as are necessary to enable the Review Board and the Executive Director to perform their duties under this title.

(2) QUALIFICATIONS.—An individual appointed to a position as an employee of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality; and

(B) shall not have had any previous involvement with any official investigation or inquiry relating to the loss, fate, or status of Missing Armed Forces Personnel.

(3) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as an employee of the Review Board until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual who is a candidate for a position with the Review Board, seeking security clearances necessary to carry out the duties of the position, is expeditiously reviewed and granted or denied.

(c) COMPENSATION.—The Review Board shall fix the compensation of the Executive Director and other employees of the Review Board without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director and other employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Review Board may create 1 or more advisory committees to assist in fulfilling the responsibilities of the Review Board under this title.

(2) APPLICABILITY OF FACA.—Any advisory committee created by the Review Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1709. REVIEW OF RECORDS BY THE MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD.

(a) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date on which all members are appointed, publish an initial schedule for review of all Missing Armed Forces Personnel records, which the Archivist shall highlight and make available on a publicly accessible website administered by the National Archives; and

(2) not later than 180 days after the date of enactment of this Act, begin reviewing of Missing Armed Forces Personnel records under this title.

(b) DETERMINATION OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all records that relate, directly or indirectly, to the loss, fate, or status of Missing Armed Forces Personnel be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that—

(A) the record is not a Missing Armed Forces Personnel record; or

(B) the Missing Armed Forces Personnel record, or particular information within the Missing Armed Forces Personnel record, qualifies for postponement of public disclosure under this title.

(2) POSTPONEMENT.—In approving postponement of public disclosure of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of the Missing Armed Forces Personnel record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this title, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a Missing Armed Forces Personnel record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a Missing Armed Forces Personnel record.

(3) REPORTING.—With respect to a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the public disclosure of which is postponed under this title, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the Archivist an unclassified and publicly releasable report containing—

(A) a description of actions by the Review Board, the originating body, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board; and

(B) a statement, based on a review of the proceedings and in conformity with the decisions reflected therein, designating a recommended specified time at which, or a specified occurrence following which, the material may be appropriately disclosed to the public under this title, which the Review Board shall disclose to the public with notice thereof, reasonably calculated to make interested members of the public aware of the existence of the statement.

(4) ACTIONS AFTER DETERMINATION.—

(A) IN GENERAL.—Not later than 14 days after the date of a determination by the Review Board that a Missing Armed Forces Personnel record shall be publicly disclosed in the Collection or postponed for disclosure

and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination and highlight and make available the determination on a publicly accessible website reasonably calculated to make interested members of the public aware of the existence of the determination.

(B) OVERSIGHT NOTICE.—Simultaneous with notice under subparagraph (A), the Review Board shall provide notice of a determination concerning the public disclosure or postponement of disclosure of a Missing Armed Forces Personnel record, or information contained within a Missing Armed Forces Personnel record, which shall include a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards in section 1706 to the President, to the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives.

(5) REFERRAL AFTER TERMINATION.—A Missing Armed Forces Personnel record that is identified, located, or otherwise discovered after the date on which the Review Board terminates shall be transmitted to the Archivist for the Collection and referred to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives for review, ongoing oversight and, as warranted, referral for possible enforcement action relating to a violation of this title and determination as to whether declassification of the Missing Armed Forces Personnel is warranted under this title.

(c) NOTICE TO PUBLIC.—Every 30 days, beginning on the date that is 60 days after the date on which the Review Board first approves the postponement of disclosure of a Missing Armed Forces Personnel record, the Review Board shall highlight and make accessible on a publicly available website reasonably calculated to make interested members of the public aware of the existence of the postponement a notice that summarizes the postponements approved by the Review Board, including a description of the subject, originating body, length or other physical description, and each ground for postponement that is relied upon.

(d) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the Review Board terminates, the Review Board shall submit a report regarding the activities of the Review Board to—

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

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

(C) the President;

(D) the Archivist; and

(E) the head of any Government office the records of which have been the subject of Review Board activity.

(2) CONTENTS.—Each report under paragraph (1) shall include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its employees.

(B) The progress made on review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records.

(C) The estimated time and volume of Missing Armed Forces Personnel records involved in the completion of the duties of the Review Board under this title.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to carry out its duties under this title.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized under this title, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(G) An appendix containing copies of reports relating to postponed records submitted to the Archivist under subsection (b)(3) since the end of the period covered by the most recent report under paragraph (1).

(3) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to complete the work of the Review Board under this title, the Review Board shall provide written notice to Congress of the intent of the Review Board to terminate operations at a specified date.

SEC. 1710. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States or of a foreign country to release any information relevant to the loss, fate, or status of Missing Armed Forces Personnel that is held under seal of the court.

(2) GRAND JURY INFORMATION.—

(A) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States to release any information relevant to loss, fate, or status of Missing Armed Forces Personnel that is held under the injunction of secrecy of a grand jury.

(B) TREATMENT.—A request for disclosure of Missing Armed Forces Personnel materials under this title shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

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

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should—

(A) contact the Governments of the Russian Federation, the People's Republic of China, and the Democratic People's Republic of Korea to seek the disclosure of all records in their respective custody, possession, or control relevant to the loss, fate, or status of Missing Armed Forces Personnel; and

(B) contact any other foreign government that may hold information relevant to the loss, fate, or status of Missing Armed Forces Personnel, and seek disclosure of such information; and

(3) all agencies should cooperate in full with the Review Board to seek the disclosure of all information relevant to the loss, fate, or status of Missing Armed Forces Personnel consistent with the public interest.

SEC. 1711. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this title requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law (except section 6103 of the Internal Revenue Code of 1986), judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this title shall be construed to eliminate or limit any right to file requests with any Executive agency or seek judicial review of the decisions under section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this title shall be construed to preclude judicial review under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this title.

(d) EXISTING AUTHORITY.—Nothing in this title revokes or limits the existing authority of the President, any Executive agency, the Senate, or the House of Representatives, or any other entity of the Government to publicly disclose records in its custody, possession, or control.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this title establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is 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, and it supersedes other rules only to the extent that it is inconsistent with such rules; 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.

SEC. 1712. TERMINATION OF EFFECT OF TITLE.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this title that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated under section 1707(o).

(b) OTHER PROVISIONS.—The remaining provisions of this title shall continue in effect until such time as the Archivist certifies to the President and Congress that all Missing Armed Forces Personnel records have been made available to the public in accordance with this title.

SEC. 1713. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this title, to remain available until expended.

(b) INTERIM FUNDING.—Until such time as funds are appropriated pursuant to subsection (a), the President may use such sums as are available for discretionary use to carry out this title.

SEC. 1714. SEVERABILITY.

If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of this title and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

SA 2031. Mr. CRAPO (for himself, Ms. STABENOW, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—IMPROVEMENT OF TRANSITION ASSISTANCE

SEC. 1701. SHORT TITLE; DEFINITION.

(a) SHORT TITLE.—This title may be cited as the ''Improving Preparation and Resources for Occupational, Vocational, and

Educational Transition for Servicemembers Act'' or ''IMPROVE Transition for Servicemembers Act''.

(b) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this Act, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SEC. 1702. RECODIFICATION, CONSOLIDATION, AND IMPROVEMENT OF CERTAIN TRANSITION-RELATED COUNSELING AND ASSISTANCE AUTHORITIES.

(a) RECODIFICATION, CONSOLIDATION, AND IMPROVEMENT OF AUTHORITIES.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by striking sections 1142 and 1144 and inserting after section 1141 the following new section 1142:

''§ 1142. Transition-related counseling and services: Transition Assistance Program

''(a) PROGRAM REQUIRED.—

''(1) IN GENERAL.—The Secretary of Defense and the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy shall, in cooperation with the Secretary of Labor and the Secretary of Veterans Affairs, carry out a program to furnish individual counseling, information and services described in paragraph (2) to members of the armed forces under the jurisdiction of the Secretary of Defense or the Secretary of Homeland Security, as applicable, whose retirement, separation, or release from active duty is anticipated as of a specific date, and to the spouses of such members. The program shall be known as the 'Transition Assistance Program'.

''(2) COUNSELING, INFORMATION, AND SERVICES.—The counseling, information, and services furnished under the program (in this section referred to as 'covered counseling, information, and services') shall include the following in connection with the transition from military life to civilian life:

''(A) Information on the topics described in subsection (f).

''(B) Training, employment assistance, and other related information and services, including as described in subsection (h).

''(C) Such other counseling, information, and services as the Secretaries referred to in paragraph (1) consider appropriate to assist members of the armed forces, and their spouses, in the transition from military life to civilian life.

''(3) AGREEMENT.—The Secretaries referred to in paragraph (1) (in this section referred to as the 'administering Secretaries') shall enter into a detailed agreement to carry out this section.

''(4) CERTAIN RESPONSIBILITIES.—In carrying out the program, the administering Secretaries shall do the following:

''(A) Work together to develop and revise necessary training documents, resources, and curriculum for the purposes of the program.

''(B) In providing information in connection with preseparation counseling under subsection (f)(4), use experience obtained from implementation of the pilot program under section 408 of Public Law 101–237.

''(C) Work with military and veterans' service organizations and other appropriate organizations to promote and publicize job fairs for members furnished covered counseling, information, and services under the program.

''(D) In the case of members furnished covered counseling, information, and services under the program who have a spouse—

''(i) include the spouse in such counseling, information, and services, at the election of the member and the spouse; and

''(ii) provide job placement counseling for the spouse in connection with the transition of the member from military life to civilian life.

''(b) PARTICIPATION OF MEMBERS REQUIRED.—The Secretary of Defense and the Secretary of Homeland Security shall require the participation in the program under this section of all members eligible for assistance under the program.

''(c) SERVICE REQUIRED BEFORE FURNISHING OF PRESEPARATION COUNSELING.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary concerned shall not furnish preseparation counseling under the program under this section to a member who is being discharged or released before the completion of the first 180 continuous days of active duty of the member.

''(2) RETIREMENT OR SEPARATION FOR DISABILITY.—Paragraph (1) shall not apply in the case of a member who is being retired or separated for disability.

''(3) DETERMINATION OF DURATION OF SERVICE.—For purposes of calculating the days of active duty of a member under paragraph (1), the Secretary concerned shall exclude any day as follows:

''(A) Any day on which the member performed full-time training duty or annual training duty.

''(B) Any day on which the member attended, while in the active military service, a school designated as a service school by law or by the Secretary concerned.

''(d) COMMENCEMENT AND COMPLETION.—

''(1) COMMENCEMENT.—

''(A) RETIRING MEMBERS.—In the case of a member who is retiring from the armed forces, the furnishing of covered counseling, information, and services to such member under the program under this section shall commence as early as possible during the 24-month period preceding the anticipated retirement date.

''(B) MEMBERS SEPARATED OR RELEASED.—In the case of a member who is being separated or released from the armed forces (other than by retirement), the furnishing of counseling, information, and services to such member under the program shall commence not later than 365 days before the anticipated separation or release date.

''(C) DEADLINE FOR COMMENCEMENT.—Except as provided in paragraph (4), under no circumstances shall the furnishing of covered counseling, information, and services to a member under the program commence later than 365 days before the date of retirement, separation, or release of the member from the armed forces.

''(2) COMPLETION.—Except as provided in paragraph (4), the furnishing of covered counseling, information, and services to a member under the program shall be completed as follows:

''(A) In the case of a member retiring from the armed forces, by not later than 120 days before the date of retirement.

''(B) In the case of a member otherwise being separated or released from the armed forces, by not later than 90 days before the date of separation or release.

''(3) CONSTRUCTION.—Nothing in this subsection may be construed to prohibit the furnishing of covered counseling, information, and services to a member under the program, or other counseling, assistance, and information and services similar to covered counseling, information, and services, at times other than the times provided for by paragraphs (1) and (2).

''(4) UNANTICIPATED RETIREMENT, SEPARATION, OR RELEASE IN CONNECTION WITH PRESEPARATION COUNSELING.—In the event that a retirement or other separation or released from the armed forces is unanticipated until there are 90 or fewer days before the anticipated retirement or separation or release date, or in the event a member of a reserve component is being demobilized under circumstances in which (as determined by the Secretary concerned) operational requirements make the 120-day or 90-day requirement under paragraph (2) unfeasible, preseparation counseling under the program shall begin as soon as possible within the remaining period of service.

''(e) FURNISHING ON IN-PERSON BASIS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), covered counseling, information, and services under the program under this section shall be furnished to a member on an in-person basis.

''(2) WAIVER.—The Secretary of Defense and the Secretary of Homeland Security, as applicable, may waive the requirement in paragraph (1) with respect to a particular member if such Secretary determines, using a system established by such Secretary for purposes of this paragraph, that the furnishing of covered counseling, information, and services on an online, other electronic, or other basis, rather than on an in-person basis, is necessary to avoid extraordinarily significant impediments to immediate mission needs. In issuing any such waiver, such Secretary shall specify, in writing, the grounds for such waiver.

''(f) TOPICS COVERED BY PROGRAM.—The preseparation counseling furnished a member under the program under this section shall include the following:

''(1) Financial planning assistance, including information on budgeting, saving, credit, loans, and taxes.

''(2) An explanation of the procedures for and advantages of affiliating with the Selected Reserve.

''(3) Information on programs and benefits related to veteran status, including—

''(A) a description of health care and other benefits to which the member may be entitled under the laws administered by the Secretary of Veterans Affairs, and information regarding the means by which the member can receive additional counseling regarding the member's actual entitlement to such benefits and apply for such benefits;

''(B) educational assistance benefits to which the member is entitled under the Montgomery GI Bill and other educational assistance programs because of the member's service in the armed forces;

''(C) a description of the compensation and vocational rehabilitation benefits to which the member may be entitled under laws administered by the Secretary of Veterans Affairs, if the member is being medically separated or is being retired under chapter 61 of this title;

''(D) information on home loan services and housing assistance benefits available under the laws administered by the Secretary of Veterans Affairs and counseling on responsible borrowing practices;

''(E) a description, developed in consultation with the Secretary of Veterans Affairs, of the assistance and support services for family caregivers of eligible veterans under the program conducted by the Secretary of Veterans Affairs pursuant to section 1720G of title 38, including the veterans covered by the program, the caregivers eligible for assistance and support through the program, and the assistance and support available through the program; and

''(F) information, including appropriate training, on eligibility for enrollment and disenrollment in the Survivor Benefit Plan under chapter 73 of this title and other survivor benefits available under the laws administered by the Secretary of Defense or the Secretary of Veterans Affairs.

''(4) Information on civilian employment, occupational requirements, and related assistance, including—

''(A) labor market information;

''(B) instruction in resume preparation;

''(C) job analysis techniques, job search techniques, job interview techniques, and salary negotiation techniques;

''(D) certification and licensure requirements that are applicable to civilian occupations, including State-submitted and approved lists of military training and skills that satisfy occupational certifications and licenses;

''(E) civilian occupations that correspond to military occupational specialties;

''(F) information on the requirements under section 1143(a) of this title for the Department of Defense and the Department of Homeland Security to provide proper certification or verification of job skills and experience acquired while on active duty that may have application to employment in the civilian sector for use in seeking civilian employment and in obtaining job search skills;

''(G) information on government and private-sector programs for job search and job placement assistance, and information on the placement programs established under sections 1152 and 1153 of this title and the Troops-to-Teachers Program;

''(H) priority of service for veterans in the receipt of employment, training, and placement services provided under qualified job training programs of the Department of Labor;

''(I) veterans small business ownership and entrepreneurship programs of the Small Business Administration and assistance to members in their efforts to obtain loans and grants from the Small Business Administration and other Federal, State, and local agencies;

''(J) employment and reemployment rights and obligations under chapter 43 of title 38;

''(K) veterans preference in Federal employment and Federal procurement opportunities;

''(L) disability-related employment and education protections; and

''(M) career and employment opportunities available to members with transportation security cards issued under section 70105 of title 46.

''(5) Information related to transition and relocation, including—

''(A) information on the geographic areas in which such members will relocate after separation from the armed forces, including, to the degree possible, information about employment opportunities, the labor market, and the cost of living in those areas (including, to the extent practicable, the cost and availability of housing, child care, education, and medical and dental care);

''(B) Federal, State, and local programs, and programs of military and veterans' service organizations, that may be of assistance to such members after separation from the armed forces;

''(C) counseling (for the member and dependents) on the effect of career change on individuals and their families and the availability to the member and dependents of suicide prevention resources following separation from the armed forces;

''(D) the availability of mental health services and the treatment of post-traumatic stress disorder, anxiety disorders, depression, suicidal ideations, or other mental health conditions associated with service in the armed forces and information concerning the availability of treatment options and resources to address substance abuse, including alcohol, prescription drug, and opioid abuse;

''(E) the availability of medical and dental coverage following separation from active duty, including the opportunity to elect into the conversion health policy provided under section 1145 of this title; and

''(F) information on the required deduction, pursuant to subsection (h) of section 1175a of this title, from disability compensation paid by the Secretary of Veterans Affairs of amounts equal to any voluntary separation pay received by the member under such section.

''(g) COUNSELING PATHWAYS.—Each Secretary concerned shall, in consultation with the Secretary of Labor and the Secretary of Veterans Affairs, establish at least three pathways for members of the armed forces under the jurisdiction of such Secretary concerned to receive individualized counseling under this section. The pathways shall address the needs of members based on the following factors:

''(1) Rank.

''(2) Term of service.

''(3) Gender.

''(4) Whether the member is a member of a regular or reserve component of an armed force.

''(5) Disability.

''(6) Anticipated characterization of retirement, separation, or release from the armed forces (including expedited discharge and discharge under conditions other than honorable).

''(7) Health (including mental health).

''(8) Military occupational specialty.

''(9) Whether the member intends, after retirement, separation, or release, to—

''(A) seek employment;

''(B) enroll in a program of higher education;

''(C) enroll in a program of vocational training; or

''(D) become an entrepreneur.

''(10) The educational history of the member.

''(11) The employment history of the member.

''(12) Whether the member has secured—

''(A) employment;

''(B) enrollment in a program of education; or

''(C) enrollment in a program of vocational training.

''(13) Whether the member has a spouse or any dependents.

''(14) Such other factors the Secretary of Defense and the Secretary of Homeland Security, in consultation with the Secretary of Labor and the Secretary of Veterans Affairs, consider appropriate.

''(h) SPECIFIC COMPONENTS OF COVERED COUNSELING, INFORMATION, AND SERVICES.—The covered counseling, information, and services furnished to a member under the program under this section shall include the following:

''(1) PRELIMINARY MEETING.—Before the commencement of the furnishing of such counseling, information, and services under the program to the member, the member shall meet in person or by video conference with a counselor, during which—

''(A) the counselor shall furnish to the member—

''(i) a self-assessment jointly designed by the Secretaries concerned (in consultation with the Secretary of Labor and the Secretary of Veterans Affairs) to ensure that the Secretary concerned places the member in the appropriate counseling pathway under subsection (g);

''(ii) information regarding reenlistment in the armed forces;

''(iii) information regarding organizations, entities, and resources (including resources regarding military sexual trauma) for individuals who are retired, separated, or released from the armed forces that are located in the community in which the member will reside after retirement, separation, or release, including programs described in subsection (f)(5)(B) and resources through State veterans agencies as described in section 3(a) of the Improving Preseparation and Resources for Occupational, Vocational, and Educational Transition for Servicemembers Act;

''(iv) a military-civilian equivalency review designed to determine what licensing, credentialing, and other requirements for occupations in the civilian sector align with or would be satisfied by the military occupational specialty (MOS) and other military skills and experience of the member;

''(v) an individualized, personality-based skills and career assessment designed to determine the individual and personal strengths and career interests of the member; and

''(vi) assistance in developing an individual transition plan for the member to attempt to achieve the educational, training, employment, and financial objectives of the member and, if the member has a spouse, the spouse of the member; and

''(B) the member may elect one or both of the following:

''(i) To have the Secretary concerned (in consultation with the Secretary of Labor and the Secretary of Veterans Affairs) provide the contact information of the member to the organizations, entities, and resources described in subparagraph (A)(iii).

''(ii) To have the Secretary of Defense and the Secretary of Veterans Affairs transmit information on the member from Department of Defense Form DD–2648 to State veterans agencies for transmittal to community-based organizations and related entities that provide or connect veterans to benefits and services in accordance with section 3 of the Improving Preseparation and Resources for Occupational, Vocational, and Educational Transition for Servicemembers Act.

''(2) GENERAL INSTRUCTION.—A course of general instruction, of at least one day, on such topics specified in subsection (f), or otherwise specific to the armed force concerned, as the administering Secretaries consider appropriate.

''(3) INSTRUCTION ON SPECIFIC POST-SERVICE PATHWAYS.—A course of instruction, of not less than two consecutive days, on one of the following matters, as elected by the member:

''(A) Employment.

''(B) Education.

''(C) Entrepreneurship.

''(D) Career and technical training.

''(E) Such other matters as the administering Secretaries consider appropriate.

''(4) INSTRUCTION ON PROFESSIONAL DEVELOPMENT AND EMPLOYMENT ASSISTANCE.—A course of instruction, of at least one day, on general professional development and employment assistance, including resume-writing, interviewing skills, and such other matters as the administering Secretaries consider appropriate.

''(5) INSTRUCTION ON VETERANS BENEFITS.—A course of instruction, of at least one day, on the benefits and services available under the law administered by the Secretary of Veterans Affairs, including the manner of application for receipt of such benefits and services and such other matters in connection with such benefits and services as the Secretary of Veterans Affairs considers appropriate.

''(6) PARTICIPATION IN APPRENTICESHIP PROGRAMS.—For a member otherwise eligible to participate in such a program, participation in an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), or a pre-apprenticeship program that provides credit toward a program registered

under such Act, that provides education, training, and services necessary to transition to meaningful employment that leads to economic self-sufficiency.

''(7) ORDER OF COUNSELING AND INSTRUCTION.—A member shall receive the counseling and instruction required by paragraphs (2) and (3) before any other instruction required by this subsection. A member may undertake any other instruction required by this subsection at a pace and order satisfactory to the member, subject to the requirement to complete all such instruction by the deadline provided in subsection (d)(2).

''(8) FREQUENCY OF TRAINING.—The Secretary concerned shall ensure, to the extent practicable and subject to urgent mission needs, that members who elect to undergo additional training or counseling under this subsection are able to do so—

''(A) before the time periods established under subsection (d); and

''(B) in addition to such training and instruction required during such time periods.

''(i) RECORD OF RECEIPT OF COVERED COUNSELING, INFORMATION, AND SERVICES IN SERVICE RECORDS.—A notation on the receipt of counseling and instruction on each matter specified in subsections (f) and (h) in connection with the furnishing of covered counseling, information, and services under the program under this section, signed by the member concerned, shall be placed in the service record of each member receiving such counseling and instruction.

''(j) USE OF PERSONNEL AND ORGANIZATIONS.—In carrying out the program under this section, the administering Secretaries may—

''(1) provide for the use of disabled veterans outreach program specialists, local veterans' employment representatives, and other employment service personnel funded by the Department of Labor to the extent that the Secretary of Labor determines that such use will not significantly interfere with the provision of services or other benefits to eligible veterans and other eligible recipients of such services or benefits;

''(2) use military and civilian personnel of the Department of Defense and the Department of Homeland Security;

''(3) use personnel of the Veterans Benefits Administration of the Department of Veterans Affairs and other appropriate personnel of that Department;

''(4) use representatives of military and veterans' service organizations;

''(5) enter into contracts with public entities;

''(6) enter into contracts with private entities, particularly with qualified private entities that have experience with instructing members of the armed forces eligible for covered counseling, information, and services under the program on—

''(A) private sector culture, resume writing, career networking, and training on job search technologies;

''(B) academic readiness and educational opportunities; and

''(C) such other matters in connection with the program as the administering Secretaries consider appropriate; and

''(7) take such other actions to develop and furnish information and services to be provided under the program as the administering Secretaries consider appropriate.

''(k) REPORTS AND NOTICE IN CONNECTION WITH PARTICIPATION OF MEMBERS.—

''(1) INFORMATION WITHIN EXECUTIVE BRANCH.—The Secretary of Defense and the Secretary of Homeland Security shall each ensure that information on participation in the program under this section by members under the jurisdiction of such Secretary (including timeliness of receipt of covered counseling, information, and services, rates of participation on an in-person basis and an online or other electronic basis, and number of waivers (if any) issued pursuant to subsection (e)(2)) is made available by electronic means to the following:

''(A) Commanders at all levels of command at the installations concerned.

''(B) All counselors and managers of counseling under the program.

''(C) The Secretary of Labor, the Secretary of Veterans Affairs, and the heads of any other departments and agencies of the Federal Government involved in the furnishing of counseling and other assistance under the program.

''(2) ANNUAL REPORT TO CONGRESS.—

''(A) IN GENERAL.—The Secretary of Defense and the Secretary of Homeland Security shall each submit to Congress each year a report on the furnishing of covered counseling, information, and services under the program to members of the armed forces under the jurisdiction of such Secretary during the preceding year. Each report shall include, for the year covered by such report, the following:

''(i) The number of members eligible for covered counseling, information, and services under the program.

''(ii) The number of members furnished covered counseling, information, and services under the program.

''(iii) The number of members eligible for covered counseling, information, and services under the program who did not participate in the program.

''(iv) An assessment of the extent to which such counseling, information, and services were furnished within the times provided for by paragraphs (1) and (2) of subsection (d).

''(v) Rates of participation on an in-person basis and an online or other electronic basis, and number of waivers (if any) issued pursuant to subsection (e)(2).

''(vi) The number of members placed into each counseling pathway established under subsection (g).

''(vii) The number of members who received instruction in each of the post-service pathways described in subsection (h)(3).

''(viii) The number of members who participated in an apprenticeship or pre-apprenticeship program described in subsection (h)(6).

''(ix) The number of participants in the programs under subsection (e) of section 1143 of this title (commonly referred to as 'Job Training, Employment Skills, Apprenticeships and Internships (JTEST–AI)' or 'Skill Bridge').

''(x) Such other information as is required to provide Congress with a comprehensive description of the participation of members in the program.

''(B) PRESENTATION OF INFORMATION.—Information in each report under subparagraph (A) shall be broken out—

''(i) by armed force, and by component of the armed forces;

''(ii) by basis of separation from the armed forces (whether retirement or other separation and whether voluntary or involuntary); and

''(iii) by characterization of discharge from the armed forces.

''(l) TRANSMITTAL OF MEDICAL INFORMATION TO DEPARTMENT OF VETERANS AFFAIRS.—In the case of a member being medically separated or being retired under chapter 61 of this title, the Secretary concerned shall ensure (subject to the consent of the member) that a copy of the member's service medical record (including any results of a Physical Evaluation Board) is transmitted to the Secretary of Veterans Affairs within 60 days of the separation or retirement.

''(m) JOINT SERVICE TRANSCRIPT.—The Secretary concerned shall provide a copy of the joint service transcript of a member of the armed forces to the following:

''(1) The member—

''(A) at the preliminary meeting with a counselor under the program under this section pursuant to subsection (h)(1); and

''(B) on the day the member retires, separates, or is released from the armed forces.

''(2) The Secretary of Veterans Affairs on the day the member retirees, separates, or is released from the armed forces.''.

(2) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 58 of such title is amended—

(A) by striking the item relating to section 1142 and inserting the following new item:

''1142. Transition-related counseling and services: Transition Assistance Program.''; and

(B) by striking the item relating to section 1144.

(b) DEADLINE FOR IMPLEMENTATION OF REVISED PROGRAM.—

(1) IN GENERAL.—The administering Secretaries shall take appropriate actions to carry out any modifications to the Transition Assistance Program under section 1142 of title 10, United States Code, that are required by reason of the amendments made by subsection (a) by not later than the date that is one year after the date of the enactment of this Act in order to ensure that the furnishing of covered counseling, information, and services to members of the Armed Forces under the Program is fully implemented as of such date.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the administering Secretaries shall submit to the appropriate committees of Congress a report on specific actions to be taken to implement any modifications to the Transition Assistance Program under section 1142 of title 10, United States Code, that are required by reason of the amendments made by subsection (a).

(3) DEFINITIONS.—In this subsection, the terms ''administering Secretaries'' and ''covered counseling, information, and services'' have the meanings given such terms for purposes of section 1142 of title 10, United States Code, as amended by subsection (a).

SEC. 1703. PERSONNEL MATTERS IN CONNECTION WITH TRANSITION ASSISTANCE PROGRAM.

(a) MINIMUM NUMBER OF DEDICATED PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall take appropriate actions to ensure that the minimum number of full-time equivalent personnel of the Department of Defense dedicated to counseling and other activities under the Transition Assistance Program at each military installation each year is not less than one for every 250 members of the Armed Forces generally projected to be eligible for participation in the Transition Assistance Program and their spouses at such military installation in such year. The Secretary may not satisfy the requirement in this paragraph through the use of contractor personnel.

(2) APPLICABILITY.—The Secretary shall comply with the requirement in paragraph (1) commencing not later than one year after the date of the enactment of this Act.

(b) MINIMUM CIVILIAN WORKPLACE REQUIREMENT.—

(1) IN GENERAL.—For purposes of providing counseling under and otherwise administering the Transition Assistance Program, the Secretary of Defense shall take appropriate actions to ensure that, to the maximum extent practicable, each individual employed by the Department of Defense to

provide counseling under the Transition Assistance Program has both prior military experience and not less than two years of experience in civilian employment at the time of employment by the Department for such purposes.

(2) SENSE OF CONGRESS.—It is the sense of Congress that, in employing individuals to provide counseling under the Transition Assistance Program, the Secretary should consider affording a preference to individuals with longevity of experience in civilian employment at the time of employment by the Department for that purpose.

(3) APPLICABILITY.—The Secretary shall comply with the requirement in paragraph (1) commencing not later than 90 days after the date of the enactment of this Act.

(c) REPORT ON IMPLEMENTATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the actions taken to implement this section, including—

(1) the actions taken to implement subsection (b);

(2) the number of individuals employed by the Department under subsection (b);

(3) the percentage of individuals employed in connection with the Transition Assistance Program who meet the requirement in subsection (b)(1); and

(4) such other information as the Secretary considers appropriate.

(d) TRANSITION ASSISTANCE PROGRAM DEFINED.—In this section, the term ''Transition Assistance Program'' means the program of counseling, information, and services under section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

SEC. 1704. SYSTEMS FOR TRACKING PARTICIPATION IN TRANSITION ASSISTANCE PROGRAM AND RELATED PROGRAMS.

(a) SYSTEMS FOR TRACKING PARTICIPATION.—

(1) IN GENERAL.—Commencing not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Homeland Security shall each establish and maintain an electronic tracking system and database, applicable across the Armed Forces, in order to collect, assemble, and make available as described in paragraph (2) information on the participation and progress of members of the Armed Forces under the jurisdiction of such Secretary in the Transition Assistance Program at the individual, installation, and total forces levels, including information on the following:

(A) Compliance with the commencement and completion timeframes of the Transition Assistance Program required by subsection (d) of section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(B) Participation and completion by members of the specific elements of the Transition Assistance Program described in subsection (h) of such section 1142.

(C) Notes made by counselors in connection with the provision of casework and other services under the Transition Assistance Program.

(D) Such other matters in connection with participation and progress of members in the Transition Assistance Program as such Secretary considers appropriate.

(2) AVAILABILITY OF INFORMATION.—Information in the tracking systems and databases required by paragraph (1), other than information described in paragraph (1)(C), shall be available as follows:

(A) To members of the Armed Forces undergoing the transition from military life to civilian life, for the personal information of members.

(B) To commanders of members of the Armed Forces at all levels of command for members under their command.

(C) To all counselors and managers of counseling under the Transition Assistance Program for members they serve.

(D) To the Secretary of Labor, the Secretary of Veterans Affairs, and the heads of any other departments and agencies of the Federal Government involved in the furnishing of counseling and services under the Transition Assistance Program.

(b) DIGITAL PORTAL.—

(1) IN GENERAL.—Commencing not later than two years after the date of the enactment of this Act, each Secretary concerned shall establish and maintain an interactive, Internet-based platform for members of the Armed Forces under the jurisdiction of such Secretary to act as a portal for members undergoing counseling under the Transition Assistance Program in order to permit such members to do the following:

(A) View information on and track progress of the member concerned in the required instruction and counseling of the Transition Assistance Program.

(B) View the individual assessments of the member concerned taken pursuant to clauses (i) and (v) of subsection (h)(1)(A) of section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(C) View and make changes to the transition plan of the member concerned as described in subsection (h)(1)(A)(vi) of such section 1142.

(D) Access information on the programs and resources available to members of the Armed Forces and their spouses at the military installation concerned in connection with the Transition Assistance Program.

(E) Access information and resources related to the topics under subsection (f) of such section 1142.

(F) Access the online version of the curriculum of instruction under the Transition Assistance Program.

(G) Access and download a digital copy of the Joint Service Transcript of the member concerned.

(H) Schedule, view, or change appointments with counselors in connection with the Transition Assistance Program.

(I) Take the surveys conducted pursuant to section 1705(a).

(J) Access such other digital information and resources in connection with the Transition Assistance Program as the Secretaries concerned and the administering Secretaries jointly consider appropriate.

(2) PROTECTION OF PRIVACY.—In carrying out this subsection, the Secretaries concerned shall take all necessary and appropriate actions to protect the personal privacy of individual members of the Armed Forces as required by law.

(c) DEFINITIONS.—In this section:

(1) The term ''Transition Assistance Program'' means the program of counseling, information, and services under section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(2) The term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(3) The term ''administering Secretaries'' has the meaning given that term for purposes of section 1142 of title 10, United States Code (as so amended).

SEC. 1705. SURVEYS ON MEMBER EXPERIENCES WITH TRANSITION ASSISTANCE PROGRAM COUNSELING AND SERVICES AND IN TRANSITION TO CIVILIAN LIFE.

(a) SURVEYS ON MEMBER EXPERIENCES WITH TRANSITION ASSISTANCE PROGRAM COUNSELING, INFORMATION, AND SERVICES.—

(1) IN GENERAL.—Each Secretary concerned shall conduct surveys of members of the Armed Forces under the jurisdiction of such Secretary at the conclusion of the receipt by such members of counseling, information, and services under the Transition Assistance Program in order to assess the experiences of such members, and their spouses (if applicable), in the receipt of such counseling, information, and services.

(2) ELEMENTS.—The surveys under paragraph (1) shall be designed to obtain information on the Transition Assistance Program as follows:

(A) Member assessments of the quality of instruction.

(B) Member satisfaction with the scope and quality of courses and services, including courses under paragraphs (2), (3), and (4) of subsection (h) of section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(C) Member assessments of the adequacy of courses and services to meet member transition needs.

(D) Obstacles or barriers confronted by members in accessing counseling and services.

(E) Whether members participated in the curriculum of the Transition Assistance Program on an in-person basis or an online, other electronic, or other basis.

(F) Such other matters as the administering Secretaries shall specify for purposes of this subsection.

(3) COMMENCEMENT.—Each Secretary concerned shall commence the conduct of surveys pursuant to paragraph (1) by not later than 120 days after the date of the enactment of this Act.

(b) PILOT PROGRAM ON SURVEYS ON MEMBER EXPERIENCES IN TRANSITION TO CIVILIAN LIFE.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall, in consultation with the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Education, and the Secretary of Labor, conduct a pilot program to assess the feasibility and advisability of surveying veterans who have been retired, discharged, or released from the Armed Forces for at least one year, and not longer than four years, at the time of a survey in order to assess the experiences of such veterans in the transition from military life to civilian life.

(2) MANNER OF CONDUCT.—The Secretary of Veterans Affairs may conduct the survey under the pilot program through a contract with a qualified non-governmental organization selected by the Secretary for purposes of the pilot program.

(3) ELEMENTS.—The survey under the pilot program shall be designed to obtain the information on the following:

(A) Current employment status, and employment history since retirement or separation.

(B) Receipt, whether currently or in the past, of unemployment benefits.

(C) Educational attainment after military service.

(D) Participation of or membership in a veterans' service organization or other support or other group oriented towards veterans.

(E) Satisfaction with transition, including satisfaction with counseling and assistance received in connection with transition (whether pursuant to the Transition Assistance Program or a program under any other provision of law).

(F) Whether veterans participated in the curriculum of the Transition Assistance Program on an in-person basis or an online, other electronic, or other basis.

(G) Challenges faced during transition.

(H) If married at the time of transition—

(i) participation of spouse in the counseling and assistance described in subparagraph (E); and

(ii) satisfaction of spouse with the counseling and assistance described in subparagraph (E), if any, participated in by the spouse.

(I) Whether veterans felt sufficiently prepared for a career, education, or other advancement after military service as a result of participation in the Transition Assistance Program.

(J) Recommendations for improvements to the counseling and assistance furnished in connection with transition, or for other mechanisms to ease and facilitate transition.

(K) Such other matters as the Secretary of Veterans Affairs, in consultation with the other Secretaries referred to in paragraph (1), considers appropriate.

(4) SURVEY RESULTS.—The results of the survey under the pilot program shall be broken out by number of years post-separation of the veterans covered by the survey.

(5) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a report on the pilot program. The report shall set forth the following:

(A) The results of the survey conducted under the pilot program.

(B) An assessment by the Secretary of the feasibility and advisability of continuing surveys such as the survey under the pilot program on a permanent basis, as frequently as once every two years or such other frequency as the Secretary considers appropriate.

(c) PROTECTION OF PRIVACY.—In carrying out this section, the administering Secretaries, the Secretary of Education, and the Secretaries concerned shall take all necessary and appropriate actions to protect the personal privacy of individual members of the Armed Forces and veterans as required by law.

(d) DEFINITIONS.—In this section:

(1) The term ''Transition Assistance Program'' means the program of counseling, information, and services under section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(2) The term ''Secretary concerned'' has the meaning given that term in section 101(a)(9) of title 10, United States Code.

(3) The term ''administering Secretaries'' has the meaning given that term for purposes of section 1142 of title 10, United States Code (as so amended).

SEC. 1706 COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON PARTICIPATION IN TRANSITION ASSISTANCE PROGRAMS AT SMALL AND REMOTE MILITARY INSTALLATIONS.

(a) REPORT REQUIRED.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on a review, conducted by the Comptroller General for purposes of the report, on the participation in covered transition assistance programs of members of the Armed Forces assigned to small military installations and remote military installations in the United States.

(b) COVERED TRANSITION ASSISTANCE PROGRAMS.—For purposes of this section, covered transition assistance programs are the following:

(1) The Transition Assistance Program.

(2) The programs under section 1143(e) of title 10, United States Code (commonly referred to as ''Job Training, Employment Skills, Apprenticeships and Internships (JTEST–AI)'' or ''Skill Bridge'').

(3) Any other program of apprenticeship, on-the-job training, or internship offered at a small military installation or remote installation that the Comptroller General considers appropriate for inclusion in the review under this section.

(c) SMALL MILITARY INSTALLATIONS; REMOTE MILITARY INSTALLATIONS.—For purposes of this section:

(1) A small military installation is an installation at which are assigned not more than 10,000 members of the Armed Forces.

(2) A remote military installation is an installation that is located more than 50 miles from any city with a population of 50,000 people or more (as determined by the Office of Management and Budget).

(d) SCOPE OF REVIEW.—In conducting the review, the Comptroller General shall evaluate participation in covered transition assistance programs at a number of small military installations and remote military installations that is sufficient to provide a complete understanding of the participation in such programs of members of the Armed Forces at such installations throughout the United States.

(e) ELEMENTS.—The review under this section shall include the following:

(1) Rates of participation of members of the Armed Forces in covered transition assistance programs at small military installations and remote military installations in the United States.

(2) In the case of the Transition Assistance Program, the following:

(A) Compliance with the deadlines for participation provided for in subsection (d) of section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

(B) A comparison between rates of participation in person and rates of participation on line.

(C) The average ratio of permanent, full-time equivalent program staff to participating members at small military installations and at remote military installations.

(D) The average number of program staff (including full-time equivalent staff and contractor staff) physically and permanently located on installation at small military installations and at remote military installations.

(3) Such other matters with respect to participation in covered transition assistance programs of members assigned to small military installations and remote military installations as the Comptroller General considers appropriate.

(f) TRANSITION ASSISTANCE PROGRAM DEFINED.—In this section, the term ''Transition Assistance Program'' means the program of counseling, information, and services under section 1142 of title 10, United States Code (as amended by section 1702 of this Act).

SEC. 1707. EDUCATION OF MEMBERS OF THE ARMED FORCES ON CAREER READINESS AND PROFESSIONAL DEVELOPMENT.

(a) PROGRAMS OF EDUCATION REQUIRED.—

(1) IN GENERAL.—Chapter 101 of title 10, United States Code, is amended by inserting after section 2015 the following new section:

''§ 2015a. Education of members on career readiness and professional development

''(a) PROGRAM OF EDUCATION REQUIRED.—The Secretary of Defense shall carry out a program to provide education on career readiness and professional development to members of the armed forces.

''(b) ELEMENTS.—The program under this section shall provide members with the following:

''(1) Information on the transition plan as described in section 1142(h)(1)(A)(vi) of this title.

''(2) Information on opportunities available to members during military service for professional development and preparation for a career after military service, including—

''(A) programs of education, certification, training, and employment assistance (including programs under sections 1143(e), 2007, and 2015 of this title); and

''(B) programs and resources available to members in communities in the vicinity of military installations.

''(3) Instruction on the use of online and other electronic mechanisms in order to access the education, training, and assistance and resources described in paragraph (2).

''(4) Such other information, instruction, and matters as the Secretary shall specify for purposes of this section.

''(c) TIMING OF PROVISION OF INFORMATION.—Subject to subsection (d), information, instruction, and other matters under the program under this section shall be provided to members at the times as follows:

''(1) Upon arrival at first duty station.

''(2) Upon arrival at any subsequent duty station.

''(3) Upon deployment.

''(4) Upon promotion.

''(5) Upon reenlistment.

''(6) At any other point in a military career specified by the Secretary for purposes of this section.

''(d) SINGLE PROVISION OF INFORMATION IN A YEAR WITH MULTIPLE EVENTS.—A member who has received information and instruction under the program under this section in connection with an event specified in subsection (c) in a year may elect not to undergo additional receipt of information and instruction under the program in connection with another such event in the year, unless such other event is arrival at a new duty station.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 101 of such title is amended by inserting after the item relating to section 2015 the following new item:

''2015a. Education of members on career readiness and professional development.''.

(b) REPORT ON IMPLEMENTATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the program of education required by section 2015a of title 10, United States Code (as added by subsection (a)), including the following:

(1) A comprehensive description of the actions taken to implement the program of education.

(2) A comprehensive description of the program of education.

SEC. 1708. SENSE OF CONGRESS ON TRANSITION ASSISTANCE PROGRAM AND OTHER TRANSITION-RELATED ASSISTANCE FOR MEMBERS OF THE ARMED FORCES.

It is the sense of Congress—

(1) to acknowledge that the Armed Forces face significant and often competing pressures in carrying out its essential and fundamental mission to defend the nation;

(2) that ensuring the effective transition of members of the Armed Forces from military life to civilian life represents an essential component of this mission, contributing directly to the long-term success of the United States military and its missions through its effects on—

(A) the long-term success and well-being of current and former members of the Armed Forces and their families;

(B) the perception of the Armed Forces by the American public; and

(C) the civilian-military partnership integral to the United States military;

(3) that the program of counseling, information, and services under section 1142 of

title 10, United States Code (as amended by section 1702 of this Act), while effective in the worthy goal of reducing the need for unemployment assistance among former members of the Armed Forces, should be designed and carried out for the holistic benefit, in both good and bad economic climates, of members of the Armed Forces participating in the program, and not simply as a metric or tool for employment;

(4) to support and commend efforts by the Department of Defense, the Department of Labor, and other agencies of the Federal Government in coordinating Federal and State efforts to assist members of the Armed Forces in identifying civilian equivalences for military occupational skills, but also to urge the Department of Defense to ensure that the Transition Assistance Program also provides members the tools and assistance for reinventing themselves during the transition from military life to civilian life, even when their new personal and professional goals do not align with their military occupations;

(5) to commend and further encourage efforts to incorporate metrics for compliance with Transition Assistance Program requirements into leadership assessments and criteria for promotion of commanding officers in the Armed Forces;

(6) to encourage the Secretary of Defense to assign accountability and responsibility for compliance with Transition Assistance Program requirements to the lowest level of command appropriate and to establish uniform, Armed Forces-wide policy on the individuals at unit level who are responsible for monitoring compliance of members of the Armed Forces with such requirements;

(7) that the Secretary of Defense should seek to enhance collaboration and access to transition-related services by members of the Armed Forces by seeking to co-locate Federal, State, and local officials and contractors who administer the Transition Assistance Program and State and local officials and partner, non-governmental entities associated with the Transition Assistance Program or who offer transition-related services in the same or proximate physical locations, when possible;

(8) that the Secretary of Defense and the Secretary of Labor should seek to minimize subjectivity in career readiness metrics under the Transition Assistance Program in accordance with recommendations of the Comptroller General of the United States; and

(9) to encourage the Department of Defense, the Department of Labor, the Department of Veterans Affairs and appropriate State agencies to work together, and with veterans service organizations, to establish in States or locales, as appropriate, local points of contact responsible for—

(A) at the election of members of the Armed Forces relocating to such State or locale after military service, contacting the members before separation from the Armed Forces;

(B) providing members of the Armed Force with employment, education, and other appropriate information about the State or locale to assist in relocation; and

(C) coordinating services for members of the Armed Forces and the spouses who relocate to the State or locale after military service.

SA 2032. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3145. NUCLEAR FILTRATION TESTING AND RESEARCH PROGRAM.

(a) IN GENERAL.—Subtitle A of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2581 et seq.), as amended by section 3141, is further amended by adding at the end the following new section:

''SEC. 4411. NUCLEAR FILTRATION TESTING AND RESEARCH PROGRAM.

''(a) IN GENERAL.—The Secretary of Energy shall—

''(1) designate, as a federally funded research and development center, a research center at an institution of higher education not designated as a federally funded research and development center or a university-affiliated research center as of the date of the enactment of this section; and

''(2) enter into a formal arrangement with that research center to carry out a partnership program to research, develop, and demonstrate new advancements with respect to nuclear containment ventilation systems.

''(b) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this section $10,000,000 for each of fiscal years 2021 through 2025.

''(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) shall remain available until expended.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4410, as added by section 3141, the following new item:

''Sec. 4411. Nuclear filtration testing and research program.''.

SA 2033. Mrs. HYDE–SMITH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1____. THAD COCHRAN HEADQUARTERS BUILDING.

(a) IN GENERAL.—The headquarters building of the Engineer Research and Development Center of the Corps of Engineers located at 3909 Halls Ferry Road in Vicksburg, Mississippi, shall be known and designated as the ''Thad Cochran Headquarters Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Thad Cochran Headquarters Building''.

SA 2034. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, add the following:

SEC. 894. BRIEFING ON FUNDING NECESSARY FOR REIMBURSEMENT OF FEDERAL CONTRACTOR EMPLOYEE COMPENSATION RESULTING FROM COVID–19 RELATED SHUTDOWNS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a briefing on the total anticipated costs for the Department of Defense associated with implementation of section 3610 of the CARES Act (Public Law 116–136) and other anticipated contractor requests for equitable adjustment resulting from the effects of COVID–19 on the defense industrial base. The Secretary shall provide to the committees written materials in support of the briefing that shall, as minimum include—

(1) an accounting of amounts reallocated, transferred, or reprogrammed in fiscal year 2020 to cover the costs associated with section 3610 and other effects of COVID–19 on the defense industrial base;

(2) an assessment of the effects on the Department's customary activities and mission areas as a result of the reallocations, transfers, and reprogrammings described under paragraph (1);

(3) an assessment of the effect of COVID–19 on the defense industrial base, to include a specific assessment of the effects on small businesses;

(4) a request and justification for additional appropriations if necessary to address the costs of COVID–19 in fiscal year 2020 or fiscal year 2021; and

(5) recommendations to Congress for additional actions needed to assist the defense industrial base in recovering from the effects of COVID–19.

SA 2035. Mr. CASEY (for himself and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. MODIFICATION TO INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note) is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by adding after subsection (e) the following new subsection (f):

''(f) DESIGNATION OF ACADEMIC LIAISON.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary, acting through the Under Secretary of Defense for Research and Engineering, shall designate an academic liaison with principal responsibility for working with the academic community to protect Department-sponsored academic research of concern from undue foreign influence.

''(2) QUALIFICATION.—The Secretary shall designate an individual under paragraph (1)

who is an official of the Office of the Under Secretary of Defense for Research and Engineering.

''(3) DUTIES.—The duties of the academic liaison designated under paragraph (1) shall be as follows:

''(A) To serve as the liaison of the Department with the academic community.

''(B) To conduct annual outreach and education activities for the academic community on undue foreign influence and threats to Department-sponsored academic research of concern.

''(C) To coordinate and align academic security policies with Department component agencies, the Office of Science and Technology Policy, the intelligence community, Federal science agencies, and Federal regulatory agencies, including agencies involved in export controls.

''(D) To the extent practicable, to coordinate on an annual basis with the intelligence community to share, not less frequently than annually, with the academic community unclassified information, including counterintelligence information, on threats from undue foreign influence.

''(E) Any other related responsibility, as determined by the Secretary in consultation with the Under Secretary of Defense for Research and Engineering.

''(F) Any other duty, as determined by the Secretary.''.

SA 2036. Mr. CASEY (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. ENCOURAGING THE DEVELOPMENT AND USE OF DISARM ANTIMICROBIAL DRUGS.

(a) ADDITIONAL PAYMENT FOR DISARM ANTIMICROBIAL DRUGS UNDER MEDICARE.—

(1) IN GENERAL.—Section 1886(d)(5) of the Social Security Act (42 U.S.C. 1395ww(d)(5)) is amended by adding at the end the following new subparagraph:

''(N)(i)(I) In the case of discharges occurring on or after October 1, 2021, and before October 1, 2026, subject to subclause (II), the Secretary shall, after notice and opportunity for public comment (in the publications required by subsection (e)(5) for a fiscal year or otherwise), provide for an additional payment under a mechanism (separate from the mechanism established under subparagraph (K)), with respect to such discharges involving any DISARM antimicrobial drug, in an amount equal to—

''(aa) the amount payable under section 1847A for such drug during the calendar quarter in which the discharge occurred; or

''(bb) if no amount for such drug is determined under section 1847A, an amount to be determined by the Secretary in a manner similar to the manner in which payment amounts are determined under section 1847A based on information submitted by the manufacturer or sponsor of such drug (as required under clause (v)).

''(II) In determining the amount payable under section 1847A for purposes of items (aa) and (bb) of subclause (I), subparagraphs (A) and (B) of subsection (b)(1) of such section shall be applied by substituting '100 percent' for '106 percent' each place it appears and paragraph (8)(B) of such section shall be applied by substituting '0 percent' for '6 percent'.

''(ii) For purposes of this subparagraph, a DISARM antimicrobial drug is—

''(I) a drug—

''(aa) that—

''(AA) is approved by the Food and Drug Administration;

''(BB) is designated by the Food and Drug Administration as a qualified infectious disease product under subsection (d) of section 505E of the Federal Food, Drug, and Cosmetic Act; and

''(CC) has received an extension of its exclusivity period pursuant to subsection (a) of such section; and

''(bb) that has been designated by the Secretary pursuant to the process established under clause (iv)(I)(bb); or

''(II) an antibacterial or antifungal biological product—

''(aa) that is licensed for use, or an antibacterial or antifungal biological product for which an indication is first licensed for use, by the Food and Drug Administration on or after June 5, 2014, under section 351(a) of the Public Health Service Act for human use to treat serious or life-threatening infections, as determined by the Food and Drug Administration, including those caused by, or likely to be caused by—

''(AA) an antibacterial or antifungal resistant pathogen, including novel or emerging infectious pathogens; or

''(BB) a qualifying pathogen (as defined under section 505E(f) of the Federal Food, Drug, and Cosmetic Act); and

''(bb) has been designated by the Secretary pursuant to the process established under clause (iv)(I)(bb).

''(iii) The mechanism established pursuant to clause (i) shall provide that the additional payment under clause (i) shall—

''(I) with respect to a discharge, only be made to a subsection (d) hospital that, as determined by the Secretary—

''(aa) is participating in the National Healthcare Safety Network Antimicrobial Use and Resistance Module of the Centers for Disease Control and Prevention or a similar reporting program, as specified by the Secretary, relating to antimicrobial drugs; and

''(bb) has an antimicrobial stewardship program that aligns with the Core Elements of Hospital Antibiotic Stewardship Programs of the Centers for Disease Control and Prevention or the Antimicrobial Stewardship Standard set by the Joint Commission; and

''(II) apply to discharges occurring on or after October 1 of the year in which the drug or biological product is designated by the Secretary as a DISARM antimicrobial drug.

''(iv)(I) The mechanism established pursuant to clause (i) shall provide for a process for—

''(aa) a manufacturer or sponsor of a drug or biological product to request the Secretary to designate the drug or biological product as a DISARM antimicrobial drug; and

''(bb) the designation by the Secretary of drugs and biological products as DISARM antimicrobial drugs.

''(II) A designation of a drug or biological product as a DISARM antimicrobial drug may be revoked by the Secretary if the Secretary determines that—

''(aa) the drug or biological product no longer meets the requirements for a DISARM antimicrobial drug under clause (ii);

''(bb) the request for such designation contained an untrue statement of material fact; or

''(cc) clinical or other information that was not available to the Secretary at the time such designation was made shows that—

''(AA) such drug or biological product is unsafe for use or not shown to be safe for use for individuals who are entitled to benefits under part A; or

''(BB) an alternative to such drug or biological product is an advance that substantially improves the diagnosis or treatment of such individuals.

''(III) Not later than October 1, 2021, and annually thereafter through October 1, 2025, the Secretary shall publish in the Federal Register a list of the DISARM antimicrobial drugs designated under this subparagraph pursuant to the process established under clause (iv)(I)(bb).

''(v)(I) For purposes of determining additional payment amounts under clause (i), a manufacturer or sponsor of a drug or biological product that submits a request described in clause (iv)(I)(aa) shall submit to the Secretary information described in section 1927(b)(3)(A)(iii).

''(II) The penalties for failure to provide timely information under clause (i) of subparagraph (C) of section 1927(b)(3) and for providing false information under clause (ii) of such subparagraph shall apply to manufacturers and sponsors of a drug or biological product under this section with respect to information under subclause (I) in the same manner as such penalties apply to manufacturers under such clauses with respect to information under subparagraph (A) of such section.

''(vi) The mechanism established pursuant to clause (i) shall provide that—

''(I) except as provided in subclause (II), no additional payment shall be made under this subparagraph for discharges involving a DISARM antimicrobial drug if any additional payments have been made for discharges involving such drug as a new medical service or technology under subparagraph (K);

''(II) additional payments may be made under this subparagraph for discharges involving a DISARM antimicrobial drug if any additional payments have been made for discharges occurring prior to the date of enactment of this subparagraph involving such drug as a new medical service or technology under subparagraph (K); and

''(III) no additional payment shall be made under subparagraph (K) for discharges involving a DISARM antimicrobial drug as a new medical service or technology if any additional payments for discharges involving such drug have been made under this subparagraph.''.

(2) CONFORMING AMENDMENT.—Section 1886(d)(5)(K)(ii)(III) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(K)(ii)(III)) is amended by striking ''provide'' and inserting ''subject to subparagraph (N)(vi), provide''.

(b) STUDY AND REPORTS ON REMOVING BARRIERS TO THE DEVELOPMENT OF DISARM ANTIMICROBIAL DRUGS.—

(1) STUDY.—The Comptroller General of the United States (in this subsection referred to as the ''Comptroller General'') shall, in consultation with the Director of the National Institutes of Health, the Commissioner of Food and Drugs, the Administrator of the Centers for Medicare & Medicaid Services, and the Director of the Centers for Disease Control and Prevention, conduct a study to—

(A) identify and examine the barriers that prevent the development of DISARM antimicrobial drugs (as defined in section 1886(d)(5)(N)(ii) of the Social Security Act, as added by subsection (a)); and

(B) develop recommendations for actions to be taken in order to overcome any barriers identified under subparagraph (A).

(2) REPORT.—October 1, 2025, the Comptroller General shall submit to Congress a report containing the preliminary results of

the study conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SA 2037. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. DELEGATION OF DEFENSE PRODUCTION ACT OF 1950 AUTHORITIES BY THE PRESIDENT.

The Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) is amended by inserting after section 2 the following new section:

''SEC. 3. (a) The President may delegate any authority or responsibility vested in the President by this Act to any officer or employee of the Federal Government if the President determines that such delegation is consistent with, and will further, the policy of the United States as stated in section 2.

''(b) As soon as is practicable after a delegation of any authority or responsibility under this section, the President shall submit to Congress a report on such delegation setting forth the following:

''(1) The authority or responsibility delegated.

''(2) The officer or employee to whom delegated.

''(3) A detailed justification for such delegation.''.

SA 2038. Mr. CASEY (for himself, Mr. BENNET, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SENSE OF CONGRESS ON ADVANCE PLANNING AND EXPEDITED ACTIVATION IN USE OF THE NATIONAL GUARD TO SUPPORT NATIONAL EMERGENCIES SUCH AS THE EMERGENCY IN CONNECTION WITH THE CORONAVIRUS DISEASE 2019 (COVID–19).

It is the sense of Congress that—

(1) the President continues to extend the use of the National Guard under section 502(f)(2)(A) of title 32, United States Code, for response to domestic emergencies such as the Coronoavirus Disease 2019 (COVID–19), but such extensions have come on an ad hoc basis;

(2) the ad hoc nature of such extensions, not based on transparent and known requirements, has led to uncertainty and challenges in planning for many members of the National Guard, their families, and their employers;

(3) the process for activation of the National Guard for such responses under such section 502(f)(2)(A) has been unreasonable and cumbersome for State Governors and adjutants general; and

(4) Congress urges the Department of Defense to conduct advance planning, in consultation with State Governors, for the expedited activation of the National Guard under such section 502(f)(2)(A) for use in responses to catastrophic events and emergencies such as the emergency in connection with the Coronoavirus Disease 2019, such that—

(A) activation occurs only when the President and the Governor of the State concerned declare an emergency in connection with the same event;

(B) activation occurs rapidly to meet emergency needs; and

(C) members and units of the National Guard so activated are afforded all applicable benefits under law for service pursuant to such activation.

SA 2039. Mr. CASEY (for himself, Mr. MURPHY, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. LOCALITY PAY EQUITY.

(a) LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A GENERAL SCHEDULE PAY LOCALITY.—

(1) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(A) in paragraph (1)(B)(i), by striking ''(but such'' and all that follows through ''are employed)'';

(B) in paragraph (4), by striking ''and'' after the semicolon;

(C) in paragraph (5), by striking the period after ''Islands'' and inserting ''; and''; and

(D) by adding at the end the following:

''(6) the Office of Personnel Management shall define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as 'Rest of United States'.''.

(2) GENERAL SCHEDULE PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(A) in paragraph (2)(C), by striking ''and'' after the semicolon;

(B) in paragraph (3), by striking the period after ''employee'' and inserting ''; and''; and

(C) by adding at the end the following:

''(4) 'pay locality' has the meaning given that term under section 5302.''.

(b) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out the purpose of this section, including regulations to ensure that the enactment of this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(c) APPLICABILITY.—The amendments made by this section shall apply on and after the first day of the first full pay period beginning at least 180 days after the date of enactment of this Act.

SA 2040. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

On page 472, strike line 4 and all that follows through ''components'' on line 6 and insert the following: ''The following components''.

On page 472, by strike lines 17 through 23 and insert the following:

(2) by amending subsection (b) to read as follows:

''(b) MANUFACTURER IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—A manufacturer meets the requirements of this subsection if the manufacturer is part of the national technology and industrial base;''.

On page 473, line 11, strike ''subsection (a)(2)(B)'' and insert ''subsection (a)(2)''.

SA 2041. Ms. STABENOW (for herself and Mr. CRAPO) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 593. BRIEFING ON THE IMPLEMENTATION OF REQUIREMENTS ON CONNECTIONS OF RETIRING AND SEPARATING MEMBERS OF THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief Congress on the current status of the implementation of the requirements of section 570F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1401; 10 U.S.C. 1142 note), relating to connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.

SA 2042. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PROHIBITION ON CONDUCT OF FIRST-USE NUCLEAR STRIKES.

(a) SHORT TITLE.—This section may be cited as the ''Restricting First Use of Nuclear Weapons Act of 2020''.

(b) PROHIBITION.—Notwithstanding any other provision of law, the President may not use the Armed Forces of the United States to conduct a first-use nuclear strike unless such strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such strike.

(c) FIRST-USE NUCLEAR STRIKE DEFINED.—In this section, the term ''first-use nuclear strike'' means an attack using nuclear weapons against an enemy that is conducted without the President determining that the enemy has first launched a nuclear strike

against the United States or an ally of the United States.

SA 2043. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—MATTERS RELATING TO TREATY WITHDRAWAL AND TERMINATION

SEC. ____1. SHORT TITLE.

This subtitle may be cited as the ''Preventing Actions Undermining Security without Endorsement Act'' or the ''PAUSE Act''.

SEC. ____2. FINDINGS.

Congress makes the following findings:

(1) The COVID–19 global pandemic has highlighted the need for United States leadership to address the full range of international security challenges, which the Government of the United States can do by reaffirming its steadfast commitment to those mutually beneficial treaties and agreements forged with its European and Indo-Pacific allies, along with other states parties.

(2) For more than 70 years, the United States has shown a bipartisan commitment to the North Atlantic Treaty Organization (NATO), specifically to the principle of collective defense enshrined in Article 5 of the North Atlantic Treaty, signed at Washington April 4, 1949.

(3) Section 1242 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) prohibited the use of funds for the United States withdrawal from the North Atlantic Treaty in recognition that the NATO alliance remains a cornerstone for peace and prosperity throughout the world.

(4) On January 22, 2019, the House of Representatives passed H.R. 676 (116th Congress) on a 357–22 vote, prohibiting the use of funds for the United States withdrawal from the North Atlantic Treaty, and on December 17, 2019, the Committee on Foreign Relations of the Senate reported out S.J.Res. 4 (116th Congress), which if enacted into law, would require approval of two-thirds of the Senate, or both Houses of Congress, before the President could withdraw the United States from the treaty.

(5) The Treaty on Open Skies provides a critical confidence-building measure for Euro-Atlantic security to the mutual benefit of the 34 States Parties to the treaty, and the Open Skies Consultative Commission (OSCC) is one of the few remaining operational diplomatic forums from which the United States can engage with the Russian Federation.

(6) Although the Government of the United States is right to diplomatically press the Government of the Russian Federation to return to full compliance with its obligations under the Treaty on Open Skies, withdrawal or termination of the treaty would deprive United States allies and partners of the benefits derived from observation missions over Russian territory and Russian occupied Eastern Ukraine, missions that have vastly outnumbered Russian overflights of United States territory since entry into force of the treaty.

(7) On May 22, 2020, President Trump submitted notice of the decision to withdraw the United States from the Treaty on Open Skies, and, in doing so, failed to comply with section 1234 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), requiring the President to provide notification to Congress 120 days before the provision of notice of intent to withdraw the United States from that treaty.

(8) The Mutual Defense Treaty Between the United States and the Republic of Korea, signed at Washington October 1, 1953, the ratification of which the Senate advised and consented to on January 26, 1954, was born from mutual sacrifice during the Korean War, is based on shared values and interests, and remains critical to the national security of the United States nearly 7 decades after its signing.

(9) A February 2020 report from the Department of State confirmed, in part, that verifiable limits on ''Russia's strategic nuclear force'' under the New START Treaty ''currently contribute to the national security of the United States''.

(10) A decision by the President to allow the New START Treaty to expire on February 5, 2021, without the United States having first successfully concluded a verifiable and binding agreement in its place, would lead to the United States losing visibility into the location, movement, and disposition of the strategic arsenal of the Russian Federation to the detriment of the national security of the United States and its allies.

(11) The Constitution of the United States provides Congress an important role in the treaty process, requiring the advice and consent of two-thirds of the Senate for approval of a resolution of ratification.

SEC. ____3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the President should refrain from taking any action to withdraw or terminate any international treaty to which the Senate has given its advice and consent to ratification without proper consultation with, and affirmative approval from, Congress;

(2) the 1979 Supreme Court decision in Goldwater v. Carter, 444 U.S. 996 (1979), is not controlling legal precedent with respect to the role of Congress in the withdrawal or termination of the United States from an international treaty, as the Court directed the lower court to dismiss the complaint and did not address the constitutionality of the decision by President Carter to terminate the Mutual Defense Treaty between the United States of America and the Republic of China, signed at Washington December 2, 1954 (commonly referred to as the ''Sino-American Mutual Defense Treaty''); and

(3) the United States should take every action to reinforce its global reputation as a country that fully complies with its obligations under the international treaties to which it is a party.

SEC. ____4. JOINT RESOLUTION OF APPROVAL FOR TERMINATION OR WITHDRAWAL FROM AN INTERNATIONAL TREATY.

No action to terminate or withdraw the United States from any international treaty to which the Senate has given its advice and consent to ratification may occur unless—

(1) the Secretary of Defense and the Secretary of State meet the requirements under section ____5; and

(2) there is enacted into law a joint resolution that approves such action.

SEC. ____5. SUBMISSION ON NOTICE OF INTENT TO TERMINATE OR WITHDRAW THE UNITED STATES FROM AN INTERNATIONAL TREATY.

(a) IN GENERAL.—Not later than 120 days before the provision of notice of intent to terminate or withdraw the United States from any international treaty to which the Senate has given its advice and consent to ratification, the Secretary of Defense and the Secretary of State, in consultation with the Director of National Intelligence, shall each submit to the appropriate committees of Congress—

(1) a detailed justification for the withdrawal from or termination of the treaty;

(2) if the justification described in paragraph (1) includes that a state party to the treaty is in material breach of one or more obligations under the treaty, a detailed explanation of the steps taken by that state party to return to compliance with such obligations;

(3) a certification that—

(A) all other state parties to the treaty have been consulted with respect to the justification described in paragraph (1);

(B) withdrawal from or termination of the treaty would be in the best national interests of the United States; and

(C) all steps taken for withdrawal from or termination of the treaty are in compliance with the treaty; and

(4) a comprehensive strategy to mitigate against lost capacity of benefits, including plans for a superseding treaty or potential new bilateral or multilateral confidence-building measures.

(b) FORM.—The submission required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPLICABILITY TO NEW STRATEGIC ARMS REDUCTION TREATY.—This section shall apply to a decision by the President to not renew the New START Treaty for up to an additional 5 years.

SEC. ____6. APPLICABILITY TO TREATY ON OPEN SKIES.

Sections ____4 and ____5 shall apply with respect to the Treaty on Open Skies.

SEC. ____7. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

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

(2) NEW START TREATY.—The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010.

(3) TREATY ON OPEN SKIES.—The term ''Treaty on Open Skies'' means the Treaty on Open Skies, signed at Helsinki March 24, 1992.

SA 2044. Mr. MARKEY (for himself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. OVERSIGHT RELATED TO GOVERNMENTAL RESPONSE TO HEALTH-RELATED EPIDEMICS.

(a) IN GENERAL.—Section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by inserting ''or to respond to health-related epidemics'' after ''from terrorism''; and

(B) in paragraph (2), by inserting ''or to respond to health-related epidemics'' after ''against terrorism'';

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''or to respond to health-related epidemics'' after ''from terrorism'' each place it appears; and

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(D) the collection, use, storage, and sharing of covered data by Federal, State, or local government in connection with responding to a Federal declaration of a public health emergency to ensure that privacy and civil liberties are protected.'';

(3) by redesignating subsection (m) as subsection (n); and

(4) by inserting after subsection (l) the following:

''(m) DEFINITIONS.—In this section:

''(1) AGGREGATE DATA.—The term 'aggregate data' means information that relates to a group or category of individuals that is not linked or reasonably linkable to any individual or device that is linked or reasonably linkable to an individual, provided that a platform operator or operator of an automated exposure notification service—

''(A) takes reasonable measures to safeguard the data from reidentification;

''(B) publicly commits in a conspicuous manner not to attempt to reidentify or associate the data with any individual or device linked or reasonably linkable to an individual;

''(C) processes the data for public health purposes only; and

''(D) contractually requires the same commitment for all transfers of the data.

''(2) AUTOMATED EXPOSURE NOTIFICATION SERVICE.—

''(A) IN GENERAL.—The term 'automated exposure notification service' means a website, online service, online application, mobile application, or mobile operating system that is offered in commerce in the United States and that is designed, in part or in full, specifically to be used for, or marketed for, the purpose of digitally notifying, in an automated manner, an individual who may have become exposed to an infectious disease (or the device of such individual, or a person or entity that reviews such disclosures).

''(B) LIMITATIONS.—Such term does not include—

''(i) any technology that a public health authority uses as a means to facilitate traditional in-person, email, or telephonic contact tracing activities, or any similar technology that is used to assist individuals to evaluate if they are experiencing symptoms related to an infectious disease to the extent the technology is not used as an automated exposure notification service; or

''(ii) any platform operator or service provider that provides technology to facilitate an automated exposure notification service to the extent the technology acts only to facilitate such services and is not itself used as an automated exposure notification service.

''(3) COLLECT; COLLECTION.—The terms 'collect' and 'collection' mean buying, renting, gathering, obtaining, receiving, accessing, or otherwise acquiring covered data by any means, including by passively or actively observing the behavior of an individual.

''(4) COVERED DATA.—The term 'covered data' means any information that is—

''(A) linked or reasonably linkable to any individual or device linked or reasonably linkable to an individual;

''(B) not aggregate data; and

''(C) collected, processed, or transferred in connection with an automated exposure notification service.

''(5) INDIAN TRIBE.—The term 'Indian tribe'—

''(A) has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304); and

''(B) includes a Native Hawaiian organization as defined in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

''(6) OPERATOR OF AN AUTOMATED EXPOSURE NOTIFICATION SERVICE.—The term 'operator of an automated exposure notification service' means any person or entity that operates an automated exposure notification service, other than a public health authority, and that is—

''(A) subject to the Federal Trade Commission Act (15 U.S.C. 41 et seq.); or

''(B) an organization not organized to carry on business for the organization's own profit or that of the organization's members.

''(7) PLATFORM OPERATOR.—The term 'platform operator' means any person or entity other than a service provider who provides an operating system that includes features supportive of an automated exposure notification service and facilitates the use or distribution of such automated exposure notification service to the extent the technology is not used by the platform operator as an automated exposure notification service.

''(8) PROCESS.—The term 'process' means any operation or set of operations performed on covered data, including collection, analysis, organization, structuring, retaining, using, securing, or otherwise handling covered data.

''(9) PUBLIC HEALTH AUTHORITY.—The term 'public health authority' means an agency or authority of the United States, a State, a territory, a political subdivision of a State or territory, or an Indian tribe that is responsible for public health matters as part of its official mandate, or a person or entity acting under a grant of authority from or contract with such public agency.

''(10) SERVICE PROVIDER.—The term 'service provider' means any person or entity, other than a platform operator, that processes or transfers covered data in the course of performing a service or function on behalf of, and at the direction of, a platform operator, an operator of an automated exposure notification service, or a public health authority, but only to the extent that such processing or transfer relates to the performance of such service or function.

''(11) STATE.—The term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

''(12) TRANSFER.—The term 'transfer' means to disclose, release, share, disseminate, make available, allow access to, sell, license, or otherwise communicate covered data by any means to a nonaffiliated entity or person.''.

(b) REPORTS.—Section 1061(e) of the Intelligence Reform and Terrorism Prevention Act of 2004 (42 U.S.C. 2000ee(e)) is amended by adding at the end the following:

''(3) REPORT ON COVID–19 MITIGATION ACTIVITIES.—Not later than 1 year after the date of enactment of this paragraph, the Board shall issue a report, which shall be publicly available to the greatest extent possible, assessing the impact on privacy and civil liberties of Government activities in response to the public health emergency related to the Coronavirus 2019 (COVID–19), and making recommendations for how the Government should mitigate the threats posed by such emergency.

''(4) REPORTS ON PUBLIC HEALTH EMERGENCY RESPONSE.—Not later than 1 year after any Federal emergency or disaster declaration related to public health, or not later than 1 year after the termination of such declaration, the Board shall issue a report, which shall be publicly available to the greatest extent possible, assessing the impact on privacy and civil liberties of Government activities in response to such emergency or disaster, and making recommendations for how the Government should mitigate the threats posed by such emergency or disaster.''.

SA 2045. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. STATEMENT OF POLICY REGARDING IRAN DIPLOMACY.

It is the policy of the United States as follows:

(1) Achieving a diplomatic resolution to Iran's nuclear program, one that the United States had in place prior to President Trump's unilateral abrogation from the JCPOA, would represent a meaningful step to preventing a future armed conflict between the United States and Iran, one which would result in the untold loss of life and treasure.

(2) While the United States no longer has standing in the Joint Commission or the Dispute Resolution mechanism triggered by France, Germany, and the United Kingdom on January 14, 2020, it should support good-faith efforts to achieve one or both of the following:

(A) Returning all sides to not less than full compliance with its commitments under the JCPOA and refraining from imposing or threatening to impose economic penalties on France, Germany, or the United Kingdom.

(B) Negotiating an interim agreement that provides Iran with tailored, temporary economic relief in exchange for verifiable measures by Iran that reverses steps taken since May 2019 with respect to its nuclear program.

(3) Provided that all sides verifiably return to compliance with no less than its commitments under the JCPOA, or to build upon the progress of an interim agreement described in paragraph (2)(B), the United States and the other P5+1 parties should seek out negotiations with Iran, prior to 2023, towards a new comprehensive agreement that closes off all Iranian paths to a nuclear weapon by—

(A) addressing the sunset of certain provisions of the JCPOA in 2026; and

(B) advancing any other measures that advance United States and international security.

(4) Parallel to one or more of the actions described in paragraph (2), the United States and its international partners should seek to address other aspects of Iran's destabilizing actions in the region and work to bring Iran back to compliance with its human rights obligations.

(5) No JCPOA Participating State should issue a claim of ''significant nonperformance'' by Iran to the United Nations Security Council outside of the Dispute Resolution mechanism detailed in paragraphs 36 and 37 of the JCPOA.

(6) The United States should, consistent with its JCPOA commitments, issue waivers for cooperative projects specified in the JCPOA, all of which make it more difficult for Iran to reconstitute activities that pose a proliferation risk, thereby advancing United States and international security.

(7) The United States should create an environment in which financial institutions and entities can make practical use of existing exemptions and mechanisms ''allowing for the sale of agricultural commodities, food, medicine, and medical devices to Iran,'' as well as other humanitarian trade.

SA 2046. Mr. MARKEY (for himself, Ms. WARREN, Mr. MERKLEY, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Prevention of an Unconstitutional War in North Korea

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''No Unconstitutional War with North Korea Act of 2020''.

SEC. 1292. FINDINGS.

Congress makes the following findings:

(1) The President is currently prohibited from initiating a war or launching a first strike without congressional approval under the United States Constitution and United States law.

(2) The Constitution, in Article I, Section 8, grants Congress the sole power to declare war.

(3) Section 2(c) of the War Powers Resolution (50 U.S.C. 1541(c)) states that ''the constitutional powers of the President as Commander-in-Chief to introduce United States Armed Forces into hostilities, or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, are exercised only pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States, its territories or possessions, or its armed forces''.

SEC. 1293. PROHIBITION ON UNCONSTITUTIONAL MILITARY STRIKES AGAINST NORTH KOREA.

(a) PROHIBITION OF AUTHORIZED MILITARY FORCE IN OR AGAINST NORTH KOREA.—Except as provided in subsection (b), no Federal funds may be obligated or expended for any use of military force in or against North Korea unless Congress has—

(1) declared war; or

(2) enacted specific statutory authorization for such use of military force after the date of the enactment of this Act that meets the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.).

(b) EXCEPTION.—The prohibition under subsection (a) shall not apply to a use of military force that is consistent with section 2(c) of the War Powers Resolution.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to prevent the President from using necessary and appropriate force to defend United States allies and partners if Congress enacts specific statutory authorization for such use of force consistent with the requirements of the War Powers Resolution (50 U.S.C. 1541 et seq.);

(2) to relieve the executive branch of restrictions on the use of force, reporting, or consultation requirements set forth in the War Powers Resolution (50 U.S.C. 1541 et seq.); or

(3) to authorize the use of military force.

SEC. 1294. SENSE OF CONGRESS IN SUPPORT OF DIPLOMATIC RESOLUTION TO GROWING TENSIONS WITH NORTH KOREA.

It is the sense of Congress that—

(1) a conflict on the Korean peninsula would have catastrophic consequences for the American people, for members of the United States Armed Forces stationed in the region, for United States interests, for United States allies the Republic of Korea and Japan, for the long-suffering people of North Korea, and for global peace and security more broadly, and that actions and statements that increase tensions and could lead to miscalculation should be avoided; and

(2) the President, in coordination with United States allies, should explore and pursue every feasible opportunity to engage in talks with the Government of North Korea on concrete steps to reduce tensions and improve communication, and to reinvigorate high-level negotiations aimed at achieving a diplomatic agreement consistent with the June 12, 2018 Joint Statement of President Donald J. Trump of the United States of America and Chairman Kim Jong Un of the Democratic People's Republic of Korea at the Singapore Summit.

SA 2047. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. SENSE OF SENATE ON THE REPUBLIC OF KOREA.

It is the sense of the Senate that—

(1) with respect to the alliance between the United States and the Republic of Korea—

(A) ''we go together'' or ''katchi kapshida'' is an enduring motto inspired by the shared sacrifice of the United States and the Republic of Korea during the Korean War, reinforced by our shared values and reaffirmed each time the Republic of Korea has stood alongside the United States in the four major wars the United States has fought outside Korea since 1945;

(B) a transactional view of the alliance between the United States and the Republic of Korea is contrary to the spirit of ''we go together'';

(C) 70 years since the start of the Korean War, as the People's Republic of China escalates its aggressive behavior in maritime and air domains and the Democratic People's Republic of Korea continues to enhance and test weapons that threaten regional peace and security, a new strategic environment in the Indo-Pacific region has reinforced the importance of the alliance between the United States and the Republic of Korea;

(D) the 2018 National Defense Strategy states that ''the willingness of rivals to abandon aggression will depend on their perception of. . .the vitality of our alliances and partnerships'', and thus United States Government actions and public statements that undermine the United States relationship with the Republic of Korea harm United States national security and exacerbate risks to members of the Armed Forces and United States allies and partners; and

(E) United States alliances and troop deployments should be based on shared principles and goals, not on the profit motive; and

(2) with respect to nationals of the Republic of Korea who are employees of United States Forces Korea—

(A) the United States Government should endeavor to avoid actions that negatively affect the welfare or well-being of such individuals;

(B) as stated by the Commander of United States Forces Korea on March 31, 2020, the partial furlough of such individuals was ''heartbreaking'' and ''in no way a reflection of their performance, dedication, or conduct''; and

(C) the United States Government should work with the Government of the Republic of Korea to ensure that such individuals do not bear the burden of breakdowns in negotiations regarding defense cost-sharing.

SA 2048. Mr. MARKEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. TAIWAN FELLOWSHIP PROGRAM.

(a) SHORT TITLE.—This section may be cited as the ''Taiwan Fellowship Act''.

(b) FINDINGS; PURPOSES.—

(1) FINDINGS.—Congress finds the following:

(A) The Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) affirmed United States policy ''to preserve and promote extensive, close, and friendly commercial, cultural, and other relations between the people of the United States and the people on Taiwan, as well as the people on the China mainland and all other peoples of the Western Pacific area''.

(B) Consistent with the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), the United States has grown its strategic partnership with Taiwan's vibrant democracy of 23,000,000 people.

(C) Despite a concerted campaign by the People's Republic of China to isolate Taiwan from its diplomatic partners and from international organizations, including the World Health Organization, Taiwan has emerged as a global leader in the coronavirus global pandemic response, including by donating more than 2,000,000 surgical masks and other medical equipment to the United States.

(D) The creation of a United States fellowship program with Taiwan would support a key priority of expanding people-to-people exchanges, which was outlined in the President's 2017 National Security Strategy.

(2) PURPOSES.—The purposes of this section are—

(A) to further strengthen the United States-Taiwan strategic partnership and broaden understanding of the Indo-Pacific region by temporarily assigning officials of any branch of the United States Government

to Taiwan for intensive study in Mandarin and placement as Fellows with Taiwan central authorities or a Taiwanese civic institution;

(B) to provide for eligible United States personnel to learn Mandarin Chinese and expand their understanding of the political economy of Taiwan and the Indo-Pacific region;

(C) to better position the United States to advance its economic, security, and human rights interests in the Indo-Pacific region; and

(D) to encourage further expansion of other people-to-people exchanges, including by expanding the Fulbright Scholars Program, the International Visitors Leadership Program, and other exchange programs that permit the people of Taiwan to work and study in the United States.

(c) DEFINITIONS.—In this section:

(1) AGENCY HEAD.—The term ''agency head'' means—

(A) in the case of the executive branch of United States Government or an agency of the legislative branch other than the Senate or the House of Representatives, the head of the respective agency;

(B) in the case of the judicial branch of United States Government, the chief judge of the respective court;

(C) in the case of the Senate, the President pro tempore, in consultation with the Majority Leader and the Minority Leader of the Senate; and

(D) in the case of the House of Representatives, the Speaker of the House, in consultation with the Majority Leader and the Minority Leader of the House of Representatives.

(2) AGENCY OF THE UNITED STATES GOVERNMENT.—The term ''agency of the United States Government'' includes any agency of the legislative branch and any court of the judicial branch as well as any agency of the executive branch.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Appropriations of the Senate;

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

(C) the Committee on Appropriations of the House of Representatives; and

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

(4) DETAILEE.—The term ''detailee'' means an employee of an agency of the United States Government on loan to the American Institute in Taiwan without a change of position from the agency at which he or she is employed.

(5) IMPLEMENTING PARTNER.—The term ''implementing partner'' means any United States organization described in 501(c)(3) of the Internal Revenue Code of 1986 that—

(A) performs logistical, administrative, and other functions, as determined by the Department of State and the American Institute of Taiwan in support of the Taiwan Fellowship Program; and

(B) enters into a cooperative agreement with the American Institute in Taiwan to administer the Taiwan Fellowship Program.

(d) ESTABLISHMENT OF TAIWAN FELLOWSHIP PROGRAM.—

(1) ESTABLISHMENT.—The Secretary of State shall establish the ''Taiwan Fellowship Program'' to provide 2-year fellowship opportunities in Taiwan for eligible United States citizens. The Department of State, in consultation with the American Institute in Taiwan and the implementing partner, may modify the program name.

(2) GRANTS.—

(A) IN GENERAL.—The American Institute in Taiwan should use amounts appropriated pursuant to subsection (g)(1) to provide annual or multi-year grants to an appropriate implementing partner.

(B) FELLOWSHIPS.—The Department of State, in consultation with the American Institute in Taiwan and, as appropriate, the implementing partner, should annually award not fewer than 10 2-year fellowships (based on available funding) to eligible United States citizens.

(3) INTERNATIONAL AGREEMENT; IMPLEMENTING PARTNER.—Not later than 30 days after the date of the enactment of this Act, the American Institute in Taiwan, in consultation with the Department of State, should—

(A) begin negotiations with the Taipei Economic and Cultural Representative Office, or with another appropriate entity, for the purpose of entering into an agreement to facilitate the placement of fellows in an agency of the Taiwan authorities during the second year of their fellowships; and

(B) begin the process of selecting an implementing partner, which—

(i) shall agree to meet all of the legal requirements required to operate in Taiwan; and

(ii) shall be composed of staff who demonstrate significant experience managing exchange programs in the Indo-Pacific region.

(4) CURRICULUM.—

(A) FIRST YEAR.—During the first year of each fellowship under this subsection, each fellow should study—

(i) the Mandarin Chinese language;

(ii) the people, history, and political climate on Taiwan; and

(iii) the issues affecting the relationship between the United States and the Indo-Pacific region.

(B) SECOND YEAR.—During the second year of each fellowship under this subsection, each fellow, subject to the approval of the Department of State, the American Institute in Taiwan, and the implementing partner, and in accordance with the purposes of this Act, shall work in—

(i) a parliamentary office, ministry, or other agency of Taiwan authorities; or

(ii) an organization outside of Taiwan authorities, whose interests are associated with the interests of the fellow and the agency of the United States Government from which the fellow had been employed.

(5) PILOT PROGRAM.—Notwithstanding any requirement under this section, during fiscal years 2021 and 2022, the Secretary of State may select fewer than 10 fellows for placement in a parliamentary office, ministry, or other agency of Taiwan authorities for a period shorter than 1 year.

(e) PROGRAM REQUIREMENTS.—

(1) ELIGIBILITY REQUIREMENTS.—A United States citizen is eligible for a fellowship under subsection (d) if he or she—

(A) is an employee of the United States Government;

(B) has at least 2 years of experience in any branch of the United States Government;

(C) has a strong career interest in the relationship between the United States and countries in the Indo-Pacific region;

(D) has demonstrated his or her commitment to further service in the United States Government; and

(E) meets any other qualifications established by the Department of State, the American Institute in Taiwan and, as appropriate, its implementing partner.

(2) RESPONSIBILITIES OF FELLOWS.—Each recipient of a fellowship under this subsection should agree, as a condition of such fellowship—

(A) to maintain satisfactory progress in language training and appropriate behavior in Taiwan, as determined by the Department of State, the American Institute in Taiwan and, as appropriate, its implementing partner;

(B) to refrain from engaging in any intelligence or intelligence-related activity on behalf of the United States Government; and

(C) to continue Federal Government employment for a period of not less than 2 years after the conclusion of the fellowship unless, if the implementing partner determines, after consultation with the American Institute of Taiwan, that the fellow is unable to secure such employment for reasons beyond the fellow's control, after receiving assistance from the sponsoring agency.

(3) RESPONSIBILITIES OF IMPLEMENTING PARTNER.—

(A) SELECTION OF FELLOWS.—The implementing partner, in close coordination with the Department of State and the American Institute in Taiwan, shall—

(i) make efforts to recruit fellowship candidates who reflect the diversity of the United States; and

(ii) select fellows for the Taiwan Fellowship Program based solely on merit, with appropriate supervision from the Department of State and the American Institute in Taiwan.

(B) FIRST YEAR.—The implementing partner may provide each fellow in the first year of his or her fellowship with—

(i) intensive Mandarin Chinese language training; and

(ii) courses in the political economy of Taiwan, China, and the broader Indo-Pacific.

(C) WAIVER OF REQUIRED TRAINING.—The Department of State, in coordination with the American Institute in Taiwan and, as appropriate, the implementing partner, may waive any of the training required under subparagraph (A) to the extent that a fellow has Mandarin language skills, knowledge of the topic described in subparagraph (B)(ii), or for other reasons approved by the Department of State and the American Institute in Taiwan. If any of the training requirement is waived for a fellow, the first year of his or her fellowship may be shortened to the extent appropriate.

(D) OFFICE; STAFFING.—The implementing partner, in consultation with the Department of State and the American Institute in Taiwan, shall maintain an office and at least 1 full-time staff member in Taiwan—

(i) to liaise with the American Institute in Taiwan and Taiwan authorities; and

(ii) to serve as the primary in-country point of contact for the recipients of fellowships under this Act and their dependents.

(4) NONCOMPLIANCE.—

(A) IN GENERAL.—Any fellow who fails to comply with the requirements under this subsection shall reimburse the American Institute in Taiwan for—

(i) the Federal funds expended for the fellow's participation in the fellowship, as set forth in subparagraphs (B) and (C); and

(ii) interest accrued on such funds (calculated at the prevailing rate).

(B) FULL REIMBURSEMENT.—Any fellow who violates subparagraph (A) or (B) of paragraph (2) shall reimburse the American Institute in Taiwan in an amount equal to the sum of—

(i) all of the Federal funds expended for the fellow's participation in the fellowship; and

(ii) interest on the amount specified in clause (i), which shall be calculated at the prevailing rate.

(C) PRO RATA REIMBURSEMENT.—Any fellow who violates paragraph (2)(C) shall reimburse the American Institute in Taiwan in an amount equal to the difference between—

(i) the amount specified in subparagraph (B); and

(ii) the product of—

(I) the amount the fellow received in compensation during the final year of the fellowship, including the value of any allowances

and benefits received by the fellow; multiplied by

(II) the percentage of the period specified in paragraph (2)(C) during which the fellow did not remain employed by the Federal Government.

(5) ANNUAL REPORT.—Not later than 90 days after the selection of the first class of fellows under this section, and annually thereafter, the Department of State shall offer to brief the appropriate congressional committees regarding the following issues:

(A) An assessment of the performance of the implementing partner in fulfilling the purposes of this section.

(B) The names and sponsoring agencies of the fellows selected by the implementing partner and the extent to which such fellows represent the diversity of the United States.

(C) The names of the parliamentary offices, ministries, other agencies of the Taiwan authorities, and nongovernmental institutions to which each fellow was assigned during the second year of the fellowship.

(D) Any recommendations to improve the implementation of the Taiwan Fellows Program, including added flexibilities in the administration of the program.

(E) An assessment of the Taiwan Fellows Program's value upon the relationship between the United States and Taiwan or the United States and Asian countries.

(6) ANNUAL FINANCIAL AUDIT.—

(A) IN GENERAL.—The financial records of any implementing partner shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants who are certified or licensed by a regulatory authority of a State or another political subdivision of the United States.

(B) LOCATION.—Each audit under subparagraph (A) shall be conducted at the place or places where the financial records of the implementing partner are normally kept.

(C) ACCESS TO DOCUMENTS.—The implementing partner shall make available to the accountants conducting an audit under subparagraph (A)—

(i) all books, financial records, files, other papers, things, and property belonging to, or in use by, the implementing partner that are necessary to facilitate the audit; and

(ii) full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(D) REPORT.—

(i) IN GENERAL.—Not later than 6 months after the end of each fiscal year, the implementing partner shall provide a report of the audit conducted for such fiscal year under subparagraph (A) to the Department of State and the American Institute in Taiwan.

(ii) CONTENTS.—Each audit report shall—

(I) set forth the scope of the audit;

(II) include such statements, along with the auditor's opinion of those statements, as may be necessary to present fairly the implementing partner's assets and liabilities, surplus or deficit, with reasonable detail;

(III) include a statement of the implementing partner's income and expenses during the year; and

(IV) include a schedule of—

(aa) all contracts and grants requiring payments greater than $5,000; and

(bb) any payments of compensation, salaries, or fees at a rate greater than $5,000 per year.

(iii) COPIES.—Each audit report shall be produced in sufficient copies for distribution to the public.

(f) TAIWAN FELLOWS ON DETAIL FROM GOVERNMENT SERVICE.—

(1) IN GENERAL.—

(A) DETAIL AUTHORIZED.—With the approval of the Secretary of State, an agency head may detail, for a period of not more than 2 years, an employee of the agency of the United States Government who has been awarded a fellowship under this section, to the American Institute in Taiwan.

(B) AGREEMENT.—Each detailee shall enter into a written agreement with the Federal Government before receiving a fellowship, in which the fellow shall agree—

(i) to continue in the service of the sponsoring agency at the end of the fellowship for a period of at least 2 years unless the detailee is involuntarily separated from the service of such agency or participates in a pilot program authorized under subsection (d)(5); and

(ii) to pay to the American Institute in Taiwan any additional expenses incurred by the Federal Government in connection with the fellowship if the detailee voluntarily separates from service with the sponsoring agency before the end of the period for which the detailee has agreed to continue in the service of such agency.

(C) EXCEPTION.—The payment agreed to under subparagraph (B)(ii) may not be required of a detailee who leaves the service of the sponsoring agency to enter into the service of another agency of the United States Government unless the head of the sponsoring agency notifies the detailee before the effective date of entry into the service of the other agency that payment will be required under this paragraph.

(2) STATUS AS GOVERNMENT EMPLOYEE.—A detailee—

(A) is deemed, for the purpose of preserving allowances, privileges, rights, seniority, and other benefits, to be an employee of the sponsoring agency;

(B) is entitled to pay, allowances, and benefits from funds available to such agency, which is deemed to comply with section 5536 of title 5, United States Code; and

(C) may be detailed to a position with an entity described in subsection (d)(4)(B)(i) if acceptance of such position does not involve—

(i) the taking of an oath of allegiance to another government; or

(ii) the acceptance of compensation or other benefits from any foreign government by such detailee.

(3) RESPONSIBILITIES OF SPONSORING AGENCY.—

(A) IN GENERAL.—The Federal agency from which a detailee is detailed should provide the fellow allowances and benefits that are consistent with Department of State Standardized Regulations, including—

(i) a living quarters allowance to cover the cost of housing in Taiwan;

(ii) a cost of living allowance to cover any possible higher costs of living in Taiwan;

(iii) a temporary quarters subsistence allowance for up to 7 days if the fellow is unable to find housing immediately upon arriving in Taiwan;

(iv) an education allowance to assist parents in providing the fellow's minor children with educational services ordinarily provided without charge by public schools in the United States;

(v) moving expenses to transport personal belongings of the fellow and his or her family in their move to Taiwan, which is comparable to the allowance given for American Institute in Taiwan employees assigned to Taiwan; and

(vi) an economy-class airline ticket to and from Taiwan for each fellow and the fellow's immediate family.

(B) MODIFICATION OF BENEFITS.—The American Institute in Taiwan and its implementing partner, with the approval of the Department of State, may modify the benefits set forth in subparagraph (A) if such modification is warranted by fiscal circumstances.

(4) NO FINANCIAL LIABILITY.—The American Institute in Taiwan, the implementing partner, and any governmental or nongovernmental entity in Taiwan at which a fellow is detailed during the second year of the fellowship may not be held responsible for the pay, allowances, or any other benefit normally provided to the detailee.

(5) REIMBURSEMENT.—Fellows may be detailed under paragraph (1)(A) without reimbursement to the United States by the American Institute in Taiwan.

(6) ALLOWANCES AND BENEFITS.—Detailees may be paid by the American Institute in Taiwan for the allowances and benefits listed in paragraph (3).

(g) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the American Institute in Taiwan—

(A) for fiscal year 2021, $500,000 to launch the Taiwan Fellowship Program through the issuance of a competitive grant to an appropriate implementing partner; and

(B) for fiscal year 2021, and each succeeding fiscal year, $3,200,000, of which—

(i) $3,100,000 shall be used for a grant to the appropriate implementing partner; and

(ii) $100,000 shall be used for management expenses of the American Institute in Taiwan related to the management of the Taiwan Fellowship Program.

(2) PRIVATE SOURCES.—The implementing partner selected to implement the Taiwan Fellowship Program may accept, use, and dispose of gifts or donations of services or property in carrying out such program, subject to the review and approval of the American Institute in Taiwan.

SA 2049. Mr. MARKEY (for himself, Mr. BENNET, Ms. HASSAN, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. 1085. E-RATE SUPPORT FOR WI-FI HOTSPOTS, OTHER EQUIPMENT, AND CONNECTED DEVICES DURING EMERGENCY PERIODS RELATING TO COVID–19.

(a) DEFINITIONS.—In this section:

(1) ADVANCED TELECOMMUNICATIONS AND INFORMATION SERVICES.—The term ''advanced telecommunications and information services'' means advanced telecommunications and information services, as that term is used in section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)).

(2) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(3) CONNECTED DEVICE.—The term ''connected device'' means a laptop computer, tablet computer, or similar device that is capable of connecting to advanced telecommunications and information services.

(4) COVERED REGULATIONS.—The term ''covered regulations'' means the regulations promulgated under subsection (b).

(5) COVID–19 EMERGENCY PERIOD.—The term ''COVID–19 emergency period'' means the period during which a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C.

247d) with respect to COVID–19, including under any renewal of such declaration, is in effect.

(6) EMERGENCY CONNECTIVITY FUND.—The term ''Emergency Connectivity Fund'' means the fund established under subsection (h)(1).

(7) ELIGIBLE EQUIPMENT.—The term ''eligible equipment'' means the following:

(A) Wi-Fi hotspots.

(B) Modems.

(C) Routers.

(D) Devices that combine a modem and router.

(E) Connected devices.

(8) LIBRARY.—The term ''library'' includes a library consortium.

(9) WI-FI.—The term ''Wi-Fi'' means a wireless networking protocol based on Institute of Electrical and Electronics Engineers standard 802.11 (or any successor standard).

(10) WI-FI HOTSPOT.—The term ''Wi-Fi hotspot'' means a device that is capable of—

(A) receiving mobile advanced telecommunications and information services; and

(B) sharing such services with another device through the use of Wi-Fi.

(b) REGULATIONS REQUIRED.—Not later than 7 days after the date of enactment of this Act, the Commission shall promulgate regulations providing for the provision, from amounts made available from the Emergency Connectivity Fund, of support under section 254(h)(1)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)(B)) to an elementary school, secondary school, or library (including a Tribal elementary school, Tribal secondary school, or Tribal library) eligible for support under that section, during a COVID–19 emergency period (including any portion of the period occurring before the date of enactment of this Act) of eligible equipment or advanced telecommunications and information services, for use by—

(1) in the case of a school, students and staff of the school at locations that include locations other than the school; and

(2) in the case of a library, patrons of the library at locations that include locations other than the library.

(c) ELIGIBILITY OF TRIBAL LIBRARIES.—For purposes of determining the eligibility of a Tribal library for support under the covered regulations, the portion of paragraph (4) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) relating to eligibility for assistance from a State library administrative agency under the Library Services and Technology Act (20 U.S.C. 9121 et seq.) shall not apply.

(d) PRIORITIZATION OF SUPPORT.—The Commission shall provide in the covered regulations for a mechanism to require a school or library to prioritize the provision of eligible equipment or advanced telecommunications and information services (or both), for which support is received under those regulations, to students and staff or patrons (as the case may be) that the school or library believes do not have access to eligible equipment or advanced telecommunications and information services (or do not have access to either), respectively, at the residences of the students and staff or patrons.

(e) TREATMENT OF EQUIPMENT AFTER EMERGENCY PERIOD.—The Commission shall provide in the covered regulations that, in the case of a school or library that purchases eligible equipment using support received under the covered regulations, the school or library—

(1) may, after the COVID–19 emergency period with respect to which the support is received, use the equipment for any purposes that the school or library considers appropriate, subject to any restrictions provided in the covered regulations (or any successor regulation); and

(2) may not sell or otherwise transfer the equipment in exchange for any thing (including a service) of value, except that the school or library may exchange the equipment for upgraded equipment of the same type.

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect any authority of the Commission under section 254(h)(1)(B) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)(B)) to allow support under that section to be used for the purposes described in subsection (b) of this section other than as required by that subsection.

(g) PROCEDURAL MATTERS.—

(1) PART 54 REGULATIONS.—Nothing in this section shall be construed to prevent the Commission from providing that the regulations in part 54 of title 47, Code of Federal Regulations—

(A) shall apply in whole or in part to support provided under the covered regulations;

(B) shall not apply in whole or in part to support provided under the covered regulations; or

(C) shall be modified in whole or in part for purposes of application to support provided under the covered regulations.

(2) EXEMPTION FROM CERTAIN RULEMAKING REQUIREMENTS.—Subsections (b), (c), and (d) of section 553 of title 5, United States Code, shall not apply to the covered regulations or a rulemaking to promulgate the covered regulations.

(3) PAPERWORK REDUCTION ACT EXEMPTION.—A collection of information conducted or sponsored under the covered regulations, or under section 254 of the Communications Act of 1934 (47 U.S.C. 254) in connection with support provided under the covered regulations, shall not constitute a collection of information for the purposes of subchapter I of chapter 35 of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act'').

(h) EMERGENCY CONNECTIVITY FUND.—

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the ''Emergency Connectivity Fund''.

(2) APPROPRIATION.—There is appropriated to the Emergency Connectivity Fund, out of any money in the Treasury not otherwise appropriated, $4,000,000,000 for fiscal year 2020, to remain available through fiscal year 2021.

(3) USE OF FUNDS.—Amounts in the Emergency Connectivity Fund shall be available to the Commission to provide support under the covered regulations.

(4) RELATIONSHIP TO UNIVERSAL SERVICE CONTRIBUTIONS.—Support provided under the covered regulations shall be provided from amounts made available under paragraph (3) and not from contributions under section 254(d) of the Communications Act of 1934 (47 U.S.C. 254(d)).

SA 2050. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. CONGRESSIONAL APPROVAL REQUIRED FOR CIVILIAN NUCLEAR COOPERATION AGREEMENTS UNDER CERTAIN CIRCUMSTANCES.

(a) IN GENERAL.—Notwithstanding any other requirements under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the President, concurrent with submitting a proposed civilian nuclear cooperation agreement with a foreign country in accordance with the requirements of such section 123, and 60 days prior to the renewal of any pre-existing civilian nuclear cooperation agreement, shall submit to Congress a report—

(1) declaring any credible evidence that the foreign country intends, conditionally or unconditionally, to pursue a nuclear program that is not inherently peaceful, including public statements to that effect by a senior leader of that foreign country;

(2) citing any instance in which the foreign government has committed a significant violation of, or engaged in a pattern of violations of, international standards with respect to the development, storage, deployment, or use of weapons of mass destruction, including the Chemical Weapons Convention, the Biological Weapons Convention, or the Nuclear Nonproliferation Treaty;

(3) stating whether or not the foreign government has committed to not enrich uranium or reprocess plutonium on its own territory concurrent to a submitted proposed civilian nuclear cooperation agreement or a renewal of any pre-existing civilian nuclear cooperation agreement; and

(4) stating whether or not the foreign government has committed to sign and ratify the Additional Protocol to its International Atomic Energy Agency Safeguards Agreement.

(b) REQUIRED ACTIONS.—If a report submitted under subsection (a) describes any known instance set forth under paragraphs (1) and (2) of such subsection, then, notwithstanding any other requirements under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153), the civilian nuclear cooperation agreement with the foreign country in question, or the renewal of any pre-existing agreement, may only enter into effect on or after the date on which both of the following conditions have been met:

(1) The President has submitted a proposed agreement with the foreign country in accordance with the requirements of such section 123.

(2) On or after the date of the submission of the proposed agreement under paragraph (1), a joint resolution stating that Congress approves such agreement has been enacted.

(c) LIMITED EXEMPTION.—The requirements under subsection (b) do not apply to any country that is a Nuclear Weapon State as defined by the Nuclear Nonproliferation Treaty unless the report submitted under subsection (a) describes any known instance set forth under paragraph (2) of such subsection.

(d) DEFINITIONS.—In this section:

(1) BIOLOGICAL WEAPONS CONVENTION.—The term ''Biological Weapons Convention'' means the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow, April 10, 1972.

(2) CHEMICAL WEAPONS CONVENTION.—The term ''Chemical Weapons Convention'' means the Convention on the Prohibition of the Development, Production, Stockpiling and use of Chemical Weapons and on their Destruction, done at Paris, January 13, 1993.

(3) NUCLEAR NONPROLIFERATION TREATY.—The term ''Nuclear Nonproliferation Treaty'' means the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow, July 1, 1968.

SA 2051. Mr. MARKEY (for himself, Ms. WARREN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. CARDIN, Mr. VAN HOLLEN, Mrs. FEINSTEIN, Mr. MERKLEY, Mr.

MURPHY, Ms. SMITH, Mr. SANDERS, Ms. BALDWIN, Mr. WYDEN, Mr. BROWN, Ms. HIRONO, Mr. CASEY, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3167 and insert the following:

SEC. 3167. PROHIBITION ON USE OF FUNDS FOR NUCLEAR WEAPONS TEST EXPLOSIONS.

(a) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2021, or authorized to be appropriated or otherwise made available for any fiscal year before fiscal year 2021 and available for obligation as of the date of the enactment of this Act, may be obligated or expended to conduct or make preparations for any explosive nuclear weapons test that produces any yield.

(b) RULE OF CONSTRUCTION.—Subsection (a) does not limit nuclear stockpile stewardship activities that are consistent with the zero-yield standard and other requirements under law.

SA 2052. Mr. MARKEY (for himself and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1656. PROHIBITION ON USE OF FUNDS FOR CERTAIN NUCLEAR WEAPONS ACTIVITIES.

Notwithstanding any other provision of this Act of any other provision of law, none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended by the Department of Defense or the Department of Energy for—

(1) research, development, test, and evaluation or procurement of the ground-based strategic deterrent or any new intercontinental ballistic missile and the W87–1 warhead;

(2) research, development, test, and evaluation or procurement of the long-range standoff weapon or the W80–4 warhead life extension program;

(3) research, development, test, and evaluation or procurement of a nuclear sea-launched cruise missile;

(4) plutonium process at the Savannah River Site, Aiken, South Carolina;

(5) sustaining the B83–1 bomb after fiscal year 2025; or

(6) concept assessment and refinement activities for the W93 warhead.

SA 2053. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. REPORTING REQUIREMENTS.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)) is amended—

(1) in paragraph (7)—

(A) in subparagraph (F), by striking ''and'' at the end;

(B) in subparagraph (G), by adding ''and'' at the end; and

(C) by adding at the end the following:

''(H) with respect to a Federal agency to which subsection (f)(1) or (n)(1) applies, whether the Federal agency has satisfied the requirement under each applicable subsection for the year covered by the report;'';

(2) in paragraph (9), by striking ''and'' at the end;

(3) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(11) with respect to a Federal agency to which subsection (f)(1) or (n)(1) applies and that the Administration determines has not satisfied the requirement under either applicable subsection, require the head of that Federal agency to submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding why the Federal agency has not satisfied the requirement.''.

SA 2054. Mr. MARKEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. ADDITIONAL RESOURCES FOR THE OFFICE OF INNOVATION AND TECHNOLOGY.

Section 9(mm) of the Small Business Act (15 U.S.C. 638(mm)) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraphs (3) and (4)'';

(2) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively; and

(3) by inserting after paragraph (3) the following:

''(4) TRANSFER TO OFFICE OF INNOVATION AND TECHNOLOGY.—Of the amount that a Federal agency allocates for uses under paragraph (1), the agency shall transfer 5 percent of that amount to the Office of Innovation and Technology of the Administration, which the Office shall use to carry out the functions of the Office.''.

SA 2055. Mr. DURBIN (for himself, Ms. HIRONO, Mr. BLUMENTHAL, Mr. BROWN, Mr. KAINE, Mr. MERKLEY, and Mr. BOOKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. 1085. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

''§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

''(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

''(b) DEFINITIONS.—In this section:

''(1) The term 'facility of the Veterans Health Administration' means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

''(A) under the jurisdiction of the Department of Veterans Affairs;

''(B) under the control of the Veterans Health Administration; and

''(C) not under the control of the General Services Administration.

''(2) The term 'smoke' includes—

''(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

''(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

''1715. Prohibition on smoking in facilities of the Veterans Health Administration.''.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102–585; 38 U.S.C. 1715 note) is repealed.

SA 2056. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1_____. THRESHOLD FOR REPORTING ADDITIONS TO TOXICS RELEASE INVENTORY.

Section 7321 of the PFAS Act of 2019 (Public Law 116–92) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by adding at the end the following:

''(C) LIMITATION.—Section 372.38 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances described in paragraph (1) unless the Administrator, in accordance with subparagraph (B), revises the threshold for reporting the substance or class of substances to 10,000 pounds.''; and

(2) in subsection (c)(2)—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by adding at the end the following:

''(C) LIMITATION.—Section 372.38 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to a substance or class of substances described in paragraph (1) unless the Administrator, in accordance with subparagraph (B), revises the threshold for reporting the substance or class of substances to 10,000 pounds.''.

SA 2057. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. 1085. NOTIFICATIONS AND REPORTS REGARDING REPORTED CASES OF BURN PIT EXPOSURE.

(a) QUARTERLY NOTIFICATIONS.—

(1) IN GENERAL.—On a quarterly basis, the Secretary of Veterans Affairs shall submit to the appropriate congressional committees a report on each case of burn pit exposure by a covered veteran reported during the previous quarter.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall include, with respect to each case of burn pit exposure of a covered veteran included in the report, the following:

(A) Notice of the case, including the medical facility at which the case was reported.

(B) Notice of, as available—

(i) the enrollment status of the covered veteran with respect to the patient enrollment system of the Department of Veterans Affairs under section 1705(a) of title 38, United States Code;

(ii) a summary of all health care visits by the covered veteran at the medical facility at which the case was reported that are related to the case;

(iii) the demographics of the covered veteran, including age, sex, and race;

(iv) any non-Department of Veterans Affairs health care benefits that the covered veteran receives;

(v) the Armed Force in which the covered veteran served and the rank of the covered veteran;

(vi) the period in which the covered veteran served;

(vii) each location of an open burn pit from which the covered veteran was exposed to toxic airborne chemicals and fumes during such service;

(viii) the medical diagnoses of the covered veteran and the treatment provided to the veteran; and

(ix) whether the covered veteran is registered in the Airborne Hazards and Open Burn Pit Registry.

(3) PROTECTION OF INFORMATION.—The Secretary shall ensure that the reports submitted under paragraph (1) do not include the identity of covered veterans or contain other personally identifiable data.

(b) ANNUAL REPORT ON CASES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Veterans Affairs, in collaboration with the Secretary of Defense, shall submit to the appropriate congressional committees a report detailing the following:

(A) The total number of covered veterans.

(B) The total number of claims for disability compensation under chapter 11 of title 38, United States Code, approved and the total number denied by the Secretary of Veterans Affairs with respect to a covered veteran, and for each such denial, the rationale of the denial.

(C) A comprehensive list of—

(i) the conditions for which covered veterans seek treatment; and

(ii) the locations of the open burn pits from which the covered veterans were exposed to toxic airborne chemicals and fumes.

(D) Identification of any illnesses relating to exposure to open burn pits that formed the basis for the Secretary to award benefits, including entitlement to service connection or an increase in disability rating.

(E) Any updates or trends with respect to the information described in subparagraphs (A), (B), and (C) that the Secretary determines appropriate.

(2) MATTERS INCLUDED IN FIRST REPORT.—The Secretary shall include in the first report under paragraph (1) information specified in subsection (a)(2) with respect to reported cases of burn pit exposure made during the period beginning January 1, 1990, and ending on the day before the date of the enactment of this Act.

(c) INFORMATION REGARDING REGISTRY.—Section 201(a) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note) is amended by adding at the end the following new paragraph:

''(3) INFORMATION.—

''(A) NOTICE.—The Secretary of Veterans Affairs shall ensure that a medical professional of the Department of Veterans Affairs informs a veteran of the registry under paragraph (1) if the veteran presents at a medical facility of the Department for treatment that the veteran describes as being related to, or ancillary to, the exposure of the veteran to toxic airborne chemicals and fumes caused by open burn pits.

''(B) DISPLAY.—In making information public regarding the number of participants in the registry under paragraph (1), the Secretary shall display such numbers by both State and by congressional district.''.

(d) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report containing an assessment of the effectiveness of any memorandum of understanding or memorandum of agreement entered into by the Secretary of Veterans Affairs with respect to—

(1) the processing of reported cases of exposure to open burn pits; and

(2) the coordination of care and provision of health care relating to such cases at medical facilities of the Department of Veterans Affairs and at non-Department facilities.

(e) DEFINITIONS.—In this section:

(1) The term ''Airborne Hazards and Open Burn Pit Registry'' means the registry established by the Secretary of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(2) The term ''appropriate congressional committees'' means—

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

(B) The Committee on Veterans' Affairs and the Committee on Armed Services of the House of Representatives.

(3) The term ''covered veteran'' means a veteran who presents at a medical facility of the Department of Veterans Affairs (or in a non-Department facility pursuant to section 1703 or 1703A of title 38, United States Code) for treatment that the veteran describes as being related to, or ancillary to, the exposure of the veteran to toxic airborne chemicals and fumes caused by open burn pits at any time while serving in the Armed Forces.

(4) The term ''open burn pit'' has the meaning given that term in section 201(c) of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

(5) The term ''reported case of burn pit exposure'' means each instance in which a veteran presents at a medical facility of the Department of Veterans Affairs (or in a non-Department facility pursuant to section 1703 or 1703A of title 38, United States Code) for treatment that the veteran describes as being related to, or ancillary to, the exposure of the veteran to toxic airborne chemicals and fumes caused by open burn pits at any time while serving in the Armed Forces.

SA 2058. Ms. SMITH (for herself and Mrs. HYDE-SMITH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. STUDY AND REPORT ON THE AFFORDABILITY OF INSULIN.

The Secretary of Health and Human Services, acting through the Assistant Secretary for Planning and Evaluation, shall—

(1) conduct a study that examines, for each type or classification of diabetes (including type 1 diabetes, type 2 diabetes, gestational diabetes, and other conditions causing reliance on insulin), the effect of the affordability of insulin on—

(A) adherence to insulin prescriptions;

(B) rates of diabetic ketoacidosis;

(C) downstream impacts of insulin adherence, including rates of dialysis treatment and end-stage renal disease;

(D) spending by Federal health programs on acute episodes that could have been averted by adhering to an insulin prescription; and

(E) other factors, as appropriate, to understand the impacts of insulin affordability on health outcomes, Federal Government spending (including under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) and the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.)), and insured and uninsured individuals with diabetes; and

(2) not later than 2 years after the date of enactment of this Act, submit to Congress a report on the study conducted under paragraph (1).

SA 2059. Mr. UDALL (for himself, Mr. PAUL, Mr. KAINE, Mr. LEE, Mr. DURBIN, Mr. LEAHY, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Ms. WARREN, Mr. MERKLEY, Ms. BALDWIN, Mr. VAN HOLLEN, Mr. MARKEY, Mr. BLUMENTHAL, Mr. BROWN, Mr. WYDEN, Mr. SANDERS, Mr. SCHATZ, and Ms. HARRIS) submitted an amendment intended to be proposed

by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1224. PROHIBITION OF UNAUTHORIZED MILITARY OPERATIONS AGAINST IRAN.

(a) IN GENERAL.—No funds authorized by this Act may be used to conduct hostilities against the Government of Iran, against the Armed Forces of Iran, or in the territory of Iran.

(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

(1) to restrict the use of the United States Armed Forces to defend against an attack upon the United States, its territories or possessions, or its Armed Forces;

(2) to limit the obligations under the War Powers Resolution (50 U.S.C. 1541 et seq.); or

(3) to affect the provisions of an Act or a joint resolution of Congress specifically authorizing such hostilities that is enacted after the date of the enactment of this Act.

SA 2060. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1222 and insert the following:

SEC. 1222. PROHIBITION ON USE OF FUNDS TO PROVIDE ASSISTANCE TO VETTED SYRIAN OPPOSITION.

None of the funds authorized to be appropriated by this Act may be obligated or expended for activities under section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3541), as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

SA 2061. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 2802, strike subsection (e) and insert the following:

(e) FUNDING.—

(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2021 as specified in the funding table in section 4601, the Secretary of the Air Force may expend not more than $15,000,000 for the purposes of planning and design to support the projects described in subsection (a).

(2) INCREASE.—The amount authorized to be appropriated for fiscal year 2021 for military construction for the Air Force is hereby increased by $15,000,000, with the amount of the increase to be designated to Air Force, Unspecified Worldwide Locations, Planning and Design.

(3) OFFSET.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Army is hereby reduced by $15,000,000, with the amount of the reduction to be derived from subactivity group 421, Servicewide Transportation.

SA 2062. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

On page 775, line 8, strike ''Activities'' and insert ''Consistent with title II of the Asia Reassurance and Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5391), activities''.

SA 2063. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle E of title XII, insert the following:

SEC. 12___. SENSE OF CONGRESS ON PACIFIC DETERRENCE INITIATIVE AND THE ASIA REASSURANCE AND INITIATIVE ACT OF 2018.

It is the sense of Congress that the Pacific Deterrence Initiative is designed to implement the strategic and policy objectives articulated by Congress in the Asia Reassurance Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5387) and by the executive branch in the National Security Strategy, the ''Free and Open Indo-Pacific'' strategy of the Department of State, the National Defense Strategy, and the Indo-Pacific strategy report of the Department of Defense, which states that the Asia Reassurance Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5387) ''enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security''.

SA 2064. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1251 and insert the following:

SEC. 1251. PACIFIC DETERRENCE INITIATIVE.

(a) IN GENERAL.—Title II of the Asia Reassurance and Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5391) is amended by adding at the end the following new section:

''SEC. 217. PACIFIC DETERRENCE INITIATIVE.

''(a) IN GENERAL.—The Secretary of Defense shall carry out an initiative to ensure the effective implementation of the National Defense Strategy with respect to the Indo-Pacific region, to be known as the 'Pacific Deterrence Initiative' (in this section referred to as the 'Initiative').

''(b) PURPOSE.—The purpose of the Initiative is to carry out only the following activities:

''(1) Activities to increase the lethality of the joint force in the Indo-Pacific region, including, but not limited to—

''(A) by improving active and passive defenses against theater cruise, ballistic, and hypersonic missiles for bases, operating locations, and other critical infrastructure at locations west of the International Date Line; and

''(B) procurement and fielding of—

''(i) long-range precision strike systems to be stationed or pre-positioned west of the International Date Line;

''(ii) critical munitions to be pre-positioned at locations west of the International Date Line; and

''(iii) command, control, communications, computers and intelligence, surveillance, and reconnaissance systems intended for stationing or operational use in the Indo-Pacific region.

''(2) Activities to enhance the design and posture of the joint force in the Indo-Pacific region, including, but not limited to, by—

''(A) transitioning from large, centralized, and unhardened infrastructure to smaller, dispersed, resilient, and adaptive basing at locations west of the International Date Line;

''(B) increasing the number and capabilities of expeditionary airfields and ports in the Indo-Pacific region available for operational use at locations west of the International Date Line;

''(C) enhancing pre-positioned forward stocks of fuel, munitions, equipment, and materiel at locations west of the International Date Line;

''(D) increasing the availability of strategic mobility assets in the Indo-Pacific region;

''(E) improving distributed logistics and maintenance capabilities in the Indo-Pacific region to ensure logistics sustainment while under persistent multidomain attack; and

''(F) increasing the presence of the Armed Forces at locations west of the International Date Line.

''(3) Activities to strengthen alliances and partnerships, including, but not limited to, by—

''(A) building capacity of allies and partners; and

''(B) improving—

''(i) interoperability and information sharing with allies and partners; and

''(ii) information operations capabilities in the Indo-Pacific region, with a focus on reinforcing United States commitment to allies and partners and countering malign influence.

''(4) Activities to carry out a program of exercises, experimentation, and innovation for the joint force in the Indo-Pacific region.

''(c) PLAN REQUIRED.—Not later than February 15, 2021, the Secretary, in consultation with the Commander of the United States Indo-Pacific Command, shall submit to the congressional defense committees a plan to expend not less than the amounts authorized to be appropriated under subsection (e)(2).

''(d) BUDGET DISPLAY INFORMATION.—The Secretary shall include in the materials of the Department of Defense in support of the

budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2022 and each fiscal year thereafter a detailed budget display for the Initiative that includes the following information:

''(1) A future-years plan with respect to activities and resources for the Initiative for the applicable fiscal year and not fewer than the four following fiscal years.

''(2) With respect to procurement accounts—

''(A) amounts displayed by account, budget activity, line number, line item, and line item title; and

''(B) a description of the requirements for such amounts specific to the Initiative.

''(3) With respect to research, development, test, and evaluation accounts—

''(A) amounts displayed by account, budget activity, line number, program element, and program element title; and

''(B) a description of the requirements for such amounts specific to the Initiative.

''(4) With respect to operation and maintenance accounts—

''(A) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

''(B) a description of the specific manner in which such amounts will be used.

''(5) With respect to military personnel accounts—

''(A) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

''(B) a description of the requirements for such amounts specific to the Initiative.

''(6) With respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount by fiscal year.

''(7) With respect to the activities described in subsection (b)—

''(A) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

''(B) a description of the specific manner in which such amounts will be used.

''(8) With respect to each military service—

''(A) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

''(B) a description of the specific manner in which such amounts will be used.

''(9) With respect to the amounts described in each of paragraphs (2)(A), (3)(A), (4)(A), (5)(A), (6), (7)(A), and (8)(A), a comparison between—

''(A) the amount in the budget of the President for the following fiscal year; and

''(B) the amount projected in the previous budget of the President for the following fiscal year.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities of the Initiative described in subsection (b) the following:

''(1) For fiscal year 2021, $1,406,417,000, as specified in the funding table in section 4502.

''(2) For fiscal year 2022, $5,500,000,000.

''(f) REPEAL.—Section 1251 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1676), as most recently amended by section 1253 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2054), is repealed.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5387) is amended by inserting after the item relating to section 216 the following:

''Sec. 217. Pacific Deterrence Initiative.''.

SA 2065. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. ESTABLISHMENT OF TECHNOLOGY AND INDUSTRIAL TRILATERAL ALLIANCE OF NATIONS.

(a) AUTHORITY.—The Secretary of State, the Secretary of Commerce, and the Secretary of the Treasury may jointly establish a foundation, to be known as the ''Technology and Industrial Trilateral Alliance of Nations'' or ''TITAN'' (referred to in this section as the Foundation) to award competitive grants to private entities in the United States, Israel, and the Indo-Pacific region to develop, manufacture, sell, and support innovative products based on industrial research and development in the following sectors:

(1) Agriculture.
(2) Communications.
(3) Construction technologies.
(4) Electronics.
(5) Electro-optics.
(6) Life sciences.
(7) Software.
(8) Homeland security.
(9) Renewable and alternative energy.
(10) Any other technology sector the Secretary considers appropriate.

(b) COMPETITIVE GRANT PROGRAM.—The Foundation shall administer a competitive grant program for private entities based in the United States, Israel, and the Indo-Pacific region that are committed to accountability, transparency, and the rule of law.

(c) OPERATIONS OF FOUNDATION.—The Foundation shall operate under the same model and bylaws as the Israel-United States Binational Industrial Research and Development Foundation.

(d) PROHIBITION.—The Foundation may not provide a grant to a private entity—

(1) domiciled in the People's Republic of China that has known ties to the Government of the People's Republic of China, the military forces of the People's Republic of China, or the security services of the People's Republic of China; or

(2) identified on the entity list maintained by the Bureau of Industry and Security and set forth in Supplement No. 4 to part 744 fo the Export Administration Regulations.

SA 2066. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. PILOT PROGRAMS ON PAYMENT OF STIPENDS TO MEMBERS OF THE SENIOR RESERVE OFFICERS' TRAINING CORPS WHO ARE PURSUING A DEGREE IN A SPACE-RELATED FIELD.

(a) PILOT PROGRAMS AUTHORIZED.—Each Secretary of a military department may carry out a pilot program to assess the feasibility and advisability of paying a stipend to members of Senior Reserve Officers' Training Corps (SROTC) programs the under the jurisdiction of such Secretary who are pursuing a degree in a space-related field that includes skills, expertise, or both that are or are anticipated to be critical to current or future missions or operations of the Armed Forces under the jurisdiction of such Secretary.

(b) DURATION.—The duration of any pilot program under this section may not exceed five years.

(c) PARTICIPANTS.—Participants in a pilot program under this section shall be selected by the Secretary of the military department concerned from among members of Senior Reserve Officers' Training Corps programs under the jurisdiction of such Secretary in such manner, and using such criteria, as such Secretary shall specify for purposes of the pilot program.

(d) DEGREES AND SPACE-RELATED FIELDS.—In carrying out a pilot program under this section, the Secretary of a military department shall specify the degrees, and space-related fields, pursuit of which will qualify a participant for receipt of a stipend under the pilot program.

(e) STIPENDS.—

(1) AMOUNT.—The amount of the stipend payable to a participant under a pilot program under this section shall be such amount as the Secretary of the military department concerned shall specify for purposes of the pilot program.

(2) FREQUENCY OF PAYMENT.—A stipend under a pilot program may be paid on a semester, term, academic year, or other basis, at the election of the Secretary of the military department concerned. A participant may be paid a stipend under the pilot program in more than applicable period.

(3) USE.—A participant shall use a stipend paid under the pilot program to defray costs in connection with pursuit of a degree in a space-related field or for such other costs or purposes as the Secretary of the military department concerned shall specify for purposes of the pilot program.

(f) FUNDING.—Amounts for pilot programs under this section shall be derived from amounts authorized to be appropriated by subsection (g) and allocated in accordance with that subsection.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is hereby authorized to be appropriated for each of fiscal years 2021 through 2025 for the Department of Defense, $5,000,000 for purposes of carrying out pilot programs authorized by subsection (a) in such fiscal year. The amount so authorized to be appropriated for a fiscal year shall be allocated among the military departments for purposes of carrying out such pilot programs in such fiscal year in such amounts as the Secretary of Defense considers appropriate for purposes of this section.

SA 2067. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

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

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

SEC. 1262. SENSE OF CONGRESS ON CROSS-BORDER VIOLENCE IN THE GALWAN VALLEY AND THE GROWING TERRITORIAL CLAIMS OF THE PEOPLE'S REPUBLIC OF CHINA.

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

(1) Since a truce in 1962 ended skirmishes between India and the People's Republic of China, the countries have been divided by a 2,100-mile-long Line of Actual Control.

(2) In the decades since the truce, military standoffs between India and the People's Republic of China have flared; however, the standoffs have rarely claimed the lives of soldiers.

(3) In the months leading up to June, 15, 2020, along the Line of Actual Control, the People's Republic of China—

(A) reportedly amassed 5,000 soldiers; and

(B) is believed to have crossed into [previously disputed territory considered to be settled as part of India under the 1962 truce].

(4) On June 6, 2020, the People's Republic of China and India reached an agreement to de-escalate and disengage along the Line of Actual Control.

(5) On June 15, 2020, at least 20 Indian soldiers and an unconfirmed number of Chinese soldiers were killed in skirmishes following a weeks-long standoff in Eastern Ladakh, which is the de facto border between India and the People's Republic of China.

(6) Following the deadly violence, Prime Minister Narendra Modi of India stated, ''[w]henever there have been differences of opinion, we have always tried to ensure that those differences never turned into a dispute''.

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

(1) India and the People's Republic of China should work toward deescalating the situation along the Line of Actual Control; and

(2) the expansion and aggression of the People's Republic of China in and around disputed territories, such as the Line of Actual Control, the South China Sea, the Senkaku Islands, is of significant concern.

SA 2068. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle G of title V, add the following:

SEC. _____. INDEPENDENT STUDY AND REPORT ON MILITARY SPOUSE UNDEREMPLOYMENT.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a Federally funded research and development center to conduct a study on underemployment among military spouses. The study shall consider, at a minimum, the following:

(1) The prevalence of unemployment and underemployment among military spouses, including differences by Armed Force, region, State, education level, and income level.

(2) The causes of unemployment and underemployment among military spouses.

(3) The differences in unemployment and underemployment between military spouses and civilians.

(4) Barriers to small business ownership and entrepreneurship faced by military spouses.

(b) SUBMITTAL TO DOD.—Not later than 240 days after the date of the enactment of this Act, the Federally funded research and development center with which the Secretary contracts pursuant to subsection (a) shall submit to the Secretary a report containing the results of the study conducted pursuant to that subsection.

(c) TRANSMITTAL TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall transmit to the appropriate committees of Congress the report under subsection (b), without change.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the following—

(1) the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, the Committee on Small Business and Entrepreneurship, and Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Education and Labor, the Committee on Small Business, and Committee on Appropriations of the House of Representatives.

SA 2069. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12____. IMPLEMENTATION OF THE ASIA REASSURANCE INITIATIVE ACT WITH REGARD TO TAIWAN ARMS SALES.

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

(1) The Department of Defense Indo-Pacific Strategy Report, released on June 1, 2019, states: ''[T]he Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.''.

(2) The Indo-Pacific Strategy Report further states: ''The United States has a vital interest in upholding the rules-based international order, which includes a strong, prosperous, and democratic Taiwan. . .The Department [of Defense] is committed to providing Taiwan with defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.''.

(3) Section 209(b) of the Asia Reassurance Initiative Act of 2018 (22 U.S.C. 3301 note), signed into law on December 31, 2018—

(A) builds on longstanding commitments enshrined in the Taiwan Relations Act (22 U.S.C. 3301 et seq.) to provide Taiwan with defense articles; and

(B) states: ''The President should conduct regular transfers of defense articles to Taiwan that are tailored to meet the existing and likely future threats from the People's Republic of China, including supporting the efforts of Taiwan to develop and integrate asymmetric capabilities, as appropriate, including mobile, survivable, and cost-effective capabilities, into its military forces.''.

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

(1) the Asia Reassurance Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5387) has recommitted the United States to support the close, economic, political, and security relationship between the United States and Taiwan; and

(2) the United States should fully implement the provisions of that Act with regard to regular defensive arms sales to Taiwan.

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense, or their designees, shall brief the appropriate committees of Congress on the efforts to implement section 209(b) of the Asia Reassurance Initiative Act of 2018 (22 U.S.C. 3301 note).

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2070. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. PROCUREMENT OF LITTER-ATTACHED LOAD STABILITY SYSTEMS FOR UH–60 AIRCRAFT.

The amount authorized to be appropriated by this Act for fiscal year 2021 for Aircraft Procurement, Army and available for Utility Helicopters/UH–60 mods is increased by $11,091,000, with the amount of such increase to be available for the procurement of additional litter-attached load stability systems to be deployed at the bottom of the helicopter hoist, on 39 aircraft

---

SA 2071. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. SENSE OF CONGRESS ON ESTABLISHMENT OF A CYBER LEAGUE OF INDO-PACIFIC STATES TO ADDRESS CYBER THREATS..

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

(1) The world has benefitted greatly from technological innovations under the leadership of the United States in the post-World War era, including the creation of the World Wide Web which has provided an entirely new platform for wealth creation and human flourishing through cyber-commerce and connectivity.

(2) Cybercrime affects companies large and small, as well as infrastructure that is vital to the economy as a whole.

(3) A 2018 study from the Center for Strategic and International Studies, in partnership with McAfee, estimates that the global economic losses from cybercrime are approximately $600,000,000,000 annually and rising.

(4) According to the Pew Charitable Trust, 64 percent of people in the United States had fallen victim to cybercriminals as of 2017.

(5) On July 9, 2012, General Keith Alexander, then-Director of the National Security Agency, termed theft of United States intellectual property ''the greatest transfer of wealth in history''.

(6) On September 25, 2015, the United States and the People's Republic of China announced a commitment that ''neither country's government will conduct or knowingly support cyber-enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to companies or commercial sectors''.

(7) The People's Republic of China nonetheless continues to contribute to the rise of cybercrime, exploiting weaknesses in the international system to undermine fair competition in technology and cyberspace, including through theft of intellectual property and state-sponsored malicious actions to undermine and weaken competition.

(8) According to the 2019 Worldwide Threat Assessment by the Director of National Intelligence: ''China, Russia, Iran, and North Korea increasingly use cyber operations to threaten both minds and machines in an expanding number of ways—to steal information, to influence our citizens, or to disrupt critical infrastructure.''

(9) From 2011 to 2018, more than 90 percent of cases handled by the Department of Justice alleging economic espionage by or to benefit a foreign country involved the People's Republic of China.

(10) More than ⅔ of the cases handled by the Department of Justice involving theft of trade secrets have a nexus to the People's Republic of China.

(11) Experts have asserted that the Made in China 2025 strategy of the Government of the People's Republic of China will incentivize Chinese entities to engage in unfair competitive behavior, including additional theft of technologies and intellectual property.

(12) The Democratic People's Republic of Korea has also contributed to the rise of cybercrime and according to the 2018 Worldwide Threat Assessment by the Director of National Intelligence: ''We expect the heavily sanctioned North Korea to use cyber operations to raise funds and to gather intelligence or launch attacks on South Korea and the United States. . . . North Korean actors developed and launched the WannaCry ransomware in May 2017, judging from technical links to previously identified North Korean cyber tools, tradecraft, and operational infrastructure. We also assess that these actors conducted the cyber theft of $81 million from the Bank of Bangladesh in 2016.''

(13) Section 2(a)(8) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9201(a)(8)) states, ''The Government of North Korea has provided technical support and conducted destructive and coercive cyberattacks, including against Sony Pictures Entertainment and other United States persons.''

(14) The United States has taken action on its own against international cybercrime, including through—

(A) the North Korea Sanctions and Policy Enhancement Act of 2016 (Public Law 114–122), which imposed mandatory sanctions against persons engaging in significant activities undermining cybersecurity on behalf of the Democratic People's Republic of Korea; and

(B) criminal charges filed by the Department of Justice on October 25, 2018, in which the Department alleged that the Chinese intelligence services conducted cyber intrusions against at least a dozen companies in order to obtain information on a commercial jet engine.

(15) The March 2016 Department of State International Cyberspace Policy Strategy noted that ''the Department of State anticipates a continued increase and expansion of our cyber-focused diplomatic efforts for the foreseeable future''.

(16) Concerted action by countries that share concerns about state-sponsored cyber theft is necessary to prevent the growth of cybercrime and other destabilizing national security and economic outcomes.

(17) Section 215 of the Asia Reassurance Initiative Act of 2018 (Public Law 115–409) calls for ''robust cybersecurity cooperation between the United States and nations in the Indo-Pacific region'' and ''authorized to be appropriated $100,000,000 for each of the fiscal years 2019 through 2023 to enhance cooperation between the United States and the Indo-Pacific nations for the purpose of combatting cybersecurity threats''.

(b) SENSE OF CONGRESS.—Congress—

(1) urges the President to propose and champion the negotiation of a cooperative agreement with like-minded partners in the Indo-Pacific to ensure a free and open Internet free from economically crippling cyberattacks;

(2) calls for the cooperative agreement, which can be referred to as the Cyber League of Indo-Pacific States (in this section referred to as ''CLIPS''), to include the creation of an Information Sharing Analysis Center to provide around-the-clock cyber threat monitoring and mitigation for governments that are parties to the cooperative agreement; and

(3) calls for members of CLIPS—

(A) to consult on emerging cyber threats;

(B) to pledge not to conduct or support theft of intellectual property, including trade secrets or other confidential business information;

(C) to introduce and enforce minimum criminal punishment for cyber theft;

(D) to extradite alleged cyber thieves, consistent with existing agreements and respecting national sovereignty;

(E) to enforce laws protecting intellectual property, including patents;

(F) to ensure that government agencies comply with software license terms;

(G) to minimize data localization requirements (consistent with the Agreement between the United States of America, the United Mexican States, and Canada, signed at Buenos Aires November 30, 2018 (commonly known as the ''United States-Mexico-Canada Agreement''));

(H) to seek cooperation with respect to the standards described in the Arrangement on the Recognition of Common Criteria Certificates in the field of Information Technology Security, dated May 14, 2014;

(I) to provide for public input when devising legislation on cybersecurity; and

(J) to cooperate on the attribution of cyberattacks and impose appropriate consequences.

SA 2072. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 952. DEPARTMENT OF DEFENSE CENTER OF EXCELLENCE FOR UNMANNED AERIAL SYSTEMS EDUCATION AND TRAINING.

(a) DESIGNATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall designate the United States Air Force Academy as the Department of Defense Center of Excellence for Unmanned Aerial Systems Education and Training (in this section referred to as the ''Center'').

(b) PARTNERSHIPS.—The Secretary of Defense shall, with direct support from the Secretary of the Air Force, ensure that the Center collaborates across the Department of Defense, with a focus on other military service academies, research laboratories, and operational unmanned aerial systems units (UAS), as well as other institutions of higher education, industry, and appropriate public and private entities (including international entities), to carry out the responsibilities specified in subsection (c).

(c) RESPONSIBILITIES.—The Center shall do the following:

(1) Develop and maintain a comprehensive academic curriculum to leverage current and develop future unmanned aerial systems technology, including aircraft design, command and control, sensor technology, artificial intelligence, mission systems, and tactics, techniques and procedures.

(2) Build unmanned aerial systems airmanship, experience, and expertise by providing a combat laboratory in which cadets receive knowledge, experimental learning, and familiarization with the manner in which the Department of Defense employs joint, combined unmanned aerial systems operations in a future multi-domain environment.

(3) Enable experimentation and development of unmanned aerial systems command and control systems, multiple systems interoperability, common operating standards, autonomy, simulation, sensor fusion, alternative modes of navigation, and sense and avoid technologies.

(4) Maintain faculty with current unmanned aerial systems combat experience, as well as unmanned aerial systems development and test experience, to educate a cadre of military unmanned aerial systems professionals well into the future.

(5) Enhance capabilities, cooperation, and exchange of information across the unmanned aerial systems community of the Department.

(6) Foster cooperation and collaboration between the military service academies, civilian academia, research laboratories and private sector to facilitate education, research and development, lessons learned, and consultation with respect to unmanned aerial systems.

(7) Provide a forum to discuss industry trends, best practices, innovative curriculum, and professional opportunities with respect to unmanned aerial systems.

(d) CERTIFICATION.—Upon making the designation required by subsection (a), the Secretary of Defense shall certify to the Committees on Armed Services of the Senate and the House of Representatives that the Secretary has made the designation required by subsection (a) and is complying with subsection (b).

SA 2073. Mr. GARDNER submitted an amendment intended to be proposed by

him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. AUTHORITY FOR ASSISTANCE UNDER DEFENSE COMMUNITY INFRASTRUCTURE PILOT PROGRAM TO PUBLIC-PRIVATE PARTNERSHIPS.

Section 2391(d) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following new paragraph (3):

''(3)(A) The Secretary may provide assistance under paragraph (1) to an entity that is a public-private partnership for a community infrastructure project proposed by the entity.

''(B) An entity described in subparagraph (A) seeking assistance under paragraph (1) for a community infrastructure project proposed by the entity may include with such proposal a plan for transitioning ownership of the project to a State or local government.''.

SA 2074. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—DENUCLEARIZATION OF DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

SEC. ___01. SHORT TITLE.

This title may be cited as the ''Leverage to Enhance Effective Diplomacy Act of 2019'' or the ''LEED Act''.

Subtitle A—Review of Strategy and Policy Toward the Democratic People's Republic of Korea

SEC. ___11. FINDINGS.

Congress makes the following findings:

(1) The Government of the Democratic People's Republic of Korea has flagrantly defied the international community by illicitly developing its nuclear and ballistic missile programs, in violation of United Nations Security Council Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017), and 2397 (2017).

(2) The March 5, 2019, report of the Panel of Experts established pursuant to United Nations Security Council Resolution 1874 (2009) highlighted several deficiencies in the enforcement of sanctions with respect to the Democratic People's Republic of Korea.

(3) The Panel of Experts report illustrated that the People's Republic of China and the Russian Federation are among those countries not fully implementing multilateral sanctions and that the Russian Federation has impeded efforts by the United States to expose and address illegal ship-to-ship transfers.

(4) Despite known deficiencies in global sanctions implementation, the pace of United States sanctions designations with respect to the Democratic People's Republic of Korea has slowed noticeably, even as relevant United States law, including the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9201 et seq.) and the Asia Reassurance Initiative Act of 2018 (Public Law 115–409), mandates the imposition of United States sanctions for behaviors described in the Panel of Experts report, including human rights violations and malign activities in cyberspace.

SEC. ___12. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States is committed to the peaceful pursuit of the complete, verifiable, and irreversible dismantlement of the illicit weapons programs of the Democratic People's Republic of Korea through a combination of pressure and engagement;

(2) meaningful advancement in relations between the United States and the Democratic People's Republic of Korea is directly contingent on significant progress by the Democratic People's Republic of Korea toward dismantling its weapons of mass destruction and associated delivery systems, ceasing its human rights violations, complying with United Nations Security Council resolutions, repatriating United States citizens and the citizens of other countries, instituting political openness, and establishing financial transparency; and

(3) the Democratic People's Republic of Korea should immediately resume efforts to identify and return the remains of members of the Armed Forces of the United States killed in action during the Korean War, and should immediately return to the United States the U.S.S. Pueblo, illegally captured by the Democratic People's Republic of Korea on January 23, 1968.

SEC. ___13. ADDRESSING THE EVOLVING THREATS POSED BY AND CAPABILITIES OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 2 years after such date of enactment, the Director of National Intelligence, in consultation with the Secretary of State and the Secretary of Defense, and, as appropriate, the Secretary of the Treasury and the Administrator of the Drug Enforcement Administration, shall brief the appropriate congressional committees on—

(1) the evolving threats posed by and capabilities of the Democratic People's Republic of Korea; and

(2) United States efforts to mitigate and respond to those threats and capabilities.

(b) ELEMENTS.—Each briefing under subsection (a) shall address the following:

(1) An assessment of the status of the nuclear and ballistic missile programs of the Democratic People's Republic of Korea, including what elements constitute such programs, and any technological advancements, disruptions, or setbacks to such programs during—

(A) in the case of the first such briefing, the 60-day period preceding the briefing; and

(B) in the case of any subsequent such briefing, the 180-day period preceding the briefing.

(2) An assessment of the sources, methods, and funding mechanisms of the Democratic People's Republic of Korea for procuring critical components for its nuclear and ballistic missile programs, including liquid and solid rocket fuels and components, navigation and guidance systems, computer and electrical components, and specialized materials.

(3) An assessment of—

(A) the cyber capabilities of the Democratic People's Republic of Korea, including its efforts to conduct cyber and corporate espionage, to commit illicit commercial and financial activities through international cyber systems, and to suppress opposition to and spread propaganda in support of its nuclear and ballistic missile activities; and

(B) any foreign entities that may be enhancing the capacity of the Democratic People's Republic of Korea to conduct malicious cyber-enabled activities, including by providing internet infrastructure.

(4) A summary of activities of the Democratic People's Republic of Korea relating to evading sanctions imposed by the United States or the United Nations Security Council, including an assessment of the sourcing, manufacture, trade, or distribution of methamphetamines, narcotics (including opioids such as fentanyl), and other illicit substances and any associated precursor chemicals, including by state-owned entities, other entities (including universities), and individuals, for the purpose of financing or otherwise supporting the nuclear and ballistic missile programs of the Democratic People's Republic of Korea.

SEC. ___14. BRIEFING ON UNITED STATES ENGAGEMENT WITH THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

Not later than 30 days after the date of the enactment of this Act, and regularly thereafter until the date that is 2 years after such date of enactment, the Secretary of State shall brief the appropriate congressional committees on the status of any United States diplomatic engagement with the Government of the Democratic People's Republic of Korea, including with respect to efforts to secure the release of United States citizens detained in the Democratic People's Republic of Korea.

SEC. ___15. BRIEFING AND STRATEGY RELATING TO USE OF ROCKET FUELS FOR BALLISTIC MISSILES BY THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in conjunction with the Secretary of State, shall brief the appropriate congressional committees on the use by the Democratic People's Republic of Korea of unsymmetrical dimethyl hydrazine, solid fuels, and other rocket fuels to power its ballistic missiles.

(2) ELEMENTS.—The briefing under paragraph (1) shall include the following:

(A) An assessment of each type of rocket fuel the Democratic People's Republic of Korea uses, or potentially may use, to power its ballistic missiles, including the chemical precursors, production process, and required production equipment for each such type of rocket fuel.

(B) With respect to each such type of rocket fuel, an assessment of the following:

(i) Whether the use of that type of rocket fuel by the Democratic People's Republic of Korea is prohibited under United Nations Security Council resolutions, other multilateral sanctions imposed with respect to the Democratic People's Republic of Korea, or sanctions imposed by the United States with respect to the Democratic People's Republic of Korea.

(ii) Whether the Democratic People's Republic of Korea imports that type of rocket fuel as a finished product or imports chemical precursors and manufactures the finished product.

(iii) The countries from which the Democratic People's Republic of Korea imports that type of rocket fuel as a finished product or from which the Democratic People's Republic of Korea imports the chemical precursors and equipment to manufacture that type of rocket fuel.

(iv) The size and locations of the Democratic People's Republic of Korea's stockpiles, if any, of that type of rocket fuel.

(v) Whether that type of rocket fuel can be attributed to its original exporter based on unique chemical signatures or other relevant identifying information.

(b) STRATEGY REQUIRED.—The Secretary of State, in consultation with the heads of relevant agencies, shall develop a diplomatic strategy to end the transfer of all rocket fuels and chemical precursors for rocket fuels to the Democratic People's Republic of Korea.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States Ambassador to the United Nations should introduce a resolution to the United Nations Security Council to request that the Panel of Experts on the Democratic People's Republic of Korea established by United Nations Security Council Resolution 1874 (2009) investigate the importation and manufacture by the Democratic People's Republic of Korea of rocket and ballistic missile fuels, including unsymmetrical dimethyl hydrazine, solid fuels, and other fuels or their chemical precursors.

SEC. ___16. BRIEFING AND STRATEGY RELATING TO EFFORTS BY THE RUSSIAN FEDERATION TO BLOCK ENFORCEMENT OF UNITED NATIONS SANCTIONS.

(a) BRIEFING REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on the efforts of the Russian Federation to undercut enforcement of United Nations sanctions with respect to the Democratic People's Republic of Korea, with particular focus on the limit set by the United Nations Security Council on the supply, sale, or transfer to the Democratic People's Republic of Korea of all refined petroleum products in excess of an aggregate amount of 500,000 barrels during any 12-month period beginning on or after January 1, 2018.

(2) ELEMENTS.—The briefing under paragraph (1) shall include the following:

(A) An assessment of the likelihood that the patterns of behavior illustrated by Annexes 1–3 to the March 5, 2019, report of the Panel of Experts established pursuant to United Nations Security Council Resolution 1874 (2009), including efforts of the Russian Federation to dismiss findings, will continue.

(B) A description of steps being taken to ensure, despite the opposition of the Russian Federation, a timely decision by the United Nations Security Council to act to halt all refined petroleum product exports to the Democratic People's Republic of Korea in each 12-month period that the limit described in paragraph (1) is exceeded.

(C) A description of any other United Nations sanctions with respect to the Democratic People's Republic of Korea being disregarded or actively undercut by the Russian Federation.

(b) STRATEGY REQUIRED.—The Secretary of State, in consultation with the heads of relevant agencies, shall develop a diplomatic strategy to counter efforts by the Russian Federation to undercut enforcement of United Nations sanctions, including the limit described in subsection (a)(1), with respect to the Democratic People's Republic of Korea.

SEC. ___17. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, 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.

Subtitle B—Measures to Address the Threats Posed by and Capabilities of the Democratic People's Republic of Korea

SEC. ___21. REPORT ON EFFECTING A STRATEGY TO DIPLOMATICALLY AND ECONOMICALLY PRESSURE THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees a report on actions taken by the United States to diplomatically and economically pressure the Democratic People's Republic of Korea.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) A description of the actions taken by the Secretary of State to consult with governments around the world, with the purpose of inducing those governments to diplomatically and economically pressure the Democratic People's Republic of Korea.

(2) A description of the actions taken by those governments to implement measures to diplomatically and economically pressure the Democratic People's Republic of Korea.

(3) A list of countries the governments of which the Secretary has determined to be noncooperative with respect to implementing measures to diplomatically and economically pressure the Democratic People's Republic of Korea.

(4) A plan of action to engage with, and increase cooperation with respect to the Democratic People's Republic of Korea by, the governments of the countries on the list required by paragraph (3).

(c) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

SEC. ___22. AUTHORIZATION TO ALTER UNITED STATES RELATIONS WITH COUNTRIES ENABLING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—The Secretary of State may take such actions as are necessary to induce countries on the list required by section ___21(b)(3) to take measures to diplomatically and economically pressure the Democratic People's Republic of Korea.

(b) ACTIONS INCLUDED.—Actions described in subsection (a) may include—

(1) reduction of the diplomatic presence in the United States of countries on the list required by section ___21(b)(3); and

(2) reduction of the diplomatic presence of the United States in those countries.

(c) CONSULTATION.—Not less than 15 days before taking any action under subsection (a), the Secretary shall consult with the appropriate congressional committees with respect to the action.

(d) SENSE OF CONGRESS.—It is the sense of Congress that inaction by certain countries in the Indo-Pacific region to reduce cooperation with the Democratic People's Republic of Korea hinders the deepening of strategic relationships with the United States.

SEC. ___23. AUTHORIZATION TO TERMINATE OR REDUCE UNITED STATES FOREIGN ASSISTANCE TO COUNTRIES ENABLING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—The Secretary of State may terminate or reduce United States foreign assistance to countries on the list required by section ___21(b)(3).

(b) ASSISTANCE INCLUDED.—Assistance terminated or reduced under subsection (a) may include—

(1) assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the Economic Support Fund);

(2) military assistance provided pursuant to section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing Program); and

(3) assistance provided under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training).

(c) CONSULTATION.—Not less than 15 days before taking any action under subsection (a), the Secretary shall consult with the appropriate congressional committees with respect to the action.

(d) SENSE OF CONGRESS.—It is the sense of Congress that inaction by certain countries in the Indo-Pacific region to reduce cooperation with the Democratic People's Republic of Korea hinders the deepening of strategic relationships with the United States.

SEC. ___24. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

Subtitle C—Strategy to End Use of North Korean Laborers by Other Countries

SEC. ___31. STRATEGY TO END USE OF NORTH KOREAN LABORERS AND HUMAN RIGHTS VIOLATIONS.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on a strategy for leveraging the sanctions imposed pursuant to section 302B of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241b) to convince countries that import North Korean laborers in a manner described in section 104(b)(1)(L) of that Act (22 U.S.C. 9214(b)(1)(L)) to end that practice.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

SEC. ___32. AMENDMENT OF REPORTING REQUIREMENT REGARDING STRATEGY TO PROMOTE NORTH KOREAN HUMAN RIGHTS.

(1) IN GENERAL.—Section 302(b) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241(b)) is amended—

(A) in paragraph (2), by striking ''and'' at the end;

(B) in paragraph (3), by striking ''104(b)(1)(M).'' and inserting ''104(b)(1)(L); and''; and

(C) by adding at the end the following new paragraphs:

''(4) a list of countries that have not repatriated to the Democratic People's Republic of Korea—

''(A) all nationals of the Democratic People's Republic of Korea earning income in their jurisdictions; and

''(B) all safety oversight attachés of the Democratic People's Republic of Korea; and

''(5) for each country on the list required by paragraph (4)—

''(A) a list of the entities that employ significant numbers of nationals of the Democratic People's Republic of Korea earning income in the jurisdiction of that country; and

''(B) an assessment of which national or local government agencies and officials are involved in facilitating the work, presence, or authorization for work of nationals of the

Democratic People's Republic of Korea earning income in the jurisdiction of the country and of safety oversight attachés of the Democratic People's Republic of Korea.''.

(2) FREQUENCY OF REPORTS CLARIFIED.—Section 302(a) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9241(a)) is amended by striking ''periodically'' and inserting ''every 120 days''.

Subtitle D—Enhancing Sanctions With Respect to the Democratic People's Republic of Korea

SEC. ___41. SANCTIONS RELATED TO ENABLERS OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

Section 104(d) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(d)) is amended to read as follows:

''(d) APPLICATION TO CERTAIN PERSONS, SUBSIDIARIES, AND AGENTS.—The designation of a person under subsection (a) or (b) and the blocking of property and interests in property under subsection (c) shall apply with respect to a person who is determined—

''(1) to be owned or controlled by, or to have acted or purported to have acted for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to this section; or

''(2) to knowingly assist, sponsor, or provide significant financial, material, or technological support to or for a person designated under—

''(A) subsection (a) or (b);

''(B) an applicable Executive order; or

''(C) an applicable United Nations Security Council resolution.''.

SEC. ___42. MODIFICATION OF PENALTIES RELATING TO SANCTIONS.

Section 104(f) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(f)) is amended to read as follows:

''(f) PENALTIES.—

''(1) PROHIBITED CONDUCT.—It shall be unlawful for any person—

''(A) to engage in, conspire or attempt to engage in, or cause any of the conduct described in paragraphs (1) through (14) of subsection (a);

''(B) to knowingly evade or avoid a prohibition on such conduct or the imposition of a sanction or penalty relating to such conduct; or

''(C) to violate, attempt to violate, conspire to violate, or cause a violation of any license, order, regulation, or prohibition issued to carry out this section.

''(2) CIVIL PENALTIES.—A person who engages in an unlawful act described in paragraph (1) shall be subject to a civil penalty in an amount not to exceed the greater of—

''(A) $500,000; or

''(B) an amount that is twice the amount of the transaction that is the basis of the violation with respect to which the penalty is imposed.

''(3) CRIMINAL PENALTIES.—A person who willfully engages in an unlawful act described in paragraph (1) shall, upon conviction, be fined not more than $1,000,000 and, in the case of an individual, imprisoned for not more than 20 years, or both.

''(4) RULE OF CONSTRUCTION.—The civil and criminal penalties under paragraphs (2) and (3) for engaging an unlawful act described in paragraph (1) shall be imposed with respect to a person without regard to whether the President has designated the person for the imposition of sanctions under this section or pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).''.

SEC. ___43. ENHANCEMENT OF CARGO SCREENING CRITERIA.

Section 205(c)(1) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9225(c)(1)) is amended—

(1) in subparagraph (B), by striking ''; or'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(D) originates in a jurisdiction or a geographical area that the Secretary determines is otherwise of concern with respect to evasion of sanctions mandated with respect to North Korea.''.

SEC. ___44. ENFORCEMENT OF UNITED NATIONS SANCTIONS WITH RESPECT TO CRUDE OIL AND REFINED PETROLEUM PRODUCTS.

(a) IN GENERAL.—Title II of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9221 et seq.) is amended by inserting the following:

''SEC. 212. ENFORCEMENT OF UNITED NATIONS SANCTIONS WITH RESPECT TO CRUDE OIL AND REFINED PETROLEUM PRODUCTS.

''(a) IN GENERAL.—The President shall impose one or more of the sanctions described in subsection (c) on a person described in subsection (b).

''(b) PERSON DESCRIBED.—A person described in this subsection is a person that—

''(1) the President determines knowingly, on or after the date of the enactment of the Leverage to Enhance Effective Diplomacy Act of 2019, directly or indirectly, supplies, sells, or transfers crude oil to any entity or instrumentality of the Government of North Korea or any person representing that government; and

''(2) is organized under the laws of a jurisdiction that the President determines to have exported more than the aggregate amount of 4,000,000 barrels of crude oil during any 12-month period to North Korea.

''(c) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

''(1) ASSET BLOCKING.—The President may block and prohibit all transactions in all property and interests in property of a person described in subsection (b) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

''(2) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the person described in subsection (b).

''(3) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, any alien that the President determines is a corporate officer or principal of, or a shareholder with a controlling interest in, the person described in subsection (b).

''(4) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the person described in subsection (b), or on persons performing similar functions and with similar authorities as such officer or officers, any of the sanctions under this subsection.

''(d) WAIVERS.—

''(1) EFFORTS TO ENFORCE UNITED NATIONS LIMITS.—The President may waive the application of sanctions under subsection (a) if the President certifies to Congress that the jurisdiction described in subsection (b)(2) is applying appropriate effort to—

''(A) fulfill its obligation under international law to prohibit its nationals, individuals otherwise subject to its jurisdiction, entities incorporated in its territory or subject to its jurisdiction, and vessels flying its flag from facilitating or engaging in ship-to-ship transfers to or from North Korea-flagged vessels of any goods or items that are being supplied, sold, or transferred to or from North Korea, including refined petroleum products and coal; and

''(B) reduce, towards the limit established by the United Nations Security Council, the aggregate amount of crude oil exported from or re-exported through the jurisdiction to North Korea.

''(2) NATIONAL SECURITY.—The President may waive the application of sanctions under subsection (a) if the President certifies to Congress that the waiver is important to the national security interest of the United States.

''(3) BRIEFING REQUIRED.—If the President waives the application of sanctions under paragraph (1) or (2), the President shall brief the following committees on the waiver:

''(A) The Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate.

''(B) The Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives.

''(e) UNITED STATES PERSON DEFINED.—In this section, the term 'United States person' means—

''(1) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

''(2) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.''.

(b) CLERICAL AMENDMENT.—The table of contents for the North Korea Sanctions and Policy Enhancement Act of 2016 is amended by inserting after the item relating to section 211 the following:

''Sec. 212. Enforcement of United Nations sanctions with respect to crude oil and refined petroleum products.''.

SEC. ___45. SANCTIONS WITH RESPECT TO SOURCING, MANUFACTURE, TRADE, OR DISTRIBUTION OF ILLICIT SUBSTANCES.

Section 104(a)(6) of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9214(a)(6)) is amended by striking ''narcotics trafficking'' and inserting ''trafficking of, or facilitation of the souring, manufacture, trade, or distribution of methamphetamines, narcotics including opioids such as fentanyl, and other illicit substances,''.

SEC. ___46. REPORT ON CERTAIN ENTITIES CONDUCTING BUSINESS WITH THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—Not later than 90 days after the date of the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that includes the following:

(1) A list of entities that, during the 12-month period preceding submission of the report, have imported or exported any goods, services, or technology to or from the Democratic People's Republic of Korea valued at more than $100,000,000.

(2) A list of entities in the People's Republic of China, the Russian Federation, and other countries outside of the Democratic People's Republic of Korea that are known to employ significant numbers of laborers from the Democratic People's Republic of Korea.

(3) For each country that hosts significant numbers of such laborers, a list of specific economic sectors in which such laborers are most commonly used.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) BRIEFING.—The President shall brief the appropriate congressional committees, in a classified setting if necessary, not later than 30 days after the delivery of the report required by subsection (a) on whether the entities identified in subsection (a)(2) meet the criteria for designation for the imposition of sanctions under applicable provisions of law.

SEC. ___47. ENHANCING THE REVIEW PROCESS FOR CHANGES TO SANCTIONS AND RULEMAKING.

Section 208 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9228) is amended by adding at the end the following:

''(e) CERTIFICATION REQUIREMENT FOR REMOVAL OF CERTAIN PERSONS FROM THE LIST OF SPECIALLY DESIGNATED NATIONALS AND BLOCKED PERSONS.—

''(1) IN GENERAL.—On and after the date of the enactment of the Leverage to Enhance Effective Diplomacy Act of 2019, the President may not remove a person described in paragraph (2) from the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury unless and until the President submits to the appropriate congressional committees a certification described in paragraph (3) with respect to the person.

''(2) PERSONS DESCRIBED.—A person described in this paragraph is a person the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) under this Act, an applicable Executive order, or an applicable United Nations Security Council resolution.

''(3) CERTIFICATION DESCRIBED.—A certification described in this paragraph with respect to a person is a certification that the person is not engaging in conduct—

''(A) for which the person was included on the list of specially designated nationals and blocked persons by the Office of Foreign Assets Control; or

''(B) that violates applicable United States or international laws.

''(4) FORM.—A certification described in paragraph (3) shall be submitted in unclassified form, but may include a classified annex.

''(f) CERTIFICATION REQUIREMENT FOR REMOVAL OF DESIGNATION OF NORTH KOREA AS A JURISDICTION OF PRIMARY MONEY LAUNDERING CONCERN.—

''(1) IN GENERAL.—The President may not terminate the designation of North Korea as a jurisdiction of primary money laundering concern pursuant to section 5318A of title 31, United States Code, unless the President submits to the appropriate congressional committees a certification described in paragraph (2) with respect to North Korea.

''(2) CERTIFICATION DESCRIBED.—A certification described in this paragraph is a certification that the Government of North Korea—

''(A) is no longer using state-controlled financial institutions and front companies to conduct transactions that support the proliferation of weapons of mass destruction and ballistic missiles;

''(B) has instituted sufficient bank supervision and controls with respect to anti-money laundering and combating the financing of terrorism;

''(C) is cooperating with United States law enforcement and regulatory officials in obtaining information about transactions originating in or routed through or to North Korea; and

''(D) is no longer relying on the illicit and corrupt activity of high-level officials to support its government.

''(3) FORM.—The certification described in paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

''(g) APPLICABILITY OF CONGRESSIONAL REVIEW OF CERTAIN AGENCY RULEMAKING RELATING TO NORTH KOREA.—Notwithstanding any other provision of law, any rule to amend or otherwise alter any provision of part 510 of title 31, Code of Federal Regulations, that is published on or after the date of the enactment of the Leverage to Enhance Effective Diplomacy Act of 2019 shall be deemed to be a rule or major rule (as the case may be) for purposes of chapter 8 of title 5, United States Code, and shall be subject to all applicable requirements of that chapter.''.

SEC. ___48. REINFORCING GLOBAL EXPORT CONTROLS.

There are authorized to be appropriated to the Secretary of State such sums as may be necessary to assess and, where necessary, to enhance the adequacy of the export control regimes of United Nations member countries, including through the use of action plans to encourage and assist countries in adopting and using authorities necessary to enforce sanctions and export controls required by United Nations Security Council resolutions.

SEC. ___49. ADDITIONAL RESOURCES TO DETECT EVASION OF SANCTIONS TARGETING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of State and the Secretary of the Treasury such sums as may be necessary to enhance the ability of the Department of State and the Department of the Treasury to detect evasion of sanctions targeting the Democratic People's Republic of Korea, including through actions described in subsection (b).

(b) ASSIGNMENT OF DETAILEES.—The Secretary of the Treasury should assign one additional detailee to each United States embassy or consulate in each country that the Secretary, in consultation with the Secretary of State, assesses to be commonly linked to evasion of sanctions targeting the Democratic People's Republic of Korea.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should devote additional maritime patrol and reconnaissance aircraft to areas known to be associated with maritime forms of sanctions evasion by the Democratic People's Republic of Korea, including ship-to-ship transfers of refined petroleum products, oil, coal, and other goods and the export of arms by the Democratic People's Republic of Korea, to enhance the capability of the United States to detect and publicize such activities.

SEC. ___50. BRIEFING ON EVASION OF SANCTIONS TARGETING THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until the date that is 5 years after such date of enactment, the Secretary of State and the Secretary of the Treasury shall brief the appropriate congressional committees regarding evasion of sanctions targeting the Democratic People's Republic of Korea.

(b) ELEMENTS.—Each briefing required by subsection (a) shall—

(1) cover each country described in section ___49(b) by discussing any known or suspected cases or types of sanctions evasion that implicate that country; and

(2) be based on the input of detailees assigned as described in that section.

SEC. ___51. BRIEFING ON ILLICIT USE OF VIRTUAL CURRENCIES BY THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall brief the appropriate congressional committees on the illicit use of virtual currencies by the Democratic People's Republic of Korea.

(b) ELEMENTS.—The briefing required by subsection (a) shall—

(1) to the extent possible, provide an estimate of the amount of fiat currency that the Democratic People's Republic of Korea has been able to generate as of the date of the briefing through conversion of virtual currency obtained by illicit means including cyberattacks;

(2) describe known pathways through which the Democratic People's Republic of Korea executes such conversions, with an emphasis on identifying virtual currency exchanges used by the Democratic People's Republic of Korea or its agents; and

(3) cover any known instances of purchases of goods or services by the Democratic People's Republic of Korea using virtual currency without converting that currency to fiat currency before the purchases.

SEC. ___52. BRIEFING ON CROSS-BORDER FLOWS OF FENTANYL AND OTHER ILLICIT SUBSTANCES.

(a) IN GENERAL.—Not later than 180 days after the date of the date of the enactment of this Act, the Secretary of the Treasury shall brief the appropriate congressional committees on the methods by which the Democratic People's Republic of Korea produces and exports methamphetamines and other narcotics, including opioids such as fentanyl.

(b) ELEMENTS.—The briefing required by subsection (a) shall—

(1) provide estimates of the amounts of illicit substances exported by the Democratic People's Republic of Korea and the associated revenues;

(2) describe known pathways through which the Democratic People's Republic of Korea procures precursors for and conducts exports of such substances, with particular focus on exports into the People's Republic of China; and

(3) assess the extent to which such pathways differ from pathways used by the Democratic People's Republic of Korea to export arms and other goods the export of which is prohibited.

SEC. ___53. BRIEFING ON UNITED STATES CITIZENS DETAINED BY THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA.

(a) IN GENERAL.—Notwithstanding any other provision of law, not later than 30 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 2 years after such date of enactment, the Secretary of State shall brief the appropriate congressional committees on United States citizens detained by the Government of the Democratic People's Republic of Korea, including United States citizens who are also citizens of other countries.

(b) ELEMENTS.—Each briefing required by subsection (a) shall, to the extent practicable and appropriate, include, with respect to each United States citizen detained by the Government of the Democratic People's Republic of Korea, the following:

(1) The name of the United States citizen.

(2) A description of the circumstances surrounding the detention of the United States citizen.

(3) An assessment of the health and welfare of the United States citizen.

(4) An assessment of whether any United States Government officials or foreign government officials have been provided access to the United States citizen.

(5) A summary of any communications or comments by officials of the Government of the Democratic People's Republic of Korea regarding the detention and welfare of the United States citizen.

(6) A summary of official communications by United States Government officials or foreign government officials, or other persons acting on behalf of those officials, regarding the United States citizen, including efforts to secure the release of the United States citizen.

(c) INTERIM BRIEFINGS.—During periods between briefings under subsection (a), the Secretary of State shall brief the appropriate congressional committees on any significant updates on the status and welfare of any United States citizens detained by the Government of the Democratic People's Republic of Korea.

SEC. ___54. ADDITION OF DISCUSSION OF SANCTIONS EVASION TO ANNUAL REPORT OF THE UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION.

Section 1238(c)(2) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 22 U.S.C. 7002(c)(2)) is amended by adding at the end the following:

''(L) The evasion of sanctions targeting the Democratic People's Republic of Korea by or involving the People's Republic of China.''.

SEC. ___55. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—No provision affecting sanctions under this subtitle or an amendment made by this subtitle shall apply to 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.

SEC. ___56. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this subtitle, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

SEC. ___57. EFFECTIVE DATE.

The amendments made by this subtitle shall take effect on the date of the enactment of this Act and apply with respect to conduct engaged on or after such date of enactment.

Subtitle E—Miscellaneous

SEC. ___61. AUTHORITY TO CONSOLIDATE REPORTS AND BRIEFINGS.

Any reports or briefings required to be submitted to Congress under this title or any amendments made by this title that are subject to a deadline for submission consisting of the same unit of time may be consolidated into a single report or briefing. The consolidated report or briefing shall contain all information required under this title or any amendment made by this title with respect to the reports comprising such consolidated report or briefing.

SA 2075. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1_____. GREATER SAGE-GROUSE PROTECTION AND RECOVERY.

(a) PURPOSES.—The purposes of this section are—

(1) to facilitate implementation of State management plans over a period of multiple, consecutive greater sage-grouse life cycles; and

(2) to demonstrate the efficacy of the State management plans for the protection and recovery of the greater sage-grouse.

(b) DEFINITIONS.—In this section:

(1) FEDERAL RESOURCE MANAGEMENT PLAN.—The term ''Federal resource management plan'' means—

(A) a land use plan prepared by the Bureau of Land Management for public land pursuant to section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712); and

(B) a land and resource management plan prepared by the Forest Service for National Forest System land pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

(2) GREATER SAGE-GROUSE.—The term ''greater sage-grouse'' means a sage-grouse of the species Centrocercus urophasianus.

(3) STATE MANAGEMENT PLAN.—The term ''State management plan'' means a State-approved plan for the protection and recovery of the greater sage-grouse.

(c) PROTECTION AND RECOVERY OF GREATER SAGE-GROUSE.—

(1) ENDANGERED SPECIES ACT OF 1973 FINDINGS.—

(A) DELAY REQUIRED.—The Secretary of the Interior may not modify or invalidate the finding of the Director of the United States Fish and Wildlife Service announced in the proposed rule entitled ''Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Greater Sage-Grouse (Centrocercus urophasianus) as an Endangered or Threatened Species'' (80 Fed. Reg. 59858 (October 2, 2015)) during the period beginning on the date of enactment of this Act and ending on September 30, 2029.

(B) EFFECT ON OTHER LAWS.—The delay required under subparagraph (A) is and shall remain effective without regard to any other statute, regulation, court order, legal settlement, or any other provision of law or in equity.

(C) EFFECT ON CONSERVATION STATUS.—The conservation status of the greater sage-grouse shall be considered not to warrant listing of the greater sage-grouse as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) during the period beginning on the date of enactment of this Act and ending on September 30, 2029.

(2) COORDINATION OF FEDERAL LAND MANAGEMENT AND STATE CONSERVATION AND MANAGEMENT PLANS.—

(A) PROHIBITION ON WITHDRAWAL AND MODIFICATION OF FEDERAL RESOURCE MANAGEMENT PLANS.—On notification by the Governor of a State with a State management plan, the Secretary of the Interior and the Secretary of Agriculture may not make, modify, or extend any withdrawal or amend or otherwise modify any Federal resource management plan applicable to Federal land in the State in a manner inconsistent with the State management plan for, as specified by the Governor in the notification, a period of not fewer than 5 years beginning on the date of the notification.

(B) RETROACTIVE EFFECT.—In the case of any State that provides notification under subparagraph (A), if any withdrawal was made, modified, or extended or any amendment or modification of a Federal resource management plan applicable to Federal land in the State was issued after June 1, 2014, and the withdrawal, amendment, or modification altered the management of the greater sage-grouse or the habitat of the greater sage-grouse—

(i) implementation and operation of the withdrawal, amendment, or modification shall be stayed to the extent that the withdrawal, amendment, or modification is inconsistent with the State management plan; and

(ii) the Federal resource management plan, as in effect immediately before the withdrawal, amendment, or modification, shall apply instead with respect to the management of the greater sage-grouse and the habitat of the greater sage-grouse, to the extent consistent with the State management plan.

(C) DETERMINATION OF INCONSISTENCY.—Any disagreement regarding whether a withdrawal, amendment, or other modification of a Federal resource management plan is inconsistent with a State management plan shall be resolved by the Governor of the affected State.

(3) RELATION TO NATIONAL ENVIRONMENTAL POLICY ACT OF 1969.—With regard to any major Federal action consistent with a State management plan, any findings, analyses, or conclusions regarding the greater sage-grouse and the habitat of the greater sage-grouse under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall not have a preclusive effect on the approval or implementation of the major Federal action in that State.

(4) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter through 2029, the Secretary of the Interior and the Secretary of Agriculture shall jointly submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the implementation by the Secretaries of, and the effectiveness of, systems to monitor the status of greater sage-grouse on Federal land under the jurisdiction of the Secretaries.

(5) JUDICIAL REVIEW.—Notwithstanding any other provision of law (including regulations), this subsection, including any determination made under paragraph (2)(C), shall not be subject to judicial review.

SEC. 1_____. REMOVAL OF ENDANGERED SPECIES STATUS FOR AMERICAN BURYING BEETLE.

Notwithstanding the final rule of the United States Fish and Wildlife Service entitled ''Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the American Burying Beetle'' (54 Fed. Reg. 29652 (July 13, 1989)), the American burying beetle may not be listed as a threatened species or an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SA 2076. Mr. CRUZ (for himself and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1610. CONTINUATION OF THE INTERNATIONAL SPACE STATION.

(a) PRESENCE IN LOW-EARTH ORBIT.—

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

(A) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit;

(B) the International Space Station is a strategic national security asset vital to the continued space exploration and scientific advancements of the United States; and

(C) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(2) HUMAN PRESENCE REQUIREMENT.—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station.

(b) MAINTAINING A NATIONAL LABORATORY IN SPACE.—

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

(A) the United States national laboratory in space, which currently consists of the United States segment of the International Space Station (designated as a national laboratory under section 70905 of title 51, United States Code)—

(i) benefits the scientific community and promotes commerce in space;

(ii) fosters stronger relationships among the National Aeronautics and Space Administration (referred to in this section as ''NASA'') and other Federal agencies, the private sector, and research groups and universities;

(iii) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(iv) advances human knowledge and international cooperation;

(B) after the International Space Station is decommissioned, the United States should maintain a national microgravity laboratory in space;

(C) in maintaining a national microgravity laboratory described in subparagraph (B), the United States should make appropriate accommodations for different types of ownership and operational structures for the International Space Station and future space stations;

(D) the national microgravity laboratory described in subparagraph (B) should be maintained beyond the date on which the International Space Station is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(E) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(2) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

(c) CONTINUATION OF AUTHORITY.—

(1) IN GENERAL.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(2) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(3) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(4) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(A) in the section heading, by striking ''**2024**'' and inserting ''**2030**''; and

(B) by striking ''2024'' each place it appears and inserting ''2030''.

(d) TRANSITION PLAN REPORTS.—Section 50111(c)(2) of title 51, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''2023'' and inserting ''2028''; and

(2) in subparagraph (J), by striking ''2028'' and inserting ''2030''.

(e) EXEMPTION FROM THE IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT.—Section 7(1) of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note) is amended, in the undesignated matter following subparagraph (B), by striking ''December 31, 2020'' and inserting ''December 31, 2030''.

(f) DEPARTMENT OF DEFENSE ACTIVITIES ON INTERNATIONAL SPACE STATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the International Space Station as of the date of the review; and

(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

SA 2077. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. ANTIDISCRIMINATION.

(a) SHORT TITLE.—This section may be cited as the ''Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020''.

(b) SENSE OF CONGRESS.—Section 102 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) by striking paragraph (4) and inserting the following:

''(4) accountability in the enforcement of the rights of Federal employees is furthered when Federal agencies agree to take appropriate disciplinary action against Federal employees who are found to have intentionally committed discriminatory (including retaliatory) acts;''; and

(2) in paragraph (5)(A)—

(A) by striking ''nor is accountability'' and inserting ''accountability is not''; and

(B) by inserting ''for what, by law, the agency is responsible'' after ''under this Act''.

(c) NOTIFICATION OF VIOLATION.—Section 202 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''(d) NOTIFICATION OF FINAL AGENCY ACTION.—

''(1) IN GENERAL.—Not later than 90 days after the date on which an event described in paragraph (2) occurs with respect to a finding of discrimination (including retaliation), the head of the Federal agency subject to the finding shall provide notice—

''(A) on the public internet website of the agency, in a clear and prominent location linked directly from the home page of that website;

''(B) stating that a finding of discrimination (including retaliation) has been made; and

''(C) which shall remain posted for not less than 1 year.

''(2) EVENTS DESCRIBED.—An event described in this paragraph is any of the following:

''(A) All appeals of a final action by a Federal agency involving a finding of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

''(B) All appeals of a final decision by the Equal Employment Opportunity Commission involving a finding of discrimination (including if the finding included a finding of retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

''(C) A court of jurisdiction issues a final judgment involving a finding of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a).

''(3) CONTENTS.—A notification provided under paragraph (1) with respect to a finding of discrimination (including retaliation) shall—

''(A) identify the date on which the finding was made, the date on which each discriminatory act occurred, and the law violated by each such discriminatory act; and

''(B) advise Federal employees of the rights and protections available under the provisions of law covered by paragraphs (1) and (2) of section 201(a).''.

(d) REPORTING REQUIREMENTS.—

(1) ELECTRONIC FORMAT REQUIREMENT.—

(A) IN GENERAL.—Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended, in the matter preceding paragraph (1)—

(i) by inserting ''Homeland Security and'' before ''Governmental Affairs'';

(ii) by striking ''on Government Reform'' and inserting ''on Oversight and Reform'';

(iii) by inserting ''any Member of Congress (upon request to the agency),'' before ''the Equal Employment Opportunity Commission''; and

(iv) by inserting ''(in an electronic format prescribed by the Director of the Office of Personnel Management),'' after ''an annual report''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A)(iii) shall take effect on the date that is 1 year after the date of enactment of this Act.

(C) TRANSITION PERIOD.—Notwithstanding the requirements of section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note), the report required under such section 203(a) may be submitted in an

electronic format, as prescribed by the Director of the Office of Personnel Management, during the period beginning on the date of enactment of this Act and ending on the effective date in subparagraph (B).

(2) REPORTING REQUIREMENT FOR DISCIPLINARY ACTION.—Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''(c) DISCIPLINARY ACTION REPORT.—Not later than 120 days after the date on which a Federal agency takes final action, or a Federal agency receives a final decision issued by the Equal Employment Opportunity Commission, involving a finding of discrimination (including retaliation) in violation of a provision of law covered by paragraph (1) or (2) of section 201(a), as applicable, the applicable Federal agency shall submit to the Commission a report stating—

''(1) whether disciplinary action has been proposed against a Federal employee as a result of the violation; and

''(2) the reasons for any disciplinary action proposed under paragraph (1).''.

(e) DATA TO BE POSTED BY EMPLOYING FEDERAL AGENCIES.—Section 301(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (9)—

(A) in subparagraph (A), by striking ''and'' at the end;

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

(C) by adding at the end the following:

''(C) with respect to each finding described in subparagraph (A)—

''(i) the date of the finding,

''(ii) the affected Federal agency,

''(iii) the law violated, and

''(iv) whether a decision has been made regarding disciplinary action as a result of the finding.''; and

(2) by adding at the end the following:

''(11) Data regarding each class action complaint filed against the agency alleging discrimination (including retaliation), including—

''(A) information regarding the date on which each complaint was filed,

''(B) a general summary of the allegations alleged in the complaint,

''(C) an estimate of the total number of plaintiffs joined in the complaint, if known,

''(D) the current status of the complaint, including whether the class has been certified, and

''(E) the case numbers for the civil actions in which discrimination (including retaliation) has been found.''.

(f) DATA TO BE POSTED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.—Section 302(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by striking ''(10)'' and inserting ''(11)''.

(g) NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002 AMENDMENTS.—

(1) NOTIFICATION REQUIREMENTS.—Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''SEC. 207. COMPLAINT TRACKING.

''Not later than 1 year after the date of enactment of the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2019, each Federal agency shall establish a system to track each complaint of discrimination arising under section 2302(b)(1) of title 5, United States Code, and adjudicated through the Equal Employment Opportunity process from the filing of a complaint with the Federal agency to resolution of the complaint, including whether a decision has been made regarding disciplinary action as the result of a finding of discrimination.

''SEC. 208. NOTATION IN PERSONNEL RECORD.

''If a Federal agency takes an adverse action covered under section 7512 of title 5, United States Code, against a Federal employee for an act of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a), the agency shall, after all appeals relating to that action have been exhausted, include a notation of the adverse action and the reason for the action in the personnel record of the employee.''.

(2) PROCESSING AND REFERRAL.—The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''TITLE IV—PROCESSING AND REFERRAL

''SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.

''Each Federal agency shall—

''(1) be responsible for the fair and impartial processing and resolution of complaints of employment discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a); and

''(2) establish a model Equal Employment Opportunity Program that—

''(A) is not under the control, either structurally or practically, of the agency's Office of Human Capital or Office of the General Counsel (or the equivalent);

''(B) is devoid of internal conflicts of interest and ensures fairness and inclusiveness within the agency; and

''(C) ensures the efficient and fair resolution of complaints alleging discrimination (including retaliation).

''SEC. 402. NO LIMITATION ON ADVICE OR COUNSEL.

''Nothing in this title shall prevent a Federal agency or a subcomponent of a Federal agency, or the Department of Justice, from providing advice or counsel to employees of that agency (or subcomponent, as applicable) in the resolution of a complaint.

''SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF AGENCY.

''The head of each Federal agency's Equal Employment Opportunity Program shall report directly to the head of the agency.

''SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.

''(a) EEOC FINDINGS OF DISCRIMINATION.—

''(1) IN GENERAL.—Not later than 30 days after the date on which the Equal Employment Opportunity Commission (referred to in this section as the 'Commission') receives, or should have received, a Federal agency report required under section 203(c), the Commission may refer the matter to which the report relates to the Office of Special Counsel if the Commission determines that the Federal agency did not take appropriate action with respect to the finding that is the subject of the report.

''(2) NOTIFICATIONS.—The Commission shall—

''(A) notify the applicable Federal agency if the Commission refers a matter to the Office of Special Counsel under paragraph (1); and

''(B) with respect to a fiscal year, include in the Annual Report of the Federal Workforce of the Commission covering that fiscal year—

''(i) the number of referrals made under paragraph (1) during that fiscal year; and

''(ii) a brief summary of each referral described in clause (i).

''(b) REFERRALS TO SPECIAL COUNSEL.—The Office of Special Counsel shall accept and review a referral from the Commission under subsection (a)(1) for purposes of pursuing disciplinary action under the authority of the Office against a Federal employee who commits an act of discrimination (including retaliation).

''(c) NOTIFICATION.—The Office of Special Counsel shall notify the Commission and the applicable Federal agency in a case in which—

''(1) the Office of Special Counsel pursues disciplinary action under subsection (b); and

''(2) the Federal agency imposes some form of disciplinary action against a Federal employee who commits an act of discrimination (including retaliation).

''(d) SPECIAL COUNSEL APPROVAL.—A Federal agency may not take disciplinary action against a Federal employee for an alleged act of discrimination (including retaliation) referred by the Commission under this section, except in accordance with the requirements of section 1214(f) of title 5, United States Code.''.

(3) CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(A) by inserting after the item relating to section 206 the following:

''Sec. 207. Complaint tracking.
''Sec. 208. Notation in personnel record.''; and

(B) by adding at the end the following:

''TITLE IV—PROCESSING AND REFERRAL
''Sec. 401. Processing and resolution of complaints.
''Sec. 402. No limitation on advice or counsel.
''Sec. 403. Head of Program supervised by head of agency.
''Sec. 404. Referrals of findings of discrimination.''.

(h) NONDISCLOSURE AGREEMENT LIMITATION.—Section 2302(b)(13) of title 5, United States Code, is amended—

(1) by striking ''agreement does not'' and inserting the following: ''agreement—

''(A) does not'';

(2) in subparagraph (A), as so designated, by inserting ''or the Office of Special Counsel'' after ''Inspector General''; and

(3) by adding at the end the following:

''(B) prohibits or restricts an employee or applicant for employment from disclosing to Congress, the Special Counsel, the Inspector General of an agency, or any other agency component responsible for internal investigation or review any information that relates to any violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or any other whistleblower protection; or''.

SA 2078. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 873. SENSE OF SENATE ON IMPORTANCE OF MAINTAINING A STABLE DEFENSE SUPPLY INCLUDING SMALL BUSINESS SUPPLIERS.

It is the sense of the Senate that—

(1) it is in the national security interest of the United States to maintain a stable defense supply base that includes small business suppliers;

(2) small businesses within the defense supply base are especially vulnerable to significant changes in funding for acquisition programs; and

(3) the Department of Defense should avoid, to the extent possible, drastic acquisition program changes in order to provide more predictability and opportunities for defense suppliers, particularly small businesses, to adapt.

SA 2079. Mr. JOHNSON (for himself and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title V, add the following:

SEC. 553. AUTHORIZATION FOR POSTHUMOUS AWARD OF THE MEDAL OF HONOR TO JAMES MEGELLAS FOR ACTS OF VALOR DURING THE BATTLE OF THE BULGE.

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the Armed Forces, the President may posthumously award the Medal of Honor under section 7271 of such title to James Megellas, formerly of Fond du Lac, Wisconsin, and of Colleyville, Texas, until his death on April 2, 2020, for the acts of valor during World War II described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor referred to in subsection (a) are the actions of James Megellas on January 28, 1945, in Herresbach, Belgium, during the Battle of the Bulge when, as a first lieutenant in the 82nd Airborne Division, he led a surprise and devastating attack on a much larger advancing enemy force, killing and capturing a large number and causing others to flee, single-handedly destroying an attacking German Mark V tank with two hand-held grenades, and then leading his men in clearing and seizing Herresbach.

SA 2080. Mr. PORTMAN (for himself and Mr. BROWN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 240. ELEMENT IN ANNUAL REPORTS ON CYBER SCIENCE AND TECHNOLOGY ACTIVITIES ON WORK WITH ACADEMIC CONSORTIA ON HIGH PRIORITY CYBERSECURITY RESEARCH ACTIVITIES IN DEPARTMENT OF DEFENSE CAPABILITIES.

Section 257(b)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Sta. 1291) is amended by adding at end the following new subparagraph:

''(J) Efforts to work with academic consortia on high priority cybersecurity research activities.''.

SA 2081. Mr. PORTMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1235 and insert the following:

SEC. 1235. SENSE OF SENATE ON ADMISSION OF UKRAINE TO THE NORTH ATLANTIC TREATY ORGANIZATION ENHANCED OPPORTUNITIES PARTNERSHIP PROGRAM.

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

(1) On August 24, 1991, Ukraine became a free and independent country after declaring its independence from the Soviet Union.

(2) The Russian Federation is required to respect the independence, sovereignty, and territorial integrity of Ukraine through its signed commitments to the 1994 Budapest Memorandum, the 1975 Helsinki Accords, and the Charter of the United Nations.

(3) On February 8, 1994, Ukraine was among the first post-Soviet states to join the North Atlantic Treaty Organization's Partnership for Peace, and Ukraine subsequently participated in numerous North Atlantic Treaty Organization-led security assistance, peacekeeping, counterterror, and maritime initiatives.

(4) The North Atlantic Treaty Organization and Ukraine have continuously deepened their cooperation through the establishment of—

(A) the North Atlantic Treaty Organization-Ukraine Charter on a Distinctive Partnership and the North Atlantic Treaty Organization-Ukraine Commission in 1997;

(B) the North Atlantic Treaty Organization-Ukraine Joint Working Group on Defense Reform in 1998; and

(C) the North Atlantic Treaty Organization-Ukraine Action Plan in 2002.

(5) In the Bucharest Summit Declaration of April 2008, heads of state and governments of North Atlantic Treaty Organization member countries declared, ''NATO welcomes Ukraine's and Georgia's Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO.''.

(6) Beginning on November 21, 2013, and ending on February 22, 2014, during a period that became known as the Revolution of Dignity, the people of Ukraine peacefully protested the decision of then President Viktor Yanukovych to suspend the signing of the Ukraine-European Union Association Agreement, resulting in the unanimous removal from office of Yanukovych by the Verkhovna Rada.

(7) On May 25, 2014, Peter Poroshenko was elected democratically to become the President of Ukraine based on a pro-European Union and pro-North Atlantic Treaty Organization platform, which laid the foundation for progress on the European Union Association Agreement.

(8) In response to Ukraine's Revolution of Dignity, the Russian Federation launched an overt and covert military campaign against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated war in eastern Ukraine, resulting in the deaths of approximately 14,000 Ukrainians.

(9) The Russian Federation's invasion and illegal occupation of the Crimean Peninsula and instigation of conflict in eastern Ukraine in 2014 was widely viewed as an effort to stifle pro-democracy and pro-Western developments across Ukraine in the wake of the Revolution of Dignity.

(10) At the 2014 Wales Summit, the North Atlantic Treaty Organization adopted the Enhanced Opportunities Partnership Program as a component of the North Atlantic Treaty Organization Partnership Interoperability Initiative, which would ''encourage, facilitate, and sustain'' Ukraine's contributions to the North Atlantic Treaty Organization.

(11) In 2016, as a result of the Warsaw Summit, the North Atlantic Treaty Organization pledged additional training and technical support for the military forces of Ukraine and endorsed a comprehensive assistance package that included ''tailored capability and capacity building measures . . . to enhance Ukraine's resilience against a wide array of threats, including hybrid threats''.

(12) In 2017, in the face of continued Russian Federation aggression in the eastern region of Ukraine and the continued occupation of Crimea, the Government of Ukraine rejected cooperation with the Russian Federation and voted to make cooperation with the North Atlantic Treaty Organization a foreign policy priority.

(13) On September 1, 2017, the Ukraine-European Union Association Agreement entered into force.

(14) On April 21, 2019, the new president of Ukraine, Volodymyr Zelenskyy—

(A) reaffirmed to European Union and North Atlantic Treaty Organization leaders that Ukraine's strategic course was to achieve full membership in the European Union and the North Atlantic Treaty Organization; and

(B) championed the adoption of an amendment to the Constitution of Ukraine declaring that the Government of Ukraine is responsible for implementing such strategic course toward membership in the European Union and the North Atlantic Treaty Organization.

(15) In January 2020, the Government of Ukraine requested that the North Atlantic Treaty Organization grant Ukraine the status of an Enhanced Opportunities Partner.

(16) Since Ukraine's Revolution of Dignity and in recognition of the United States-Ukraine strategic partnership, the United States has—

(A) provided Ukraine with more than $1,600,000,000 in security assistance, including critical defense items;

(B) collaborated closely with the military forces of Ukraine; and

(C) imposed strong sanctions on the Russian Federation in response to continued Russian Federation aggression in Ukraine.

(17) On June 12, 2020, the North Atlantic Treaty Organization welcomed Ukraine into the Enhanced Opportunities Partnership program, joining Australia, Finland, Sweden, Georgia, and Jordan.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Senate—

(1) applauds the progress of Ukraine and the Revolution of Dignity with respect to strengthening the rule of law and combating corruption, aligning with Euro-Atlantic norms and standards, and improving Ukraine's military combat readiness and interoperability with the North Atlantic Treaty Organization;

(2) affirms the unwavering commitment of the United States to—

(A) supporting the continued efforts of Ukraine to implement democratic and free market reforms;

(B) restoring the territorial integrity of Ukraine; and

(C) providing additional lethal and nonlethal security assistance to strengthen the defense capabilities of Ukraine and to deter further Russian Federation aggression;

(3) condemns the Russian Federation's ongoing use of force and other malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activities that seek to undermine Ukraine and destabilize Europe; and

(4) congratulates Ukraine on its inclusion in the North Atlantic Treaty Organization Enhanced Opportunities Partnership program and on the establishment of a roadmap to full NATO accession for Ukraine.

SA 2082. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. APPLICATION OF DISTANCE REQUIREMENTS FOR CRITICAL ACCESS HOSPITALS.

Section 1820(h) of the Social Security Act (42 U.S.C. 1395i–4(h)) is amended by adding at the end the following new paragraph:

''(4) APPLICATION OF DISTANCE CRITERION.—In the case of a facility that was designated as a critical access hospital during 2016, and for which there was a change of ownership during 2018, if the designation relied on incorrect information received from a State about a road as being secondary in order to meet the distance criterion described in subsection (c)(2)(B)(i)(I), the facility shall be deemed to meet such distance criterion on and after the date of such 2016 designation.''.

SA 2083. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. SENSE OF SENATE ON UNITED STATES-ISRAEL COOPERATION ON PRECISION-GUIDED MUNITIONS.

It is the sense of the Senate that—

(1) the Department of Defense has cooperated extensively with Israel to assist in the procurement of precision-guided munitions, and such cooperation represents an important example of robust United States support for Israel;

(2) to the extent practicable, the Secretary of Defense should take further measures to expedite deliveries of precision-guided munitions to Israel; and

(3) regularized annual purchases of precision-guided munitions by Israel, in accordance with existing requirements and practices regarding the export of defense articles and defense services, coordinated with the United States Air Force annual purchase of precision-guided munitions, would enhance the security of both the United States and Israel by—

(A) promoting a more efficient use of defense resources by taking advantage of economies of scale;

(B) enabling the United States and Israel to address crisis requirements for precision-guided munitions in a timely and flexible manner; and

(C) encouraging the defense industrial base to maintain routine production lines of precision-guided munitions.

SA 2084. Mr. LEE (for himself and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. ALLIED BURDEN SHARING REPORT.

(a) FINDING; SENSE OF CONGRESS.—

(1) FINDING.—Congress finds that section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 63 Stat. 2241)—

(A) expresses the sense of Congress that, due to threats that are ever-changing, Congress must be informed with respect to allied contributions to the common defense to properly assess the readiness of the United States and the countries described in subsection (b)(2) for threats; and

(B) requires the Secretary of Defense to submit to Congress an annual report on the contributions of allies to the common defense.

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

(A) the threats facing the United States—

(i) extend beyond the global war on terror; and

(ii) include near-peer threats; and

(B) the President should seek from each country described in subsection (b)(2) acceptance of international security responsibilities and agreements to make contributions to the common defense in accordance with the collective defense agreements or treaties to which such country is a party.

(b) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—

(1) IN GENERAL.—Not later than March 1 each year, the Secretary of Defense, in coordination with the heads of other Federal agencies, as the Secretary determines to be necessary, shall submit to the appropriate committees of Congress a report containing a description of—

(A) the annual defense spending by each country described in paragraph (2), including available data on nominal budget figures and defense spending as a percentage of the gross domestic products of each such country for the fiscal year immediately preceding the fiscal year in which the report is submitted;

(B) the activities of each such country to contribute to military or stability operations in which the Armed Forces of the United States are a participant or may be called upon in accordance with a cooperative defense agreement to which the United States is a party;

(C) any limitations placed by any such country on the use of such contributions; and

(D) any actions undertaken by the United States or by other countries to minimize such limitations.

(2) COUNTRIES DESCRIBED.—The countries described in this paragraph are the following:

(A) Each member state of the North Atlantic Treaty Organization.

(B) Each member state of the Gulf Cooperation Council.

(C) Each country party to the Inter-American Treaty of Reciprocal Assistance (Rio Treaty), done at Rio de Janeiro September 2, 1947, and entered into force December 3, 1948 (TIAS 1838).

(D) Australia.

(E) Japan.

(F) New Zealand.

(G) The Philippines.

(H) South Korea.

(I) Thailand.

(3) FORM.—Each report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

(4) AVAILABILITY.—A report submitted under paragraph (1) shall be made available on request to any Member of Congress.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SA 2085. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 333. PROCUREMENT OF MODERN, COMMERCIALLY AVAILABLE, AND OFF-THE-SHELF HEALTH AND COMMUNICATIONS SYSTEM FOR THE UH–72A LAKOTA HELICOPTER.

The Secretary of the Army shall procure a modern, commercially available, and off-the-shelf health and communications system for the UH–72A Lakota helicopter to upgrade the existing communications and health monitoring system of such helicopter with a next generation satellite communications system that—

(1) is digital, lightweight, and beyond line-of-sight;

(2) has a push-to-talk radio; and

(3) has voice to internet, real-time fleet health monitoring, and recording capabilities.

SA 2086. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. DEPARTMENT OF COMMERCE STUDY ON STATUS OF SEMICONDUCTOR TECHNOLOGIES IN THE UNITED STATES INDUSTRIAL BASE.

(a) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce and the Secretary of Homeland Security shall undertake a survey, using authorities in section 705 of the Defense Production Act (50 U.S.C. 4555), to assess the capabilities of the United States industrial base to support the national defense in light of the global nature of the supply chain and significant interdependencies between the United States industrial base and the industrial base of foreign countries with respect to the manufacture, design, and end use of semiconductors.

(b) RESPONSE TO SURVEY.—The Secretary shall ensure compliance with the survey from among all relevant potential respondents, including the following:

(1) Corporations, partnerships, associations, or any other organized groups domiciled and with substantial operations in the United States.

(2) Corporations, partnerships, associations, or any other organized groups domiciled in the United States with operations outside the United States.

(3) Foreign domiciled corporations, partnerships, associations, or any other organized groups with substantial operations or business presence in, or substantial revenues derived from, the United States.

(4) Foreign domiciled corporations, partnerships, associations, or any other organized groups in defense treaty or assistance countries where the production of the entity concerned involves critical technologies covered by section 2.

(c) INFORMATION REQUESTED.—The information sought from a responding entity pursuant to the survey required by subsection (a) shall include, at minimum, information on the following with respect to the manufacture. design, or end use of semiconductors by such entity:

(1) An identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of semiconductor development, manufacture, assembly, test, and packaging equipment in operation at such entity.

(4) An identification of all relevant raw materials and semi-finished goods and components sourced domestically and abroad by such entity.

(5) Specifications of the semiconductors manufactured or designed by such entity, descriptions of the end-uses of such semiconductors, and a description of any technical support provided to end-users of such semiconductors by such entity.

(6) Information on domestic and export market sales by such entity.

(7) Information on the financial performance, including income and expenditures, of such entity.

(8) A list of all foreign and domestic subsidies, and any other financial incentives, received by such entity in each market in which such entity operates.

(9) A list of information requests from the People's Republic of China to such entity, and a description of the nature of each request and the type of information provided.

(10) Information on any joint ventures, technology licensing agreements, and cooperative research or production arrangements of such entity.

(11) A description of efforts by such entity to evaluate and control supply chain risks it faces.

(12) A list and description of any sales, licensing agreements, or partnerships between such entity and the People's Liberation Army or People's Armed Police, including any business relationships with entities through which such sales, licensing agreements, or partnerships may occur.

(d) REPORT.—

(1) IN GENERAL.—The Secretary of Commerce shall, in consultation with the Secretary of Defense and the Secretary of Homeland Security, submit to Congress a report on the results of the survey required by subsection (a). The report shall include the following:

(A) An assessment of the results of the survey.

(B) A list of critical technology areas impacted by potential disruptions in production of semiconductors, and a detailed description and assessment of the impact of such potential disruptions on such areas.

(C) A description and assessment of gaps and vulnerabilities in the semiconductor supply chain and the national industrial supply base.

(2) FORM.—The report required by paragraph (1) may be submitted in classified form.

SA 2087. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. DEPARTMENT OF DEFENSE SUPPORT FOR SEMICONDUCTOR TECHNOLOGIES AND RELATED TECHNOLOGIES.

(a) RDT&E EFFORTS.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Commerce and the Secretary of Homeland Security, work with the private sector through a public-private partnership to incentivize the formation of a consortium of United States companies to ensure the development and production of advanced, measurably secure microelectronics for use by the Department of Defense, the intelligence community, critical infrastructure sectors, and other national security applications. The consortium so formed must be capable of producing microelectronics consistent with security standards required by section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(2) DISCHARGE.—The Secretary of Defense shall carry out paragraph (1) jointly through the Office of the Under Secretary of Defense for Research and Engineering and the Office of the Under Secretary of Defense for Acquisition and Sustainment, or such other component of the Department of Defense as the Secretary considers appropriate.

(3) OTHER INITIATIVES.—The Secretary of Defense shall dedicate initiatives within the Department of Defense to advance radio frequency, mixed signal, radiation tolerant, and radiation hardened microelectronics that support national security and dual-use applications.

(b) DPA EFFORTS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to Congress a report on, and shall commence implementation of, a plan for use by the Department of Defense of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to establish and enhance a domestic production capability for semiconductor technologies and related technologies, if funding is available for that purpose.

(2) CONSULTATION.—The President shall develop the plan required by paragraph (1) in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Commerce, and appropriate stakeholders in the private sector.

SA 2088. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. PROHIBITION ON PROVISION OF GRANT FUNDS TO ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTITIES.

Section 47110 of title 49, United States Code, is amended by adding at the end the following:

''(j) PROHIBITION ON PROVISION OF GRANT FUNDS TO ENTITIES THAT HAVE VIOLATED INTELLECTUAL PROPERTY RIGHTS OF UNITED STATES ENTITIES.—

''(1) IN GENERAL.—Beginning on the date that is 30 days after the date of the enactment of this subsection, amounts provided as project grants under this subchapter may not be used to enter into a contract described in paragraph (2) with any entity on the list required by paragraph (3).

''(2) CONTRACT DESCRIBED.—A contract described in this paragraph is a contract or other agreement for the procurement of infrastructure or equipment for a passenger boarding bridge at an airport.

''(3) LIST REQUIRED.—

''(A) IN GENERAL.—Not later than 30 days after the date of the enactment of this section, and thereafter as required by subparagraphs (B) and (C), the Administrator of the Federal Aviation Administration shall, based on information provided by the United States Trade Representative and the Attorney General, make available to the public a list of entities that—

''(i)(I) are owned or controlled by, or receive subsidies from, the government of a country—

''(aa) identified by the Trade Representative under subsection (a)(1) of section 182 of the Trade Act of 1974 (19 U.S.C. 2242) in the most recent report required by that section; and

''(bb) subject to monitoring by the Trade Representative under section 306 of the Trade Act of 1974 (19 U.S.C. 2416); and

''(II) have been determined by a Federal court to have misappropriated intellectual property or trade secrets from an entity organized under the laws of the United States or any jurisdiction within the United States; or

''(ii) own or control, are owned or controlled by, are under common ownership or control with, or are successors to, an entity described in clause (i).

''(B) UPDATES TO LIST.—The Administrator shall update the list required by subparagraph (A), based on information provided by the Trade Representative and the Attorney General—

''(i) not less frequently than every 90 days during the 180-day period following the initial publication of the list under subparagraph (A); and

''(ii) not less frequently than annually during the 5-year period following the 180-day period described in clause (i).

''(C) CONTINUATION OF REQUIREMENT TO UPDATE LIST.—

''(i) IN GENERAL.—Not later than the end of the 5-year period described in subparagraph (B)(ii), the Administrator shall make a determination with respect to whether continuing to update the list required by subparagraph (A) is necessary to carry out this subsection.

''(ii) EFFECT OF DETERMINATION THAT UPDATES ARE NECESSARY.—If the Administrator determines under clause (i) that continuing to update the list required by subparagraph (A) is necessary, the Administrator shall continue to update the list, based on information provided by the Trade Representative and the Attorney General, not less frequently than annually.

''(iii) EFFECT OF DETERMINATION THAT UPDATES ARE NOT NECESSARY.—If the Administrator determines under clause (i) that continuing to update the list required by subparagraph (A) is not necessary, the Administrator shall, not later than 90 days after making the determination, submit to Congress a report on the determination and the reasons for the determination.''.

SA 2089. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 12___. BRIEFING TO THE GOVERNMENT OF INDIA ON FIFTH-GENERATION FIGHTER JETS AND REPORT TO CONGRESS ON UNITED STATES-INDIA DEFENSE COOPERATION.

(a) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Government of India a briefing on the fifth-generation fighter jet program of the United States.

(b) REPORT TO CONGRESS.—Not later than 90 days after the date of the briefing required by subsection (a), the Secretary shall provide to Congress a report on the topics covered in the briefing and recommendations for increasing cooperation between the United States and India as India develops its own fifth-generation fighter jet.

SA 2090. Mr. CORNYN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. ELIGIBILITY FOR FOREIGN MILITARY SALES AND EXPORT STATUS UNDER ARMS EXPORT CONTROL ACT.

The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in sections 3(d)(2)(B), 3(d)(3)(A)(i), 3(d)(5), 21(e)(2)(A), 36(b)(1), 36(b)(2), 36(b)(6), 36(c)(2)(A), 36(c)(5), 36(d)(2)(A), 62(c)(1), and 63(a)(2), by inserting ''India,'' before ''or New Zealand'' each place it appears;

(2) in section 3(b)(2), by inserting ''the Government of India,'' before ''or the Government of New Zealand''; and

(3) in sections 21(h)(1)(A) and 21(h)(2), by inserting ''India,'' before ''or Israel'' each place it appears.

SA 2091. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 division A, insert the following:

SEC. _____. CENTRAL AMERICA STRATEGY.

(a) SHORT TITLE.—This section may be cited as the ''Central America Strategy Act of 2020''.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

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

(2) the Committee on Armed Services of the Senate;

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

(4) the Select Committee on Intelligence of the Senate;

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

(6) the Committee on Finance of the Senate;

(7) the Committee on Appropriations of the Senate;

(8) the Committee on Commerce, Science, and Transportation of the Senate;

(9) the Caucus on International Narcotics Control of the Senate;

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

(11) the Committee on Armed Services of the House of Representatives;

(12) the Committee on Homeland Security of the House of Representatives;

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

(14) the Committee on the Judiciary of the House of Representatives;

(15) the Committee on Energy and Commerce of the House of Representatives; and

(16) the Committee on Appropriations of the House of Representatives.

(c) STRATEGY.—

(1) DEVELOPMENT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, the Secretary of Defense, the Director of National Intelligence, the Attorney General, the Secretary of Commerce, the Administrator of the United States Agency for International Development, the Director of the Office of National Drug Control Policy, the Chief Executive Officer of the Development Finance Corporation, and the Chief Executive Officer of the Millennium Challenge Corporation shall develop, consistent with the safeguards protecting certain national security information from unauthorized disclosure, and submit to the appropriate congressional committees a strategy for—

(A) reducing the flow of narcotics into the United States and combating the influence of transnational criminal organizations through law enforcement and cooperation with international partners;

(B) strengthening democratic institutions, the rule of law, anti-corruption policies, and human rights efforts in Central America; and

(C) curtailing unauthorized immigration to the United States by addressing the root causes of migration in Central America.

(2) ACTIVITIES.—The strategy developed under this subsection shall include—

(A) supporting anti-corruption efforts that strengthen the capacities of law enforcement, the justice sector, and financial institutions;

(B) establishing and reinforcing regional counternarcotics trafficking initiatives to interdict flow of narcotics, including cocaine, fentanyl, and fentanyl precursors and analogs, being smuggled into the United States;

(C) establishing a multilateral Commission Against Illicit Opioids, Narcotics, and International Organized Crime among the United States, Mexico, and countries in Central America and South America to regularly review the results of enhanced law enforcement and justice cooperation;

(D) creating a regional Commission for the Northern Triangle to coordinate anti-corruption initiatives that strengthen domestic institutions and provide technical assistance to local prosecutors;

(E) supporting national, local, and community-based crime and violence prevention efforts;

(F) assessing port security and opportunities to promote trade through enhanced partnership, leadership training, technology modernization, and trusted trader programs;

(G) establishing and reinforcing reintegration programs for repatriated persons that reduce the likelihood for repeated unauthorized migration to the United States;

(H) developing a market-based approach to investment and development that identifies opportunities for private investment and roles for the United States International Development Finance Corporation, the Millennium Challenge Corporation, and the United States Agency for International Development;

(I) promoting the establishment and supervision of effective tax collection and enforcement systems;

(J) identifying opportunities for regional and international partnerships;

(K) providing a comprehensive assessment of the current sanctions regime and making recommendations for the most efficient use of sanctions to deter corruption, insecurity, and the key drivers of migration;

(L) assessing the resources necessary to promote the strategy; and

(M) providing legislative recommendations that are necessary to implement the strategy.

(d) REPORT.—In conjunction with the submission of the strategy under subsection (c), the Secretary of State shall submit a comprehensive report to the appropriate congressional committees that—

(1) identifies all United States aid programs benefitting Central American countries;

(2) indicates which of these programs are consistent with the strategy under subsection (c);

(3) provides measurable outcomes regarding the progress made by each such program; and

(4) includes recommendations regarding which of these programs should be maintained, modified, or eliminated.

SA 2092. Mr. CORNYN (for himself, Ms. DUCKWORTH, and Ms. ERNST) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. CONTINUATION OF PAID PARENTAL LEAVE UPON DEATH OF CHILD.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the regulations prescribed pursuant to subsections (i) and (j) of section 701 of title 10, United States Code, to provide that the eligibility of primary and secondary caregivers for paid parental leave that has already been approved shall not terminate upon the death of the child for whom such leave is taken.

SA 2093. Mr. CORNYN (for himself and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 appropriate place, insert the following:

SEC. ___. JAIME ZAPATA AND VICTOR AVILA FEDERAL LAW ENFORCEMENT PROTECTION ACT.

(a) SHORT TITLE.—This section may be cited as the ''Jaime Zapata and Victor Avila Federal Law Enforcement Protection Act''.

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

(1) for decades—

(A) officers and employees of the United States Government have dutifully and faithfully served the United States at home and abroad, including in situations that place them at serious risk of harm;

(B) Federal law has reflected strong Federal interest in promoting the efforts of the United States Government overseas and protecting those officers and employees serving abroad by ensuring that the United States Government could prosecute any individuals, including drug traffickers and terrorists, who have harmed or attempted to harm Federal officers and employees while the officers and employees are engaged in or on account of the performance of their official duties internationally; and

(C) Federal courts, including the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Ninth Circuit, and the United States Court of Appeals for the Eleventh Circuit, have correctly interpreted section 1114 of title 18, United States Code, to apply extraterritorially to protect officers and employees of the United States while the officers and employees are serving abroad;

(2) recently, in a case involving a violent attack by members of a violent drug cartel against Federal law enforcement officers Jaime Zapata and Victor Avila, who were engaged in and performing official duties in Mexico, a Federal court concluded that Congress failed to expressly declare that section 1114 of title 18, United States Code, applies extraterritorially; and

(3) Congress can and should make clear that section 1114 of title 18, United States Code, applies extraterritorially.

(c) PROTECTION OF OFFICERS AND EMPLOYEES OF THE UNITED STATES.—Section 1114 of title 18, United States Code, is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''Whoever''; and

(2) by adding at the end the following:

''(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial jurisdiction over the conduct prohibited by this section.''.

SA 2094. Mrs. FISCHER submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. SUPPORT AND ENHANCEMENT OF DEFENSE CRITICAL ELECTRIC INFRASTRUCTURE.

(a) ASSISTANCE TO OWNERS AND OPERATORS.—

(1) IN GENERAL.—Subject to the availability of funds provided in any appropriations Act enacted on or after the date of enactment of this Act, the Secretary of Energy may use those funds to assist owners and operators of defense critical electric infrastructure (as defined in section 215A(a) of the Federal Power Act (16 U.S.C. 824o–1(a))) in planning or installing, for a purpose described in paragraph (2)—

(A) new generation, transmission, and distribution assets; or

(B) resiliency upgrades to existing generation, transmission, and distribution assets.

(2) PURPOSES DESCRIBED.—A purpose referred to in paragraph (1) is—

(A) to enhance the power supply for a critical defense facility designated by the Secretary under section 215A(c) of the Federal Power Act (16 U.S.C. 824o–1(c)), including with respect to generation, transmission, and distribution, as applicable; or

(B) to improve the resilience of the applicable defense critical electric infrastructure against—

(i) physical threats;

(ii) cyber threats;

(iii) threats posed by extreme weather events or natural disasters, such as hurricanes, tornadoes, floods, and wildfires; or

(iv) other threats similar or closely related to the threats described in clauses (i) through (iii), as determined by the Secretary of Energy.

(3) ANNUAL REPORT.—Beginning with fiscal year 2021, the Secretary of Energy shall submit to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Energy and Commerce of the House of Representatives an annual report, in classified form, describing each project planned, executed, or completed with assistance provided under paragraph (1).

(b) DURATION OF CRITICAL ELECTRIC INFRASTRUCTURE INFORMATION DESIGNATION.—

(1) IN GENERAL.—Section 215A(d) of the Federal Power Act (16 U.S.C. 824o–1(d)) is amended—

(A) by striking paragraph (9); and

(B) by redesignating paragraphs (10) and (11) as paragraphs (9) and (10), respectively.

(2) APPLICATION TO EXISTING DESIGNATIONS.—Any information designated as critical electric infrastructure information under section 215A of the Federal Power Act (16 U.S.C. 824o–1) as of the date of enactment of this Act, including any information designated as critical electric infrastructure information for a period of not more than 5 years, shall retain that designation until—

(A) the Secretary of Energy or the Federal Energy Regulatory Commission, as applicable, removes the designation in accordance with subsection (d)(9) of that section (as redesignated by paragraph (1)(B)); or

(B) a court determines that the information was improperly designated as critical electric infrastructure information under subsection (d)(10) of that section (as redesignated by paragraph (1)(B)).

SA 2095. Mr. PERDUE (for himself, Mrs. LOEFFLER, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. REMOVING LEGAL BARRIERS RELATING TO COOPERATING WITH THE FEDERAL GOVERNMENT DURING TIMES OF EMERGENCY OR TO PROMOTE NATIONAL SECURITY.

(a) DEFINITIONS.—In this section:

(1) AUTHORIZED OFFICIAL.—The term ''authorized official'' means—

(A) the President;

(B) the head of a responsible Federal department or agency (including the Secretary of Energy, the Secretary of Homeland Security, the Secretary of Defense, the Attorney General, and the Director of National Intelligence); or

(C) a designee of an officer described in subparagraph (A) or (B).

(2) COVERED ACTIVITY.—The term ''covered activity'' means any action taken, or refrained from being taking, by a covered entity pursuant to a covered order.

(3) COVERED ENTITY.—

(A) IN GENERAL.—The term ''covered entity'' means a Federal, State, local, Tribal, or territorial entity or any entity (including a parent, subsidiary, owner, operator, or member of the entity) that owns or operates critical infrastructure, including an entity in one of the following sectors, as identified in Presidential Policy Directive–21, or any successor thereto:

(i) Communications.

(ii) Energy.

(iii) Transportation Systems.

(iv) Water and Wastewater Systems.

(B) EXCLUSIONS.—The term ''covered entity'' does not include—

(i) a foreign person a transaction of which—

(I) is under review or investigation by the Committee on Foreign Investment in the United States under section 721 of the Defense Production Act of 1950 (50 U.S.C. 4565); or

(II) has been suspended or prohibited by the President following such a review or investigation; or

(ii) an entity subject to an exclusion or removal order under subchapter III of chapter 14 of title 41, United States Code.

(4) COVERED ORDER.—The term ''covered order'' means an order to a covered entity made in writing by an authorized official in order to respond to—

(A) an emergency or threat relating to cybersecurity or physical security; or

(B) any other incident impacting national security.

(5) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given that term in the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c).

(6) SECTOR-SPECIFIC AGENCY.—The term ''Sector-Specific Agency'' has the meaning given that term in section 2201 of the Homeland Security Act of 2002 (6 U.S.C. 651).

(b) LIABILITY PROTECTION FOR COVERED ENTITIES.—

(1) IN GENERAL.—A covered entity shall not be liable in any action in any Federal, State, local, or Tribal court or before any Federal, State, local, or Tribal department or agency for harm caused by a covered activity if—

(A) the covered entity was acting pursuant to and within the scope of the applicable covered order;

(B) if appropriate or required, the covered entity was properly licensed, certified, or authorized by the appropriate authorities for the activities or practice in the State in which the harm occurred, where the covered activities were or practice was undertaken within the scope of the applicable covered order;

(C) the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the covered entity; and

(D) the harm was not caused by the covered entity while operating a motor vehicle, vessel, aircraft, or other vehicle for which the State requires the operator or the owner of the vehicle, craft, or vessel to—

(i) possess an operator's license; or

(ii) maintain insurance.

(2) CAUSE OF ACTION BARRED.—A cause of action alleging a harm for which a covered entity is protected from liability under paragraph (1) shall not lie or be maintained in any Federal, State, local, or Tribal court or before any Federal, State, local, or Tribal department or agency.

(c) BURDEN OF PROOF.—In an action against a covered entity for harm alleged to have been caused by a covered activity of the covered entity, the plaintiff or agency or other entity bringing the action shall have the burden of proving by clear and convincing evidence that—

(1) the covered entity is not entitled to protection from liability for the covered activity under subsection (b); and

(2) the action or refraining from taking action by the covered entity caused the alleged harm.

(d) COORDINATION OR NOTIFICATION.—

(1) IN GENERAL.—If time permits, an authorized official issuing a covered order that is likely to result in covered activity shall issue the covered order in coordination with the appropriate Sector-Specific Agency and the Director of the Cybersecurity and Infrastructure Security Agency.

(2) NOTIFICATION.—If time does not permit the coordination described in paragraph (1), an authorized official issuing a covered order described in paragraph (1) shall notify the Sector-Specific Agency and the Director of the Cybersecurity and Infrastructure Security Agency regarding the order at the time the covered order is issued.

(e) REPORTING REQUIREMENTS.—

(1) SUBSTANTIAL LIMITATIONS AND RESTRICTIONS.—Not later than 24 hours after receiving a covered order, a covered entity shall submit to the authorized official issuing the covered order written notice if the covered entity determines that there exists a substantial limitation or restriction on the ability of the covered entity to comply with the covered order, which shall describe the nature of the limitation or restriction and, as applicable, any proposed changes to the covered order necessary to enable the covered entity to implement the covered activity.

(2) IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 90 days after implementing a covered activity pursuant to a covered order, a covered entity shall submit to the authorized official issuing the covered order and the Secretary of Homeland Security a written report that outlines—

(i) the implementation of the covered order by the covered entity;

(ii) the impact of any covered activity implemented under the covered order in meeting the intent or stated objectives of the covered order;

(iii) any risks or hazards identified in implementing the covered activity; and

(iv) steps taken to address identified risks and hazards and protect individual rights and public safety.

(B) FAILURE TO SUBMIT.—If a covered entity fails to submit a report required under subparagraph (A) with respect to a covered order, the covered entity shall not receive protection from liability under subsection (b) for any covered activity implemented under the cover order.

(f) AVAILABILITY OF INFORMATION.—Upon receiving notice or a report under subsection (e), the Federal department or agency that issued the covered order shall determine whether such information should be withheld from public disclosure due to national security reasons or in order to comply with an exemption to section 552(b)(3) of title 5, United States Code.

(g) LIMIT ON USE OF INFORMATION.—Information provided to a Federal department or agency under subsection (e) shall not be directly used by any Federal, State, Tribal, or local government to regulate the lawful activities of any entity.

(h) SAVINGS CLAUSES.—

(1) APPLICABLE LAW.—Nothing in this section affects a public liability action covered by section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210) (commonly known as the ''Price-Anderson Act'').

(2) AVAILABLE DEFENSES.—Nothing in this section undermines or limits the availability of any applicable common law or statutory defense available to a covered entity.

(i) NO NEW AUTHORITY.—Nothing in this section creates any new authorities for any Federal department or agency.

SA 2096. Mr. PERDUE (for himself and Mrs. LOEFFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 847. PROHIBITION ON SALE BY E-COMMERCE PORTAL PROVIDER OF PRODUCTS MANUFACTURED OR DEVELOPED BY SUCH PROVIDER.

Section 846(e) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 41 U.S.C. 1901 note) is amended—

(1) in the subsection heading, by striking ''INFORMATION ON SUPPLIERS'' and inserting ''SUPPLIERS''; and

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

''(3) LIMITATION.—A commercial e-commerce portal provider awarded a contract pursuant to subsection (a) may not sell a commercial product manufactured or developed by such provider (or a subsidiary of such provider) on the commercial e-commerce portal of such provider.''.

SA 2097. Mr. PERDUE (for himself and Mrs. LOEFFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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_____. JIMMY CARTER NATIONAL HISTORICAL PARK.

(a) IN GENERAL.—The Jimmy Carter National Historic Site shall be known and designated as the ''Jimmy Carter National Historical Park''.

(b) AMENDMENTS TO PUBLIC LAW 100–206.—Public Law 100–206 (54 U.S.C. 320101 note; 101 Stat. 1434) is amended—

(1) in section 1(a), in the matter preceding paragraph (1), by striking ''National Historic Site'' and inserting ''National Historical Park'';

(2) in section 3—

(A) in subsection (a), by striking ''provisions of law generally applicable to national historic sites'' and inserting ''provisions of law generally applicable to units of the National Park System''; and

(B) in subsection (d), in the second sentence, by striking ''National Historic Site'' and inserting ''National Historical Park'';

(3) in section 6(2), by striking ''National Historic Site'' and inserting ''National Historical Park'';

(4) by striking ''historic site'' each place it appears and inserting ''historical park'';

(5) by striking ''**HISTORIC SITE**'' each place it appears and inserting ''**HISTORICAL PARK**''; and

(6) by striking ''HISTORIC SITE'' each place it appears and inserting ''HISTORICAL PARK''.

(c) REFERENCES.—Any reference in any law, regulation, document, record, map, or other paper of the United States to the Jimmy Carter National Historic Site shall be considered to be a reference to the ''Jimmy Carter National Historical Park''.

SA 2098. Mr. PERDUE (for himself, Ms. SINEMA, Mr. KING, and Mrs. LOEFFLER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. CYBERSECURITY ADVISORY COMMITTEE.

(a) SHORT TITLE.—This section may be cited as the ''Cybersecurity Advisory Committee Authorization Act of 2020''.

(b) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

"SEC. 2215. CYBERSECURITY ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—The Secretary shall establish within the Agency a Cybersecurity Advisory Committee (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—

''(1) IN GENERAL.—The Advisory Committee shall advise, consult with, report to, and make recommendations to the Director, as appropriate, on the development, refinement, and implementation of policies, programs, planning, and training pertaining to the cybersecurity mission of the Agency.

''(2) RECOMMENDATIONS.—

''(A) IN GENERAL.—The Advisory Committee shall develop, at the request of the Director, recommendations for improvements to advance the cybersecurity mission of the Agency and strengthen the cybersecurity of the United States.

''(B) RECOMMENDATIONS OF SUBCOMMITTEES.—Recommendations agreed upon by subcommittees established under subsection (d) for any year shall be approved by the Advisory Committee before the Advisory Committee submits to the Director the annual report under paragraph (4) for that year.

''(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Director—

''(A) reports on matters identified by the Director; and

''(B) reports on other matters identified by a majority of the members of the Advisory Committee.

''(4) ANNUAL REPORT.—

''(A) IN GENERAL.—The Advisory Committee shall submit to the Director an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the preceding year.

''(B) PUBLICATION.—Not later than 180 days after the date on which the Director receives an annual report for a year under subparagraph (A), the Director shall publish a public version of the report describing the activities of the Advisory Committee and such related matters as would be informative to the public during that year, consistent with section 552(b) of title 5, United States Code.

''(5) FEEDBACK.—Not later than 90 days after receiving any recommendation submitted by the Advisory Committee under paragraph (2), (3), or (4), the Director shall respond in writing to the Advisory Committee with feedback on the recommendation. Such a response shall include—

''(A) with respect to any recommendation with which the Director concurs, an action plan to implement the recommendation; and

''(B) with respect to any recommendation with which the Director does not concur, a justification for why the Director does not plan to implement the recommendation.

''(6) CONGRESSIONAL NOTIFICATION.—Not less frequently than once per year after the date of enactment of this section, the Director shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives a briefing on feedback from the Advisory Committee.

''(7) GOVERNANCE RULES.—The Director shall establish rules for the structure and governance of the Advisory Committee and all subcommittees established under subsection (d).

''(c) MEMBERSHIP.—

''(1) APPOINTMENT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Cybersecurity Advisory Committee Authorization Act of 2020, the Director shall appoint the members of the Advisory Committee.

''(B) COMPOSITION.—The membership of the Advisory Committee shall consist of not more than 35 individuals.

''(C) REPRESENTATION.—

''(i) IN GENERAL.—The membership of the Advisory Committee shall—

''(I) consist of subject matter experts;

''(II) be geographically balanced; and

''(III) include representatives of State, local, and Tribal governments and of a broad range of industries, which may include the following:

''(aa) Defense.

''(bb) Education.

''(cc) Financial services and insurance.

''(dd) Healthcare.

''(ee) Manufacturing.

''(ff) Media and entertainment.

''(gg) Chemicals.

''(hh) Retail.

''(ii) Transportation.

''(jj) Energy.

''(kk) Information Technology.

''(ll) Communications.

''(mm) Other relevant fields identified by the Director.

''(ii) PROHIBITION.—Not less than 1 member nor more than 3 members may represent any 1 category under clause (i)(III).

''(iii) PUBLICATION OF MEMBERSHIP LIST.—The Advisory Committee shall publish its membership list on a publicly available website not less than once per fiscal year and shall update the membership list as changes occur.

''(2) TERM OF OFFICE.—

''(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years, except that a member may continue to serve until a successor is appointed.

''(B) REMOVAL.—The Director may review the participation of a member of the Advisory Committee and remove such member any time at the discretion of the Director.

''(C) REAPPOINTMENT.—A member of the Advisory Committee may be reappointed for an unlimited number of terms.

''(3) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee may not receive pay or benefits from the United States Government by reason of their service on the Advisory Committee.

''(4) MEETINGS.—

''(A) IN GENERAL.—The Director shall require the Advisory Committee to meet not less frequently than semiannually, and may convene additional meetings as necessary.

''(B) PUBLIC MEETINGS.—At least one of the meetings referred to in subparagraph (A) shall be open to the public.

''(C) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at each meeting.

''(5) MEMBER ACCESS TO CLASSIFIED INFORMATION.—

''(A) IN GENERAL.—Not later than 60 days after the date on which a member is first appointed to the Advisory Committee and before the member is granted access to any classified information, the Director shall determine, for the purposes of the Advisory Committee, if the member should be restricted from reviewing, discussing, or possessing classified information.

''(B) ACCESS.—Access to classified materials shall be managed in accordance with Executive Order No. 13526 of December 29, 2009 (75 Fed. Reg. 707), or any subsequent corresponding Executive Order.

''(C) PROTECTIONS.—A member of the Advisory Committee shall protect all classified information in accordance with the applicable requirements for the particular level of classification of such information.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the security clearance of a member of the Advisory Committee or the authority of a Federal agency to provide a member of the Advisory Committee access to classified information.

''(6) CHAIRPERSON.—The Advisory Committee shall select, from among the members of the Advisory Committee—

''(A) a member to serve as chairperson of the Advisory Committee; and

''(B) a member to serve as chairperson of each subcommittee of the Advisory Committee established under subsection (d).

''(d) SUBCOMMITTEES.—

''(1) IN GENERAL.—The Director shall establish subcommittees within the Advisory Committee to address cybersecurity issues, which may include the following:

''(A) Information exchange.

''(B) Critical infrastructure.

''(C) Risk management.

''(D) Public and private partnerships.

''(2) MEETINGS AND REPORTING.—Each subcommittee shall meet not less frequently than semiannually, and submit to the Advisory Committee for inclusion in the annual report required under subsection (b)(4) information, including activities, findings, and recommendations, regarding subject matter considered by the subcommittee.

''(3) SUBJECT MATTER EXPERTS.—The chair of the Advisory Committee shall appoint members to subcommittees and shall ensure that each member appointed to a subcommittee has subject matter expertise relevant to the subject matter of the subcommittee.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Cybersecurity Advisory Committee.''.

SA 2099. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. FEDERAL MATCHING FUNDS TO STATE INCENTIVES.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(2) the term ''covered entity'' means a private entity to which a governmental entity has offered a covered incentive;

(3) the term ''covered incentive''—

(A) means an incentive offered by a governmental entity to a private entity for the purposes of building within the jurisdiction of the governmental entity, or expanding an existing facility within that jurisdiction—

(i) a fabrication (or other essential) facility relating to the manufacturing of current or next generation semiconductors; or

(ii) any other facility that enables the manufacturing of current or next generation semiconductors or the assembly, testing, and packaging of current or next generation semiconductors; and

(B) includes any tax incentive (such as an incentive or reduction with respect to employment or payroll taxes or a tax abatement with respect to personal or real property), a workforce-related incentive (including a grant agreement relating to workforce training or vocational education), any concession with respect to real property, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State;

(4) the term ''governmental entity'' means a State or local government; and

(5) the term ''Secretary'' means the Secretary of Commerce.

(b) MATCHING FUNDS.—

(1) IN GENERAL.—The Secretary shall establish in the Department of Commerce a program that, in accordance with the requirements of this section, provides matching funds to covered entities.

(2) PROCEDURE.—

(A) IN GENERAL.—A covered entity that has been offered a covered incentive and that desires to receive matching funds under this subsection shall submit to the Secretary an application that describes the project to which that covered incentive relates.

(B) CONSIDERATIONS FOR REVIEW.—With respect to the review by the Secretary of an application submitted by a covered entity under subparagraph (A)—

(i) the Secretary may not approve the application unless the Secretary—

(I) confirms that the covered entity has agreed to build or expand in the applicable jurisdiction a facility described in subsection (a)(3)(A); and

(II) determines that building or expanding the facility described in subclause (I) is in the interest of the United States; and

(ii) the Secretary may consider whether—

(I) the covered entity has previously received a grant made under this subsection;

(II) the applicable governmental entity has benefitted from a grant previously made under this subsection; and

(III) the covered entity is located in a State that has a per capita income that is not greater than the per capita income of the United States.

(3) PRIORITY.—In carrying out this subsection, the Secretary shall, to the maximum extent practicable, ensure that the Secretary approves not less than 1 application with respect to building or expanding a facility that enables the assembly, testing, and packaging of current or next generation semiconductors.

(4) AMOUNT.—The amount of matching funds provided by the Secretary to a covered entity under this subsection shall be in an amount that is not less than the value of the applicable covered incentive offered to the covered entity, as determined by the Secretary.

(5) CLAWBACK.—The Secretary shall recover the full amount of matching funds provided to a covered entity under this subsection if—

(A) as of the date that is 5 years after the date on which the Secretary provides the funds, the applicable project to which the applicable covered incentive relates has not been completed, except that the Secretary may issue a waiver with respect to the requirement under this subparagraph if the Secretary determines that issuing such a waiver is appropriate and in the interests of the United States; or

(B) during the applicable term with respect to those funds, the covered entity engages in any joint research or technology licensing effort—

(i) with the Government of the People's Republic of China, the Government of the Russian Federation, the Government of Iran, or the Government of North Korea; and

(ii) that relates to a sensitive technology or product, as determined by the Secretary.

(c) CONSULTATION AND COORDINATION REQUIRED.—In carrying out the program established under subsection (b), the Secretary shall consult and coordinate with the Secretary of State.

(d) GAO REVIEWS.—The Comptroller General of the United States shall—

(1) not later than 2 years after the date of enactment of this Act, and biennially thereafter until the date that is 10 years after that date of enactment, conduct a review of the program established under subsection (b), which shall include a determination of the number of instances in which matching funds were provided under that subsection during the period covered by the review in violation of a requirement under this section; and

(2) submit to the appropriate committees of Congress the results of each review conducted under paragraph (1).

(e) DIRECT APPROPRIATION.—

(1) IN GENERAL.—There is appropriated to the Secretary, out of any money in the Treasury not otherwise appropriated, $10,000,000,000 to carry out this section, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The amount provided by paragraph (1) is 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.

SA 2100. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. 1085. FUNDING FOR DEVELOPMENT AND ADOPTION OF SECURE MICROELECTRONICS AND SECURE MICROELECTRONICS SUPPLY CHAINS.

(a) MULTILATERAL MICROELECTRONICS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a trust fund, to be known as the ''Multilateral Microelectronics Security Fund'' (in this section referred to as the ''Fund''), consisting of amounts deposited into the Trust Fund under paragraph (2) and any amounts that may be credited to the Trust Fund under paragraph (3).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $750,000,000 to be deposited in the Fund.

(3) INVESTMENT OF AMOUNTS.—

(A) INVESTMENT OF AMOUNTS.—The Secretary of the Treasury shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(4) USE OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), amounts in the Fund shall be available, as provided in advance in an appropriations Act, to the Secretary of State—

(i) to provide funding through the common funding mechanism described in subsection (b)(1) to support the development and adoption of secure microelectronics and secure microelectronics supply chains; and

(ii) to otherwise carry out this section.

(B) AVAILABILITY CONTINGENT ON INTERNATIONAL AGREEMENT.—Amounts in the Fund shall be available to the Secretary of State on and after the date on which the Secretary enters into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism under paragraph (1) of subsection (b) and the commitments described in paragraph (2) of that subsection.

(5) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—Amounts in the Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(B) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after the end of the fiscal year described in subparagraph (A) shall be deposited in the general fund of the Treasury.

(b) COMMON FUNDING MECHANISM FOR DEVELOPMENT AND ADOPTION OF SECURE MICROELECTRONICS AND SECURE MICROELECTRONICS SUPPLY CHAINS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of the Treasury, and the Director of National Intelligence, shall seek to establish a common funding mechanism, in coordination with the governments of countries that are partners of the United States, that uses amounts from the Fund, and amounts committed by such governments, to support the development and adoption of secure microelectronics and secure microelectronics supply chains, including for use in research and development collaborations among countries participating in the common funding mechanism.

(2) MUTUAL COMMITMENTS.—The Secretary of State, in consultation with the United States Trade Representative and the Secretary of Commerce, shall seek to negotiate a set of mutual commitments with the governments of countries that are partners of the United States upon which to condition any expenditure of funds pursuant to the common funding mechanism described in paragraph (1). Such commitments shall, at a minimum—

(A) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to microelectronics firms located in or outside such countries;

(B) establish consistent policies with respect to countries that—

(i) are not participating in the common funding mechanism; and

(ii) do not meet transparency requirements established under subparagraph (A);

(C) promote harmonized treatment of microelectronics and verification processes for items being exported to a country considered a national security risk by a country participating in the common funding mechanism;

(D) establish a consistent policies and common external policies to address nonmarket economies as the behavior of such countries pertains to microelectronics; and

(E) align policies on supply chain integrity and microelectronics security, including with respect to protection and enforcement of intellectual property rights.

(c) ANNUAL REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (a)(3), the Secretary of State shall submit to Congress a report on the status of the implementation of this section that includes a description of—

(1) any commitments made by the governments of countries that are partners of the United States to providing funding for the common funding mechanism described in subsection (b)(1) and the specific amount so committed;

(2) the criteria established for expenditure of funds through the common funding mechanism;

(3) how, and to whom, amounts have been expended from the Fund;

(4) amounts remaining in the Fund;

(5) the progress of the Secretary of State toward entering into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism and the commitments described in subsection (b)(2); and

(6) any additional authorities needed to enhance the effectiveness of the Fund in achieving the security goals of the United States.

SA 2101. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Semiconductor Manufacturing Incentives

SEC. 1091. FEDERAL MATCHING FUNDS TO STATE INCENTIVES.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives;

(2) the term ''covered entity'' means a private entity to which a governmental entity has offered a covered incentive;

(3) the term ''covered incentive''—

(A) means an incentive offered by a governmental entity to a private entity for the purposes of building within the jurisdiction of the governmental entity, or expanding an existing facility within that jurisdiction—

(i) a fabrication (or other essential) facility relating to the manufacturing of current or next generation semiconductors; or

(ii) any other facility that enables the manufacturing of current or next generation semiconductors or the assembly, testing, and packaging of current or next generation semiconductors; and

(B) includes any tax incentive (such as an incentive or reduction with respect to employment or payroll taxes or a tax abatement with respect to personal or real property), a workforce-related incentive (including a grant agreement relating to workforce training or vocational education), any concession with respect to real property, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State;

(4) the term ''governmental entity'' means a State or local government; and

(5) the term ''Secretary'' means the Secretary of Commerce.

(b) MATCHING FUNDS.—

(1) IN GENERAL.—The Secretary shall establish in the Department of Commerce a program that, in accordance with the requirements of this section, provides matching funds to covered entities.

(2) PROCEDURE.—

(A) IN GENERAL.—A covered entity that has been offered a covered incentive and that desires to receive matching funds under this subsection shall submit to the Secretary an application that describes the project to which that covered incentive relates.

(B) CONSIDERATIONS FOR REVIEW.—With respect to the review by the Secretary of an application submitted by a covered entity under subparagraph (A)—

(i) the Secretary may not approve the application unless the Secretary—

(I) confirms that the covered entity has agreed to build or expand in the applicable jurisdiction a facility described in subsection (a)(3)(A); and

(II) determines that building or expanding the facility described in subclause (I) is in the interest of the United States; and

(ii) the Secretary may consider whether—

(I) the covered entity has previously received a grant made under this subsection; and

(II) the applicable governmental entity has benefitted from a grant previously made under this subsection.

(III) the entity is located in a state with a per capita income that is equal to or below the national average.

(3) PRIORITY.—In carrying out this subsection, the Secretary shall, to the maximum extent practicable, ensure that the Secretary approves not less than 1 application with respect to building or expanding a facility that enables the assembly, testing, and packaging of current or next generation semiconductors.

(4) AMOUNT.—The amount of matching funds provided by the Secretary to a covered entity under this subsection shall be in an amount that is not less than the value of the applicable covered incentive offered to the covered entity, as determined by the Secretary.

(5) CLAWBACK.—The Secretary shall recover the full amount of matching funds provided to a covered entity under this subsection if—

(A) as of the date that is 5 years after the date on which the Secretary provides the funds, the applicable project to which the applicable covered incentive relates has not been completed, except that the Secretary may issue a waiver with respect to the requirement under this subparagraph if the Secretary determines that issuing such a waiver is appropriate and in the interests of the United States; or

(B) during the applicable term with respect to those funds, the covered entity engages in any joint research or technology licensing effort—

(i) with the Government of the People's Republic of China, the Government of the Russian Federation, the Government of Iran, or the Government of North Korea; and

(ii) that relates to a sensitive technology or product, as determined by the Secretary.

(c) CONSULTATION AND COORDINATION REQUIRED.—In carrying out the program established under subsection (b), the Secretary shall consult and coordinate with the Secretary of State.

(d) GAO REVIEWS.—The Comptroller General of the United States shall—

(1) not later than 2 years after the date of enactment of this Act, and biennially thereafter until the date that is 10 years after that date of enactment, conduct a review of the program established under subsection (b), which shall include a determination of the number of instances in which matching funds were provided under that subsection during the period covered by the review in violation of a requirement under this section; and

(2) submit to the appropriate committees of Congress the results of each review conducted under paragraph (1).

(e) DIRECT APPROPRIATION.—

(1) IN GENERAL.—There is appropriated to the Secretary, out of any money in the Treasury not otherwise appropriated, $10,000,000,000 to carry out this section, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The amount provided by paragraph (1) is 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.

SEC. 1092. DEPARTMENT OF DEFENSE SUPPORT FOR SEMICONDUCTOR TECHNOLOGIES AND RELATED TECHNOLOGIES.

(a) RDT&E EFFORTS.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Commerce, and the Secretary of Homeland Security work with the private sector through a public-private partnership to incentivize the formation of a consortium of United States companies to ensure the development and production of advanced, measurably secure microelectronics for use by the Department of Defense, the intelligence community, critical infrastructure sectors, and other national security applications. The consortium so formed must be capable of producing microelectronics consistent with security standards required by section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(2) DISCHARGE.—The Secretary of Defense shall carry out paragraph (1) jointly through the Office of the Under Secretary of Defense for Research and Engineering and the Office of the Under Secretary of Defense for Acquisition and Sustainment, or such other component of the Department of Defense as the Secretary considers appropriate.

(3) OTHER INITIATIVES.—The Secretary of Defense shall dedicate initiatives within the Department of Defense to advance radio frequency, mixed signal, radiation tolerant, and radiation hardened microelectronics that support national security and dual-use applications.

(b) DPA EFFORTS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to Congress a report on, and shall commence implementation of, a plan for use by the Department of Defense of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C.

4531 et seq.) to establish and enhance a domestic production capability for semiconductor technologies and related technologies, if funding is available for that purpose.

(2) CONSULTATION.—The President shall develop the plan required by paragraph (1) in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Commerce, and appropriate stakeholders in the private sector.

SEC. 1093. DEPARTMENT OF COMMERCE STUDY ON STATUS OF SEMICONDUCTOR TECHNOLOGIES IN THE UNITED STATES INDUSTRIAL BASE.

(a) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce and the Secretary of Homeland Security shall undertake a survey, using authorities in section 705 of the Defense Production Act (50 U.S.C. 4555), to assess the capabilities of the United States industrial base to support the national defense in light of the global nature of the supply chain and significant interdependencies between the United States industrial base and the industrial base of foreign countries with respect to the manufacture, design, and end use of semiconductors.

(b) RESPONSE TO SURVEY.—The Secretary shall ensure compliance with the survey from among all relevant potential respondents, including the following:

(1) Corporations, partnerships, associations, or any other organized groups domiciled and with substantial operations in the United States.

(2) Corporations, partnerships, associations, or any other organized groups domiciled in the United States with operations outside the United States.

(3) Foreign domiciled corporations, partnerships, associations, or any other organized groups with substantial operations or business presence in, or substantial revenues derived from, the United States.

(4) Foreign domiciled corporations, partnerships, associations, or any other organized groups in defense treaty or assistance countries where the production of the entity concerned involves critical technologies covered by section 2.

(c) INFORMATION REQUESTED.—The information sought from a responding entity pursuant to the survey required by subsection (a) shall include, at minimum, information on the following with respect to the manufacture. design, or end use of semiconductors by such entity:

(1) An identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of semiconductor development, manufacture, assembly, test, and packaging equipment in operation at such entity.

(4) An identification of all relevant raw materials and semi-finished goods and components sourced domestically and abroad by such entity.

(5) Specifications of the semiconductors manufactured or designed by such entity, descriptions of the end-uses of such semiconductors, and a description of any technical support provided to end-users of such semiconductors by such entity.

(6) Information on domestic and export market sales by such entity.

(7) Information on the financial performance, including income and expenditures, of such entity.

(8) A list of all foreign and domestic subsidies, and any other financial incentives, received by such entity in each market in which such entity operates.

(9) A list of information requests from the People's Republic of China to such entity, and a description of the nature of each request and the type of information provided.

(10) Information on any joint ventures, technology licensing agreements, and cooperative research or production arrangements of such entity.

(11) A description of efforts by such entity to evaluate and control supply chain risks it faces.

(12) A list and description of any sales, licensing agreements, or partnerships between such entity and the People's Liberation Army or People's Armed Police, including any business relationships with entities through which such sales, licensing agreements, or partnerships may occur.

(d) REPORT.—

(1) IN GENERAL.—The Secretary of Commerce shall, in consultation with the Secretary of Defense, and the Secretary of Homeland Security submit to Congress a report on the results of the survey required by subsection (a). The report shall include the following:

(A) An assessment of the results of the survey.

(B) A list of critical technology areas impacted by potential disruptions in production of semiconductors, and a detailed description and assessment of the impact of such potential disruptions on such areas.

(C) A description and assessment of gaps and vulnerabilities in the semiconductor supply chain and the national industrial supply base.

(2) FORM.— The report required by paragraph (1) may be submitted in classified form.

SEC. 1094. FUNDING FOR DEVELOPMENT AND ADOPTION OF SECURE MICROELECTRONICS AND SECURE MICROELECTRONICS SUPPLY CHAINS.

(a) MULTILATERAL MICROELECTRONICS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a trust fund, to be known as the ''Multilateral Microelectronics Security Fund'' (in this section referred to as the ''Fund''), consisting of amounts deposited into the Trust Fund under paragraph (2) and any amounts that may be credited to the Trust Fund under paragraph (3).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $750,000,000 to be deposited in the Fund.

(3) INVESTMENT OF AMOUNTS.—

(A) INVESTMENT OF AMOUNTS.—The Secretary of the Treasury shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(4) USE OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), amounts in the Fund shall be available, as provided in advance in an appropriations Act, to the Secretary of State—

(i) to provide funding through the common funding mechanism described in subsection (b)(1) to support the development and adoption of secure microelectronics and secure microelectronics supply chains; and

(ii) to otherwise carry out this section.

(B) AVAILABILITY CONTINGENT ON INTERNATIONAL AGREEMENT.—Amounts in the Fund shall be available to the Secretary of State on and after the date on which the Secretary enters into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism under paragraph (1) of subsection (b) and the commitments described in paragraph (2) of that subsection.

(5) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—Amounts in the Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(B) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after the end of the fiscal year described in subparagraph (A) shall be deposited in the general fund of the Treasury.

(b) COMMON FUNDING MECHANISM FOR DEVELOPMENT AND ADOPTION OF SECURE MICROELECTRONICS AND SECURE MICROELECTRONICS SUPPLY CHAINS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of the Treasury, and the Director of National Intelligence, shall seek to establish a common funding mechanism, in coordination with the governments of countries that are partners of the United States, that uses amounts from the Fund, and amounts committed by such governments, to support the development and adoption of secure microelectronics and secure microelectronics supply chains, including for use in research and development collaborations among countries participating in the common funding mechanism.

(2) MUTUAL COMMITMENTS.—The Secretary of State, in consultation with the United States Trade Representative and the Secretary of Commerce, shall seek to negotiate a set of mutual commitments with the governments of countries that are partners of the United States upon which to condition any expenditure of funds pursuant to the common funding mechanism described in paragraph (1). Such commitments shall, at a minimum—

(A) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to microelectronics firms located in or outside such countries;

(B) establish consistent policies with respect to countries that—

(i) are not participating in the common funding mechanism; and

(ii) do not meet transparency requirements established under subparagraph (A);

(C) promote harmonized treatment of microelectronics and verification processes for items being exported to a country considered a national security risk by a country participating in the common funding mechanism;

(D) establish a consistent policies and common external policies to address nonmarket economies as the behavior of such countries pertains to microelectronics; and

(E) align policies on supply chain integrity and microelectronics security, including with respect to protection and enforcement of intellectual property rights.

(c) ANNUAL REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (a)(3), the Secretary of State shall submit to Congress a report on the status of the implementation of this section that includes a description of—

(1) any commitments made by the governments of countries that are partners of the United States to providing funding for the common funding mechanism described in subsection (b)(1) and the specific amount so committed;

(2) the criteria established for expenditure of funds through the common funding mechanism;

(3) how, and to whom, amounts have been expended from the Fund;

(4) amounts remaining in the Fund;

(5) the progress of the Secretary of State toward entering into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism and the commitments described in subsection (b)(2); and

(6) any additional authorities needed to enhance the effectiveness of the Fund in achieving the security goals of the United States.

SEC. 1095. ADVANCED SEMICONDUCTOR RESEARCH AND DESIGN.

(a) APPROPRIATE COMMITTEES OF CONGRESS.— In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Homeland Security of the House of Representatives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the leadership of the United States in semiconductor technology and innovation is critical to the economic growth and national security of the United States.

(c) SUBCOMMITTEE ON SEMICONDUCTOR LEADERSHIP.—

(1) ESTABLISHMENT REQUIRED.—The President shall establish in the National Science and Technology Council a subcommittee on matters relating to leadership of the United States in semiconductor technology and innovation.

(2) DUTIES.—The duties of the subcommittee established under paragraph (1) are as follows:

(A) NATIONAL STRATEGY ON SEMICONDUCTOR RESEARCH.—

(i) DEVELOPMENT.—In coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Secretary of Commerce, and the Secretary of Homeland Security the National Science Foundation, and the Director of the National Institute of Standards and Technology and in consultation with the semiconductor industry and academia, develop a national strategy on semiconductor research and semiconductor security, including guidance for the funding of research.

(ii) REPORTING AND UPDATES.—Not less frequently than one every 5 years, to update the strategy developed under clause (i) and to submit the revised strategy to the appropriate committees of Congress.

(iii) IMPLEMENTATION.—In coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Secretary of Commerce, and the Secretary of Homeland Security the National Science Foundation, and the Director of the National Institute of Standards and Technology, on an annual basis coordinate and recommend each agency's semiconductor related research and development programs and budgets to ensure consistency with the National Strategy on Semiconductor Research.

(B) FOSTERING COORDINATION OF RESEARCH AND DEVELOPMENT.—To foster the coordination of semiconductor research and development.

(d) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—

(1) ESTABLISHMENT.—The Secretary of Commerce shall established a national semiconductor technology center to conduct research and prototyping of advanced semiconductor technology to strengthen the economic competitiveness and security of the domestic supply chain, which will be operated as a public private-sector consortium with participation from the private sector, the Department of Defense, the Department of Energy, and the Secretary of Homeland Security the National Science Foundation, and the National Institute of Standards and Technology

(2) FUNCTIONS.—The functions of the center established under paragraph (1) shall be as follows:

(A) To conduct advanced semiconductor manufacturing, design and prototyping research that strengthens the entire domestic ecosystem and is aligned with the National Strategy on Semiconductor Research.

(B) To establish an Advanced Packaging National Manufacturing Program led by the National Institute of Standards and Technology, in coordination with the Center, to strengthen semiconductor advanced test, assembly, and packaging capability in the domestic ecosystem, and which shall coordinate with the Manufacturing USA institute established under paragraph (3)(C).

(C) To establish an investment fund, in partnership with the private sector, to support startups in the domestic semiconductor ecosystem.

(D) To establish a Semiconductor Manufacturing Program through the Director of the National Institute of Standards and Technology to enable advances and breakthroughs in measurement science, standards, material characterization, instrumentation, testing, and manufacturing capabilities that will accelerate the underlying research and development for design, development, and manufacturability of next generation microelectronics and ensure the competitiveness and leadership of the United States within this sector.

(E) To work with the Secretary of Labor and the private sector to develop workforce training programs and apprenticeships in advanced microelectronic packaging capabilities.

(3) COMPONENTS.—The fund established under paragraph (2)(D) shall cover the following:

(A) Advanced metrology and characterization for manufacturing of microchips using 3 nanometer transistor processes or more advanced processes.

(B) Metrology for security and supply chain verification.

(4) The fund established under (2)(D) may also cover Creation of a Manufacturing USA institute described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d)) that is focused on semiconductor manufacturing. Such institute may emphasize the following:

(A) Research to support the virtualization and automation of maintenance of semiconductor machinery.

(B) Development of new advanced test, assembly and packaging capabilities.

(C) Developing and deploying educational and skills training curricula needed to support the support the industry sector and ensure the U.S. can build and maintain a trusted and predictable talent pipeline.

(e) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out subsection (d), $9,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2030—

(i) of which, $3,000,000,000 shall be available to carry out subsection (d)(2)(A);

(ii) of which, $5,000,000,000 shall be available to carry out subsection (d)(2)(B)

(iii) of which, $500,000,000 shall be available to carry out subsection (d)(2)(C)

(iv) of which, $500,000,000 shall be available to carry out subsection (d)(2)(D)—

(I) of which, $20,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (d)(3)(A);

(II) of which, $20,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (d)(3)(B); and

(III) of which, $50,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (d)(4); and

(v) of which, $50,000,000 shall be available to carry out subsection (d)(2)(E).

(B) EMERGENCY.— Amounts made available pursuant to subparagraph (A) are designated by 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.

(2) SEMICONDUCTOR RESEARCH AT THE DEFENSE ADVANCED RESEARCH PROJECTS AGENCY.—There is authorized to be appropriated to carry out semiconductor research, such as the Electronics Resurgence Initiative, at the Defense Advanced Research Projects Agency, $2,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025. An amount made available pursuant to this paragraph is designated by 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.

(3) SEMICONDUCTOR RESEARCH AT NATIONAL SCIENCE FOUNDATION.—There is authorized to be appropriated to carry out programs at the National Science Foundation on semiconductor research in alignment with the National Strategy on Semiconductor Research, $1,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025. An amount made available pursuant to this paragraph is designated by 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.

(4) SEMICONDUCTOR RESEARCH AT DEPARTMENT OF ENERGY.—There is authorized to be appropriated to carry out programs at the Department of Energy on semiconductor research, in alignment with the National Strategy on Semiconductor Research, $2,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025. An amount made available pursuant to this paragraph is designated by 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.

SA 2102. Mr. SCHUMER (for himself and Mr. YOUNG) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, insert the following:

TITLE XVII—ENDLESS FRONTIER ACT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Endless Frontier Act''.

SEC. 1702. FINDINGS.

Congress finds the following:

(1) For over 70 years, the United States has been the unequivocal global leader in scientific and technological innovation, and as a result the people of the United States have benefitted through good-paying jobs, economic prosperity, and a higher quality of life. Today, however, this leadership position is being eroded and challenged by foreign competitors, some of whom are stealing intellectual property and trade secrets of the United States and aggressively investing in fundamental research and commercialization to dominate the key technology fields of the future. While the United States once led the world in the share of our economy invested in research, our Nation now ranks 9th globally in total research and development and 12th in publicly financed research and development.

(2) Without a significant increase in investment in research, education, technology transfer, and the core strengths of the United States innovation ecosystem, it is only a matter of time before the global competitors of the United States overtake the United States in terms of technological primacy. The country that wins the race in key technologies—such as artificial intelligence, quantum computing, advanced communications, and advanced manufacturing—will be the superpower of the future.

(3) The Federal Government must catalyze United States innovation by boosting fundamental research investments focused on discovering, creating, commercializing, and producing new technologies to ensure the leadership of the United States in the industries of the future.

(4) The distribution of innovation jobs and investment in the United States has become largely concentrated in just a few locations, while much of the Nation has been left out of growth in the innovation sector. More than 90 percent of the Nation's innovation sector employment growth in the last 15 years was generated in just 5 major cities. The Federal Government must address this imbalance in opportunity by partnering with the private sector to build new technology hubs across the country, spreading innovation sector jobs more broadly, and tapping the talent and potential of the entire Nation to ensure the United States leads the industries of the future.

(5) Since its inception, the National Science Foundation has carried out vital work supporting basic research and people to create knowledge that is a primary driver of the economy of the United States and enhances the Nation's security.

SEC. 1703. NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION.

(a) REDESIGNATION OF NATIONAL SCIENCE FOUNDATION AS NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION.—

(1) IN GENERAL.—Section 2 of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861) is amended—

(A) in the section heading, by inserting ''AND TECHNOLOGY'' after ''SCIENCE''; and

(B) by striking ''the National Science Foundation'' and inserting ''the National Science and Technology Foundation''.

(2) REFERENCES.—Any reference in any law, rule, regulation, certificate, directive, instruction, or other official paper in force on the date of enactment of this Act to the National Science Foundation shall be considered to refer and apply to the National Science and Technology Foundation.

(b) ESTABLISHMENT OF DEPUTY DIRECTOR FOR TECHNOLOGY.—Section 6 of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1864a) is amended—

(1) in the section heading, by striking ''DEPUTY DIRECTOR'' and inserting ''DEPUTY DIRECTORS'';

(2) in the first sentence—

(A) by striking ''a Deputy Director'' and inserting ''2 Deputy Directors''; and

(B) by inserting ''and in accordance with the expedited procedures established under S. Res. 116 (112th Congress)'' after ''the Senate'';

(3) in the third sentence, by striking ''The Deputy Director shall receive'' and inserting ''Each Deputy Director shall receive'';

(4) by inserting after the third sentence the following: ''The Deputy Director for Technology shall oversee, and perform duties relating to, the Directorate for Technology of the Foundation, as established under section 8A, and the Deputy Director for Science shall oversee, and perform duties relating to, the other activities and directorates supported by the Foundation.'';

(5) in the last sentence, by striking ''The Deputy Director shall act'' and inserting ''The Deputy Director for Science shall act''; and

(6) by adding at the end the following: ''The Deputy Director for Science shall not act as the acting Deputy Director for Technology.''.

(c) ESTABLISHMENT OF DIRECTORATE FOR TECHNOLOGY.—The Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.) is amended—

(1) in section 8 (42 U.S.C. 1866), by inserting at the end the following: ''Such divisions shall include the Directorate for Technology established under section 8A.''; and

(2) by inserting after section 8 the following:

''SEC. 8A. DIRECTORATE FOR TECHNOLOGY.

''(a) DEFINITIONS.—In this section:

''(1) DEPUTY DIRECTOR.—The term 'Deputy Director' means the Deputy Director for Technology.

''(2) DESIGNATED COUNTRY.—The term 'designated country' means a country that has been approved and designated in writing by the President for purposes of this section, after providing—

''(A) not less than 30 days of advance notification and explanation to the relevant congressional committees before the designation; and

''(B) in-person briefings to such committees, if requested during the 30-day advance notification period described in subparagraph (A).

''(3) DIRECTORATE.—The term 'Directorate' means the Directorate for Technology established under subsection (b).

''(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

''(5) KEY TECHNOLOGY FOCUS AREAS.—The term 'key technology focus areas' means the areas included on the most recent list under subsection (c)(2).

''(6) RELEVANT CONGRESSIONAL COMMITTEES.—The term 'relevant congressional committees' means—

''(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

''(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

''(b) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 90 days after the date of enactment of the Endless Frontier Act, the Director shall establish in the Foundation a Directorate for Technology. The Directorate shall carry out the duties and responsibilities described in this section, in order to further the following goals:

''(A) Strengthening the leadership of the United States in critical technologies through fundamental research in the key technology focus areas.

''(B) Enhancing the competitiveness of the United States in the key technology focus areas by improving education in the key technology focus areas and attracting more students to such areas.

''(C) Consistent with the operations of the Foundation, fostering the economic and societal impact of federally funded research and development through an accelerated translation of fundamental advances in the key technology focus areas into processes and products that can help achieve national goals related to economic competitiveness, domestic manufacturing, national security, shared prosperity, energy and the environment, health, education and workforce development, and transportation.

''(2) DEPUTY DIRECTOR.—The Directorate shall be headed by the Deputy Director.

''(3) ORGANIZATION AND ADMINISTRATIVE MATTERS.—

''(A) HIRING AUTHORITY.—

''(i) EXPERTS IN SCIENCE AND ENGINEERING.—The Director shall have the authority to carry out a program of personnel management authority for the Directorate in the same manner, and subject to the same requirements, as the program of personnel management authority authorized for the Director of the Defense Advanced Research Projects Agency under section 1599h of title 10, United States Code, for the Defense Advanced Research Projects Agency.

''(ii) HIGHLY QUALIFIED EXPERTS IN NEEDED OCCUPATIONS.—In addition to the authority provided under clause (i), the Director shall have the authority to carry out a program of personnel management authority for the Directorate in the same manner, and subject to the same requirements, as the program to attract highly qualified experts carried out by the Secretary of Defense under section 9903 of title 5, United States Code.

''(iii) ADDITIONAL HIRING AUTHORITY.—To the extent needed to carry out the duties in paragraph (1), the Director shall utilize hiring authorities under section 3372 of title 5, United States Code, to staff the Directorate with employees from other Federal agencies, State and local governments, Indian tribes and tribal organizations, institutions of higher education, and other organizations, as described in that section, in the same manner and subject to the same conditions, that apply to such individuals utilized to accomplish other missions of the Foundation.

''(B) PROGRAM MANAGERS.—The employees of the Directorate may include program managers for the key technology focus areas, who shall perform a role similar to programs managers employed by the Defense Advanced Research Projects Agency for the oversight and selection of programs supported by the Directorate.

''(C) SELECTION OF RECIPIENTS.—Recipients of support under the programs and activities of the Directorate shall be selected by program managers or other employees of the Directorate. The Directorate may use a peer review process or the authorities provided under subparagraphs (A) and (B), or some combination of such process and authorities, to inform the selection of award recipients.

''(D) APPLICABILITY.—Subparagraphs (A), (B), and (C) shall apply solely to the Technology Directorate and not to any other directorate of the Foundation.

''(E) ASSISTANT DIRECTORS.—The Director may appoint 1 or more Assistant Directors for the Directorate as the Director determines necessary, in the same manner as

other Assistant Directors of the Foundation are appointed.

''(4) REPORT.—Not later than 120 days after the date of enactment of the Endless Frontier Act, the Director shall prepare and submit a report to the relevant congressional committees regarding the establishment of the Directorate.

''(c) DUTIES AND FUNCTIONS OF THE DIRECTORATE.—

''(1) DEVELOPMENT OF TECHNOLOGY FOCUS OF THE DIRECTORATE.—The Director, acting through the Deputy Director, shall—

''(A) advance innovation in the key technology focus areas through fundamental research and other activities described in this section; and

''(B) develop and implement strategies to ensure that the activities of the Directorate are directed toward the key technology focus areas in order to accomplish the goals described in subparagraphs (A) through (C) of subsection (b)(1) consistent with the most recent report conducted under section 1705(b) of the Endless Frontier Act.

''(2) KEY TECHNOLOGY FOCUS AREAS.—

''(A) INITIAL LIST.—The initial key technology focus areas are—

''(i) artificial intelligence and machine learning;

''(ii) high performance computing, semiconductors, and advanced computer hardware;

''(iii) quantum computing and information systems;

''(iv) robotics, automation, and advanced manufacturing;

''(v) natural or anthropogenic disaster prevention;

''(vi) advanced communications technology;

''(vii) biotechnology, genomics, and synthetic biology;

''(viii) cybersecurity, data storage, and data management technologies;

''(ix) advanced energy; and

''(x) materials science, engineering, and exploration relevant to the other key technology focus areas described in this subparagraph.

''(B) REVIEW OF KEY TECHNOLOGY FOCUS AREAS AND SUBSEQUENT LISTS.—

''(i) ADDING OR DELETING KEY TECHNOLOGY FOCUS AREAS.—Beginning on the date that is 4 years after the date of enactment of the Endless Frontier Act, and every 4 years thereafter, the Director, acting through the Deputy Director—

''(I) shall, in consultation with the Board of Advisors, review the list of key technology focus areas; and

''(II) as part of that review, may add or delete key technology focus areas if the competitive threats to the United States have shifted (whether because the United States or other nations have advanced or fallen behind in a technological area), subject to clause (ii).

''(ii) LIMIT ON KEY TECHNOLOGY FOCUS AREAS.—Not more than 10 key technology focus areas shall be included on the list of key technology focus areas at any time.

''(iii) UPDATING FOCUS AREAS AND DISTRIBUTION.—Upon the completion of each review under this subparagraph, the Director shall make the list of key technology focus areas readily available to the public, including by publishing the list in the Federal Register, even if no changes have been made to the prior list.

''(3) ACTIVITIES.—

''(A) IN GENERAL.—In carrying out the duties and functions of the Directorate, the Director, acting through the Deputy Director, may—

''(i) award grants, cooperative agreements, and contracts to—

''(I) individual institutions of higher education for work at centers or by individual researchers or teams of researchers;

''(II) not-for-profit entities;

''(III) National Laboratories, as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801); and

''(IV) consortia that—

''(aa) shall include and be led by an institution of higher education, and may include 1 or more additional institutions of higher education;

''(bb) may include 1 or more entities described in subclauses (I), (II), or (III) and, if appropriate, for-profit entities, including small businesses; and

''(cc) may include 1 or more entities described in subclause (I) or (II) from treaty allies and security partners of the United States;

''(ii) provide funds to other divisions of the Foundation, including—

''(I) to the other directorates of the Foundation to pursue basic questions about natural and physical phenomena that could enable advances in the key technology focus areas;

''(II) to the Directorate for Social, Behavioral, and Economic Sciences or other relevant directorates of the Foundation to study questions that could affect the design (including human interfaces), operation, deployment, or the social and ethical consequences of technologies in the key technology focus areas; and

''(III) to the Directorate for Education and Human Resources to further the creation of a domestic workforce capable of advancing the key technology focus areas;

''(iii) provide funds to other Federal research agencies, including the National Institute of Standards and Technology, for intramural or extramural work in the key technology focus areas through research, manufacturing, or other means;

''(iv) make awards under the SBIR and STTR programs (as defined in section 9(e) of the Small Business Act (15 U.S.C. 638(e)) in the same manner as awards under such programs are made by the Director of the Foundation;

''(v) administer prize challenges under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) in the key technology focus areas, in order to expand public-private partnerships beyond direct research funding; and

''(vi) enter into and perform such contracts or other arrangements, or modifications thereof, as may be necessary in the conduct of the work of the Directorate and on such terms as the Deputy Director considers appropriate, in furtherance of the purposes of this Act.

''(B) REPORTS.—Not later than 180 days after the date of enactment of the Endless Frontier Act, the Director shall prepare and submit to the relevant congressional committees a spending plan for the next 5 years for each of the activities described in subparagraph (A), including—

''(i) a plan to seek out additional investments from—

''(I) certain designated countries; and

''(II) if appropriate, private sector entities; and

''(ii) the planned activities of the Directorate to secure federally funded science and technology pursuant to section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

''(C) ANNUAL BRIEFING.—Each year, the Director shall formally request a briefing from the Director of the Federal Bureau of Investigation and the Director of the National Counterintelligence and Security Center regarding their efforts to preserve the United States' advantages generated by the activity of the Directorate.

''(4) INTERAGENCY COOPERATION.—In carrying out this section, the Director and other Federal research agencies shall work cooperatively with each other to further the goals of this section in the key technology focus areas. Each year, the Director shall prepare and submit a report to Congress, and shall simultaneously submit the report to the Director of the Office of Science and Technology Policy, describing the interagency cooperation that occurred during the preceding year pursuant to this paragraph, including a list of—

''(A) any funds provided under paragraph (3)(A)(ii) to other divisions of the Foundation; and

''(B) any funds provided under paragraph (3)(A)(iii) to other Federal research agencies.

''(5) PROVIDING SCHOLARSHIPS, FELLOWSHIPS, AND OTHER STUDENT SUPPORT.—

''(A) IN GENERAL.—The Director, acting through the Directorate, shall fund undergraduate scholarships, graduate fellowships and traineeships, and postdoctoral student awards in the key technology focus areas.

''(B) IMPLEMENTATION.—The Director may carry out subparagraph (A) by providing funds—

''(i) to the Directorate for Education and Human Resources of the Foundation for—

''(I) awards directly to students; and

''(II) grants or cooperative agreements to institutions of higher education, including those institutions involved in operating university technology centers established under paragraph (6); and

''(ii) to programs in Federal research agencies that have experience awarding such scholarships, fellowships, traineeships, or postdoctoral awards.

''(C) BROADENING PARTICIPATION.—In carrying out this paragraph, the Director, acting through the Deputy Director, shall work to increase the participation of underrepresented minorities in fields related to the key technology focus areas. For that purpose, the Director may take such steps as establishing or augmenting programs targeted at underrepresented minorities, and supporting traineeships or other relevant programs at institutions of higher education with high enrollments of underrepresented minorities.

''(D) SUPPLEMENT, NOT SUPPLANT.—The Director shall ensure that funds made available under this paragraph shall be used to create additional support for postsecondary students and shall not displace funding for any other available support.

''(6) UNIVERSITY TECHNOLOGY CENTERS.—

''(A) IN GENERAL.—From amounts made available to the Directorate, the Director shall, through a competitive application and selection process, award grants to or enter into cooperative agreements with institutions of higher education or consortia described in paragraph (3)(A)(i)(III) to establish university technology centers.

''(B) USES OF FUNDS.—

''(i) IN GENERAL.—A center established under a grant or cooperative agreement under subparagraph (A)—

''(I) shall use support provided under such subparagraph—

''(aa) to carry out fundamental research to advance innovation in the key technology focus areas; and

''(bb) to further the development of innovations in the key technology focus areas, including—

''(AA) innovations derived from research carried out under item (aa), through such activities as proof-of-concept development and prototyping, in order to reduce the cost, time, and risk of commercializing new technologies; and

''(BB) through the use of public-private partnerships; and

''(II) may use support provided under such subparagraph—

''(aa) for the costs of equipment, including mid-tier infrastructure, and the purchase of cyberinfrastructure resources, including computer time; or

''(bb) for other activities or costs necessary to accomplish the purposes of this section.

''(ii) SUPPORT OF REGIONAL TECHNOLOGY HUBS.—Each center established under subparagraph (A) may support and participate in, as appropriate, the activities of any regional technology hub designated under section 27(d) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722(d)).

''(C) SELECTION PROCESS.—In selecting recipients under this paragraph, the Director, acting through the Deputy Director, shall consider—

''(i) the capacity of the applicant to pursue and advance fundamental research, particularly research on questions not being widely pursued elsewhere in academia or in industry;

''(ii) the extent to which the applicant's proposed research would be likely to advance progress in 1 or more key technology focus areas;

''(iii) the capacity of the applicant to engage industry in building on any advances; and

''(iv) in the case of a consortium, the range of institutions of higher education participating in the consortium, including whether the consortium includes historically Black colleges or universities, minority-serving institutions, or other institutions capable of involving underrepresented minorities in the proposed project.

''(D) REQUIREMENTS.—The Director shall ensure that any institution of higher education or consortium receiving a grant or cooperative agreement under subparagraph (A) has demonstrated an ability to advance the goals described in subsection (b)(1).

''(7) MOVING TECHNOLOGY FROM LABORATORY TO MARKET.—

''(A) PROGRAM AUTHORIZED.—The Director shall establish a program in the Directorate to award grants, on a competitive basis, to institutions of higher education or consortia described in paragraph (3)(A)(i)(III)—

''(i) to build capacity at an institution of higher education and in its surrounding region to increase the likelihood that new technologies in the key technology focus areas will succeed in the commercial market; and

''(ii) with the goal of promoting experiments with a range of models that institutions of higher education could use to—

''(I) enable new technologies to mature to the point where the technologies are more likely to succeed in the commercial market; and

''(II) reduce the risks to commercial success for new technologies earlier in their development.

A grant awarded under this subparagraph for a purpose described in clause (i) or (ii) may also enable the institution of higher education or consortium to provide training and support to scientists and engineers who are interested in research and commercialization, if the use is included in the proposal submitted under subparagraph (B).

''(B) PROPOSALS.—An institution of higher education or consortium desiring a grant under this paragraph shall submit a proposal to the Director at such time, in such manner, and containing such information as the Director may require. The proposal shall include a description of—

''(i) the steps the applicant will take to reduce the risks for commercialization for new technologies;

''(ii) why such steps are likely to be effective; and

''(iii) how such steps differ from previous efforts to reduce the risks for commercialization for new technologies.

''(C) USE OF FUNDS.—A recipient of a grant under this paragraph shall use grant funds to reduce the risks for commercialization for new technologies developed on campus, which may include—

''(i) creating and funding competitions to allow entrepreneurial ideas from institutions of higher education to illustrate their commercialization potential;

''(ii) facilitating mentorships between local and national business leaders and potential entrepreneurs to encourage successful commercialization;

''(iii) creating and funding for-profit or not-for-profit entities that could enable researchers at institutions of higher education to further develop new technology prior to seeking commercial financing, through patient funding, advice, staff support, or other means;

''(iv) providing off-campus facilities for start-up companies where technology maturation could occur; and

''(v) revising institution policies to accomplish the goals of this paragraph.

''(8) TEST BEDS.—

''(A) PROGRAM AUTHORIZED.—The Director, acting through the Deputy Director, shall establish a program in the Directorate to award grants, on a competitive basis, to institutions of higher education or consortia described in paragraph (3)(A)(i)(III) to establish test beds and fabrication facilities to advance the operation, integration and, as appropriate, manufacturing of new, innovative technologies in the key technology focus areas, which may include hardware or software. The goal of such test beds and facilities shall be to accelerate the movement of innovative technologies into the commercial market through existing and new companies.

''(B) PROPOSALS.—A proposal submitted under this paragraph shall, at a minimum, describe—

''(i)(I) the 1 or more technologies that will be the focus of the test bed or fabrication facility;

''(II) the goals of the work to be done at the test bed or facility; and

''(III) the expected schedule for completing that work;

''(ii) how the applicant will assemble a workforce with the skills needed to operate the test bed or facility;

''(iii) how the applicant will ensure that work in the test bed or facility will contribute to the commercial viability of any technologies, which may include collaboration and funding from industry partners;

''(iv) how the applicant will encourage the participation of entrepreneurs and the development of new businesses; and

''(v) how the test bed or facility will operate after Federal funding has ended.

''(C) AWARDS.—Grants made under this paragraph—

''(i) shall be for 5 years, with the possibility of one 3-year extension; and

''(ii) may be used for the purchase of equipment, the support of graduate students and postdoctoral researchers, and the salaries of staff.

''(D) REQUIREMENTS.—As a condition of receiving a grant under this paragraph, an institution of higher education or consortium shall publish and share with the public the results of the work conducted under this paragraph.

''(9) INAPPLICABILITY.—Section 5(e)(1) shall not apply to grants, contracts, or other arrangements made under this section.

''(d) BOARD OF ADVISORS.—

''(1) IN GENERAL.—There is established in the Foundation a Board of Advisors for the Directorate (referred to in this section as the 'Board of Advisors'), which shall provide advice to the Deputy Director pursuant to this subsection. The Board of Advisors shall not have any decision-making authority.

''(2) MEMBERSHIP.—

''(A) COMPOSITION.—The Board of Advisors shall be comprised of 12 members representing scientific leaders and experts from industry and academia, of whom—

''(i) 2 shall be appointed by the majority leader of the Senate;

''(ii) 2 shall be appointed by the minority leader of the Senate;

''(iii) 2 shall be appointed by the Speaker of the House of Representatives;

''(iv) 2 shall be appointed by the minority leader of the House of Representatives; and

''(v) 4 shall be appointed by the Director.

''(B) OPPORTUNITY FOR INPUT.—Before appointing any member under subparagraph (A), the appointing authority shall provide an opportunity for the National Academies of Sciences, Engineering, and Medicine and other entities to provide advice regarding potential appointees.

''(C) QUALIFICATIONS.—

''(i) IN GENERAL.—Each member appointed under subparagraph (A) shall—

''(I) have extensive experience in a field related to the work of the Directorate or other expertise relevant to developing technology roadmaps; and

''(II) have, or be able to obtain within a reasonable period of time, a security clearance appropriate for the work of the Board of Advisors.

''(ii) EXPEDITED SECURITY CLEARANCES.—The process of obtaining a security clearance under clause (i)(II) may be expedited by the head of the appropriate Federal agency to enable the Board to receive classified briefings on the current and future technological capacity of other nations, and on the military implications of civilian technologies.

''(D) DATE.—The appointments of the members of the Board of Advisors shall be made not later than 90 days after the date of enactment of the Endless Frontier Act.

''(3) PERIOD OF APPOINTMENT; VACANCIES.—

''(A) IN GENERAL.—A member of the Board of Advisors shall be appointed for a 3-year term, except that the Deputy Director shall adjust the terms for the first members of the Board of Advisors so that, within each appointment category described in clauses (i) through (v) of paragraph (2)(A), the terms expire on a staggered basis.

''(B) TERM LIMITS.—A member of the Board of Advisors shall not serve for more than 2 full consecutive terms.

''(C) VACANCIES.—Any vacancy in the Board of Advisors—

''(i) shall not affect the powers of the Board of Advisors; and

''(ii) shall be filled in the same manner as the original appointment.

''(4) CHAIRPERSON.—The members of the Board of Advisors shall elect 1 member to serve as the chairperson of the Board of Advisors.

''(5) MEETINGS.—

''(A) INITIAL MEETING.—Not later than 180 days after the date of enactment of the Endless Frontier Act, the Board of Advisors shall hold the first meeting of the Board of Advisors.

''(B) ADDITIONAL MEETINGS.—After the first meeting of the Board of Advisors, the Board of Advisors shall meet upon the call of the chairperson or of the Director, and at least

once every 180 days for the duration of the Board of Advisors.

''(C) MEETING WITH THE NATIONAL SCIENCE BOARD.—The Board of Advisors shall hold a joint meeting with the National Science Board on at least an annual basis, on a date mutually selected by the chairperson of the Board of Advisors and the Chairman of the National Science Board.

''(D) QUORUM.—A majority of the members of the Board of Advisors shall constitute a quorum, but a lesser number of members may hold hearings.

''(6) DUTIES OF BOARD OF ADVISORS.—

''(A) IN GENERAL.—The Board of Advisors shall provide advice—

''(i) to the Deputy Director on programs that could best be carried out to accomplish the purposes of this section;

''(ii) to the Deputy Director to inform the reviews of key technology focus areas required under subsection (c)(2)(B); and

''(iii) on other issues relating to the purposes and responsibilities of the Directorate, as requested by the Deputy Director.

''(B) NO ROLE IN AWARDING GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS.—The Board of Advisors shall not provide advice on or otherwise help determine what entities shall receive grants, contracts, or cooperative agreements under this Act.

''(7) POWERS OF BOARD OF ADVISORS.—

''(A) HEARINGS.—The Board of Advisors may hold public or private hearings, sit and act at such times and places, take such testimony and receive such evidence (including classified testimony and evidence), and administer such oaths as may be necessary to carry out the functions of the Board of Advisors under paragraph (6).

''(B) INFORMATION FROM FEDERAL AGENCIES.—

''(i) IN GENERAL.—Each Federal department or agency shall, in accordance with applicable procedures for the handling of classified information, provide reasonable access to documents, statistical data, and other such information that the Deputy Director, in consultation with the chairperson of the Board of Advisors, determines necessary to carry out its functions under paragraph (6).

''(ii) OBTAINING CLASSIFIED INFORMATION.—If the Board of Advisors, acting through the chairperson, seeks classified information from a Federal department or agency, the Deputy Director shall submit a written request to the head of the Federal department or agency for access to classified documents and statistical data, and other classified information described in clause (i), that is under the control of such agency.

''(C) FINANCIAL DISCLOSURE REPORTS.—Each member of the Board of Advisors shall be required to file a financial disclosure report under title I of the Ethics in Government Act of 1978, except that such reports shall be held confidential and exempt from any law otherwise requiring their public disclosure.

''(8) BOARD OF ADVISORS PERSONNEL AND OPERATIONAL MATTERS.—

''(A) COMPENSATION OF MEMBERS.—

''(i) IN GENERAL.—A member of the Board of Advisors shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Board of Advisors.

''(ii) NO FEDERAL EMPLOYEE MEMBERS.—No member of the Board of Advisors may be an officer or employee of the United States during the member's term on the Board of Advisors.

''(B) TRAVEL EXPENSES.—A member of the Board of Advisors shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their home or regular places of business in the performance of services for the Board of Advisors.

''(C) STAFF.—The Deputy Director, in consultation with the chairperson of the Board of Advisors, shall assign an employee of the Foundation to serve as an executive director for the Board of Advisors.

''(D) GOVERNMENT EMPLOYEES.—

''(i) IN GENERAL.—Any Federal Government employee may be detailed to the Board of Advisors without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

''(ii) EMPLOYEES OF THE LEGISLATIVE BRANCH.—The Deputy Director shall establish procedures and policies to enable an employee of an office, agency, or other entity in the legislative branch of the Government to support the activities of the Board of Advisors.

''(E) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The chairperson of the Board of Advisors, with approval from the Deputy Director, may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

''(F) ASSISTANCE FROM FEDERAL AGENCIES.—A Federal department or agency may provide to the Board of Advisors such services, funds, facilities, staff, and other support services as the department or agency may determine advisable and as may be authorized by law.

''(9) PERMANENT BOARD.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board of Advisors.

''(e) AREAS OF FUNDING SUPPORT.—Subject to the availability of funds under subsection (f), the Director shall, for each fiscal year, use—

''(1) not less than 35 percent of funds provided to the Directorate for such year to carry out subsection (c)(6);

''(2) not less than 15 percent of such funds to carry out subsection (c)(5) with the goal of awarding, across the key technology focus areas—

''(A) not fewer than 1,000 post-doctorate fellowships;

''(B) not fewer than 2,000 graduate fellowships and traineeships;

''(C) not fewer than 1,000 undergraduate scholarships; and

''(D) if funds remain after carrying out subparagraphs (A) through (C), grants to institutions of higher education to enable the institutions to fund the development and establishment of new or specialized courses of education for graduate, undergraduate, or technical college students;

''(3) not less than 5 percent of such funds to carry out subsection (c)(7);

''(4) not less than 10 percent of such funds to carry out subsection (c)(8) by establishing and equipping test beds and fabrication facilities;

''(5) not less than 15 percent of such funds to carry out research and related activities pursuant to subclauses (I) and (II) of subsection (c)(3)(A)(ii); and

''(6) not less than 12 percent of such funds to support research in the key technology focus areas through the Established Program to Stimulate Competitive Research under section 113 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1862g).

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated for the Directorate, in addition to any other funds made available to the Directorate, a total of $100,000,000,000 for fiscal years 2021 through 2025, of which—

''(A) $2,000,000,000 is authorized for fiscal year 2021;

''(B) $8,000,000,000 is authorized for fiscal year 2022;

''(C) $20,000,000,000 is authorized for fiscal year 2023;

''(D) $35,000,000,000 is authorized for fiscal year 2024; and

''(E) $35,000,000,000 is authorized for fiscal year 2025.

''(2) APPROPRIATIONS LIMITATIONS.—

''(A) HOLD HARMLESS.—No funds shall be appropriated to the Directorate or to carry out this section for any fiscal year in which the total amount appropriated to the Foundation (not including amounts appropriated for the Directorate) is less than the total amount appropriated to the Foundation (not including such amounts), adjusted by the rate of inflation, for the previous fiscal year.

''(B) NO TRANSFER OF FUNDS.—The Director shall not transfer any funds appropriated to any other directorate or office of the Foundation to the Directorate.

''(g) RULES OF CONSTRUCTION.—

''(1) NO CLASSIFIED RESEARCH.—Nothing in this Act shall be construed to permit the Foundation to fund classified research.

''(2) NO ALTERATIONS OF OTHER MISSIONS OR SELECTION PROCESSES OF THE FOUNDATION.—Nothing in this section or any other amendments made to this Act by the Endless Frontier Act shall be construed to alter the mission of any directorate of the Foundation existing prior to the date of enactment of such Act, or to alter the award selection methods or criteria used by such directorates.''.

(d) ANNUAL REPORT ON UNFUNDED PRIORITIES.—

(1) ANNUAL REPORT.—Not later than 10 days after the date on which the budget of the President for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Director shall submit to the President and to Congress a report on the unfunded priorities of the National Science and Technology Foundation.

(2) ELEMENTS.—Each report submitted under paragraph (1) shall provide—

(A) for each directorate of the National Science Foundation for the most recent, fully completed fiscal year—

(i) the proposal success rate;

(ii) the percentage of proposals that were not funded and that met the criteria for funding; and

(iii) the most promising research areas covered by proposals described in clause (ii); and

(B) a list, in order of priority, of the next activities that should be undertaken in the Major Research Equipment and Facilities Construction account.

SEC. 1704. REGIONAL TECHNOLOGY HUB PROGRAM.

(a) DEFINITIONS.—

(1) KEY TECHNOLOGY FOCUS AREAS.—Subsection (a) of section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722) is amended—

(A) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) KEY TECHNOLOGY FOCUS AREAS.—The term 'key technology focus areas' means the areas included on the most recent list under section 8A(c)(2) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.).''.

(2) VENTURE DEVELOPMENT ORGANIZATIONS.—Paragraph (5) of such subsection, as redesignated by paragraph (1) of this subsection, is amended by striking ''purposes

of'' and all that follows through the period at the end and inserting the following: ''purposes of—

''(A) accelerating the commercialization of research;

''(B) strengthening the competitive position of industry through the development, commercial adoption, or deployment of technology; and

''(C) providing financial grants, loans, direct financial investment, or in-kind services to commercialize technology.''.

(b) DESIGNATION OF AND SUPPORT FOR REGIONAL TECHNOLOGY HUBS AS PART OF REGIONAL INNOVATION PROGRAM OF DEPARTMENT OF COMMERCE.—

(1) IN GENERAL.—Such section is amended—

(A) by redesignating subsections (d) through (h) as subsections (e) through (i), respectively; and

(B) by inserting after subsection (c) the following:

''(d) DESIGNATION OF AND GRANTS IN SUPPORT OF REGIONAL TECHNOLOGY HUBS.—

''(1) PROGRAM REQUIRED.—

''(A) IN GENERAL.—As part of the program established under subsection (b), the Secretary shall carry out a program—

''(i) to designate eligible consortia as regional technology hubs that create the conditions, within a region, to facilitate activities that—

''(I) enable United States leadership in a key technology focus area, complementing the Federal research and development investments under section 8A of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.); and

''(II) support regional economic development that diffuses innovation capacity around the United States, enabling better broad-based growth and competitiveness in key technology focus areas; and

''(ii) to support regional technology hubs designated under clause (i).

''(B) ELIGIBLE CONSORTIA.—For purposes of this section, an eligible consortium is a consortium that—

''(i) includes—

''(I) an institution of higher education;

''(II) a local or Tribal government or other political subdivision of a State;

''(III) a representative appointed by the governor of the State or States that is representative of the geographic coverage of the regional technology hub; and

''(IV) an economic development organization or similar entity that is focused primarily on improving science, technology, innovation, or entrepreneurship; and

''(ii) may include 1 or more—

''(I) nonprofit economic development entities with relevant expertise, including a district organization (as defined in section 300.3 of title 13, Code of Federal Regulations, or successor regulation);

''(II) venture development organizations;

''(III) financial institutions;

''(IV) primary and secondary educational institutions, including career and technical education schools;

''(V) workforce training organizations, including State workforce development boards as established under section 101 of the Workforce Investment and Opportunity Act (29 U.S.C. 3111);

''(VI) industry associations;

''(VII) labor organizations;

''(VIII) firms in the key technology focus areas;

''(IX) National Laboratories (as defined in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801));

''(X) Federal laboratories;

''(XI) Centers (as defined in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a));

''(XII) Manufacturing USA institutes (as described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d))); and

''(XIII) institutions receiving an award under paragraph (6) or (7) of section 8A(c) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.).

''(C) ADMINISTRATION.—The Secretary shall carry out this subsection through the Assistant Secretary of Commerce for Economic Development and the Under Secretary of Commerce for Standards and Technology, jointly.

''(2) DESIGNATION OF REGIONAL TECHNOLOGY HUBS.—

''(A) IN GENERAL.—The Secretary shall use a competitive process for the designation of regional technology hubs under paragraph (1)(A)(i).

''(B) NUMBER OF REGIONAL TECHNOLOGY HUBS.—During the 5-year period beginning on the date of the enactment of the Endless Frontier Act, the Secretary shall designate not fewer than 10 and not more than 15 eligible consortia as regional technology hubs under paragraph (1)(A)(i), if the Secretary has received a sufficient number of qualified applications and appropriations to carry out this subsection.

''(C) GEOGRAPHIC DISTRIBUTION.—In conducting the competitive process under subparagraph (A), the Secretary shall ensure geographic distribution in the designation of regional technology hubs—

''(i) aiming to designate regional technology hubs in as many regions of the United States as possible;

''(ii) focusing on localities that have clear potential and relevant assets for developing a key technology focus area but have not yet become leading technology centers; and

''(iii) by including at least 2 States eligible to receive funding from the Established Program to Stimulate Competitive Research of the National Science Foundation in each regional technology hub.

''(3) GRANTS AND COOPERATIVE AGREEMENTS.—

''(A) IN GENERAL.—The Secretary shall carry out clause (ii) of paragraph (1)(A) through the award of grants or cooperative agreements to eligible consortia designated under clause (i) of such paragraph.

''(B) TERM.—Each grant or cooperative agreement awarded under subparagraph (A) shall be for a period of 5 years, but may be renewed once for an additional period of 5 years.

''(C) MATCHING REQUIRED.—The total Federal financial assistance awarded in a given year to an eligible consortium in support of the eligible consortium's operation as a regional technology hub under this subsection shall not exceed amounts as follows:

''(i) In first year of the grant or cooperative agreement, 90 percent of the total funding of the regional technology hub in that fiscal year.

''(ii) In second year of the grant or cooperative agreement, 85 percent of the total funding of the regional technology hub in that fiscal year.

''(iii) In third year of the grant or cooperative agreement, 80 percent of the total funding of the regional technology hub in that fiscal year.

''(iv) In fourth year of the grant or cooperative agreement and each year thereafter, 75 percent of the total funding of the regional technology hub in that fiscal year.

''(D) USE OF GRANT AND COOPERATIVE AGREEMENT FUNDS.—The recipient of a grant or cooperative awarded under subparagraph (A) shall use the grant or cooperative agreement for multiple activities determined appropriate by the Secretary, including—

''(i) the permissible activities set forth under subsection (c)(2); and

''(ii) activities in support of key technology focus areas—

''(I) to develop the region's skilled workforce through the training and retraining of workers and alignment of career technical training and educational programs in the region's elementary and secondary schools and institutions of higher education;

''(II) to develop regional strategies for infrastructure improvements and site development in support of the regional technology hub's plans and programs;

''(III) to support business activity that develops the domestic supply chain and encourages the creation of new business entities;

''(IV) to attract new private, public, and philanthropic investment in the region for developing innovation capacity, including establishing regional venture and loan funds for financing technology commercialization, new business formation, and business expansions;

''(V) to further the development of innovations in the key technology focus areas, including innovations derived from research conducted at institutions of higher education or other research entities, including research conducted by 1 or more university technology centers established under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.), through activities that may include—

''(aa) proof-of-concept development and prototyping;

''(bb) public-private partnerships in order to reduce the cost, time, and risk of commercializing new technologies;

''(cc) creating and funding competitions to allow entrepreneurial ideas from institutions of higher education to illustrate their commercialization potential;

''(dd) facilitating mentorships between local and national business leaders and potential entrepreneurs to encourage successful commercialization;

''(ee) creating and funding for-profit or not-for-profit entities that could enable researchers at institutions of higher education and other research entities to further develop new technology prior to seeking commercial financing, through patient funding, advice, staff support, or other means; and

''(ff) providing facilities for start-up companies where technology maturation could occur; and

''(VI) to carry out such other activities as the Secretary considers appropriate to improve United States competitiveness and regional economic development to support a key technology focus area and that would further the purposes of the Endless Frontiers Act.

''(4) APPLICATIONS.—

''(A) IN GENERAL.—An eligible consortium seeking designation as a regional technology hub under clause (i) of paragraph (1)(A) and support under clause (ii) of such paragraph shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may specify.

''(B) CONSULTATION WITH NATIONAL SCIENCE FOUNDATION UNIVERSITY TECHNOLOGY CENTERS.—In preparing an application for submittal under subparagraph (A), an applicant shall, to the extent practicable, consult with one or more university technology centers established under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.) that are either geographically relevant or are conducting research on relevant key technology focus areas.

''(5) CONSIDERATIONS FOR DESIGNATION AND GRANT AWARDS.—In selecting an eligible consortium that submitted an application under paragraph (4)(A) for designation and support

under paragraph (1)(A), the Secretary shall consider, at a minimum, the following:

''(A) The potential of the eligible consortium to advance the development of new technologies in a key technology focus area.

''(B) The likelihood of positive regional economic effect, including increasing the number of high wage jobs, and creating new economic opportunities for economically disadvantaged populations.

''(C) How the eligible consortium plans to integrate with and leverage the resources of one or more university technology centers established under section 8A(c)(6) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.) in a related key technology focus area.

''(D) How the eligible consortium will engage with the private sector, including small- and medium-sized enterprises to commercialize new technologies and develop new supply chains in the United States in a key technology focus area.

''(E) How the eligible consortium will carry out workforce development and skills acquisition programming, including through the use of apprenticeships, mentorships, and other related activities authorized by the Secretary, to support the development of a key technology focus area.

''(F) How the eligible consortium will improve science, technology, engineering, and mathematics education programs in the identified region in elementary and secondary school and higher education institutions located in the identified region to support the development of a key technology focus area.

''(G) How the eligible consortium plans to develop partnerships with venture development organizations and sources of private investment in support of private sector activity, including launching new or expanding existing companies, in a key technology focus area.

''(H) How the eligible consortium plans to organize the activities of regional partners in the public, private, and philanthropic sectors in support of the proposed regional technology hub, including the development of necessary infrastructure improvements and site preparation.

''(I) How the eligible consortium plans to address economic inclusion, including ensuring that skill development, entrepreneurial assistance, and other activities focus on economically disadvantaged populations.

''(6) COORDINATION WITH NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY PROGRAMS.—

''(A) DEFINITIONS.—In this paragraph:

''(i) MANUFACTURING EXTENSION CENTER.—The term 'manufacturing extension center' has the meaning given the term 'Center' in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a).

''(ii) MANUFACTURING USA INSTITUTE.—The term 'Manufacturing USA institute' means a Manufacturing USA institute described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d)).

''(B) COORDINATION REQUIRED.—The Secretary shall coordinate the activities of regional technology hubs designated under this subsection, the Hollings Manufacturing Extension Partnership, and the Manufacturing USA Program with each other to the degree that doing so does not diminish the effectiveness of the ongoing activities of a manufacturing extension center or a Manufacturing USA institute.

''(C) ELEMENTS.—Coordination by the Secretary under subparagraph (B) may include the following:

''(i) The alignment of activities of the Hollings Manufacturing Extension Partnership with the activities of regional technology hubs designated under this subsection, if applicable.

''(ii) The alignment of activities of the Manufacturing USA Program and the Manufacturing USA institutes with the activities of regional technology hubs designated under this subsection, if applicable.

''(7) INTERAGENCY COLLABORATION.—In assisting regional technology hubs designated under paragraph (1)(A)(i), the Secretary—

''(A) shall collaborate with Federal departments and agencies whose missions contribute to the goals of the regional technology hub;

''(B) may accept funds from other Federal agencies to support grants and activities under this subsection; and

''(C) may establish interagency agreements with other Federal departments or agencies to provide preferential consideration for financial or technical assistance to a regional technology hub designated under this subsection if all applicable requirements for the financial or technical assistance are met.

''(8) PERFORMANCE MEASUREMENT, TRANSPARENCY, AND ACCOUNTABILITY.—

''(A) METRICS, STANDARDS, AND ASSESSMENT.—For each grant awarded under paragraph (3) for a regional technology hub, the Secretary shall—

''(i) develop metrics to assess the effectiveness of the activities funded in making progress toward the purposes set forth under paragraph (1)(A), which may include:

''(I) research supported in a key technology focus area;

''(II) commercialization activities undertaken by each regional technology hub that is designated and supported under paragraph (1)(A);

''(III) educational and workforce development improvements undertaken by each regional technology hub that is designated and supported under paragraph (1)(A);

''(IV) sources of matching funds for each regional technology hub that is designated and supported under paragraph (1)(A); and

''(V) job creation, patent awards, and business formation and expansion relating to the activities of the regional tech hub that is designated and supported under paragraph (1)(A);

''(ii) establish standards for the performance of the regional technology hub that are based on the metrics developed under clause (i); and

''(iii) 2 years after the initial award under paragraph (3) and each year thereafter until Federal financial assistance under this subsection for the regional technology hub is discontinued, conduct an assessment of the regional technology hub to confirm whether the performance of the regional technology hub is meeting the standards for performance established under clause (ii).

''(B) ANNUAL REPORT.—Not less frequently than once each year, the Secretary shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Appropriations of the House of Representatives an annual report on the results of the assessments conducted by the Secretary under subparagraph (A)(iii) during the period covered by the report.''.

(2) INITIAL DESIGNATIONS AND AWARDS.—

(A) COMPETITION REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce shall commence a competition under paragraph (2)(A) of section 27(d) of the Stevenson-Wydler Technology Innovation Act of 1980, as added by paragraph (1).

(B) DESIGNATION AND AWARD.—Not later than 1 year after the date of the enactment of this Act, if the Secretary has received at least 1 application under paragraph (4) of such section from an eligible consortium whom the Secretary considers suitable for designation under paragraph (1)(A)(i) of such section, the Secretary shall—

(i) designate at least 1 regional technology hub under paragraph (1)(A)(i) of such section; and

(ii) award a grant under paragraph (3)(A) of such section to each regional technology hub designated under clause (i) of this subparagraph.

(c) AUTHORIZATION OF APPROPRIATIONS.—Subsection (i) of such section, as redesignated by subsection (c)(1)(A) of this section, is amended—

(1) by striking ''From amounts'' and inserting the following:

''(1) IN GENERAL.—From amounts'';

(2) in paragraph (1), as redesignated by paragraph (1) of this subsection, by striking ''this section'' and inserting ''the provisions of this section other than subsection (d)''; and

(3) by adding at the end the following:

''(2) REGIONAL TECHNOLOGY HUBS.—There is authorized to be appropriated to the Secretary to carry out subsection (d) $10,000,000,000 for the period of fiscal year 2021 through 2025.''.

(d) TECHNOLOGY COMMERCIALIZATION REVIEW.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology, in consultation with the Director of the National Science and Technology Foundation, shall review the structure of current technology research and commercialization arrangements with regard to public-private partnerships and provide a recommendation to the Secretary of Commerce and relevant congressional committees on what changes, if any, are necessary to further incentivize industry participation in public-private partnerships for the purposes of accelerating technology research and commercialization in key technology areas.

SEC. 1705. STRATEGY AND REPORT ON ECONOMIC SECURITY, SCIENCE, RESEARCH, AND INNOVATION TO SUPPORT THE NATIONAL SECURITY STRATEGY.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Energy and Natural Resources, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) KEY TECHNOLOGY FOCUS AREA.—The term ''key technology focus area'' means an area included on the most recent list under section 8A(c)(2) of the Act of May 10, 1950 (64 Stat. 149, chapter 171; 42 U.S.C. 1861 et seq.).

(3) NATIONAL SECURITY STRATEGY.—The term ''national security strategy'' means the national security strategy required by section 108 of the National Security Act of 1947 (50 U.S.C. 3043).

(b) STRATEGY AND REPORT.—

(1) IN GENERAL.—In 2021 and in each year thereafter before the applicable date set forth under paragraph (2), the Director of the

Office of Science and Technology Policy, in coordination with the Director of the National Economic Council, the Director of the National Science Foundation, the Secretary of Commerce, the National Security Council, and the heads of other relevant Federal agencies, shall—

(A) review such strategy, programs, and resources as the Director of the Office of Science and Technology Policy determines pertain to United States national competitiveness in science, research, and innovation to support the national security strategy;

(B) develop a strategy for the Federal Government to improve the national competitiveness of the United States in science, research, and innovation to support the national security strategy; and

(C) submit to the appropriate committees of Congress—

(i) a report on the findings of the Director with respect to the review conducted under paragraph (1); and

(ii) the strategy developed or revised under paragraph (2).

(2) APPLICABLE DATES.—In each year, the applicable date set forth under this paragraph is as follows:

(A) In 2021, December 31, 2021.

(B) In 2022 and every year thereafter—

(i) in any year in which a new President is inaugurated, October 1 of that year; and

(ii) in any other year, the date that is 90 days after the date of the transmission to Congress in that year of the national security strategy.

(c) ELEMENTS.—

(1) REPORT.—Each report submitted under subsection (b)(1)(C)(i) shall include the following:

(A) An assessment of public and private investment in civilian and military science and technology and its implications for the geostrategic position and national security of the United States.

(B) A description of the prioritized economic security interests and objectives of the United States relating to science, research, and innovation and an assessment of how investment in civilian and military science and technology can advance those objectives.

(C) An assessment of how regional efforts are contributing and could contribute to the innovation capacity of the United States, including—

(i) programs run by State and local governments; and

(ii) regional factors that are contributing or could contribute positively to innovation.

(D) An assessment of barriers to competitiveness in key technology focus areas and barriers to the development and evolution of start-ups, small and mid-sized business entities, and industries in key technology focus areas.

(E) An assessment of the effectiveness of the Federal Government, federally funded research and development centers, and national labs in supporting and promoting technology commercialization and technology transfer, including an assessment of the adequacy of Federal research and development funding in promoting competitiveness and the development of new technologies.

(F) An assessment of manufacturing capacity, logistics, and supply chain dynamics of major export sectors, including access to a skilled workforce, physical infrastructure, and broadband network infrastructure.

(2) STRATEGY.—Each strategy submitted under subsection (b)(1)(C)(ii) shall include the following:

(A) A plan to utilize available tools to address or minimize the leading threats and challenges and to take advantage of the leading opportunities, including the following:

(i) Specific objectives, tasks, metrics, and milestones for each relevant Federal agency.

(ii) Specific plans to support public and private sector investment in research, technology development, and domestic manufacturing in key technology focus areas supportive of the national economic competitiveness of the United States and to foster the prudent use of public-private partnerships.

(iii) Specific plans to promote environmental stewardship and fair competition for United States workers.

(iv) A description of—

(I) how the strategy submitted under subsection (b)(3)(B) supports the national security strategy; and

(II) how the strategy submitted under such subsection is integrated and coordinated with the most recent national defense strategy under section 113(g) of title 10, United States Code.

(v) A plan to encourage the governments of countries that are allies or partners of the United States to cooperate with the execution of the strategy submitted under subsection (b)(3)(B), where appropriate.

(vi) A plan to encourage certain international and multilateral organizations to support the implementation of such strategy.

(vii) A plan for how the United States should develop local and regional capacity for building innovation ecosystems across the nation by providing Federal support.

(viii) A plan for strengthening the industrial base of the United States.

(B) An identification of additional resources, administrative action, or legislative action recommended to assist with the implementation of such strategy.

(d) FORM OF REPORTS AND STRATEGIES.—Each report and strategy submitted under subsection (b) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1706. CONFORMING AMENDMENTS.

(a) SCIENTIFIC AND ADVANCED-TECHNOLOGY ACT OF 1992.—The Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862h et seq.) is amended—

(1) in section 2(a)(5) (42 U.S.C. 1862h(a)(5)), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation''; and

(2) in section 3 (42 U.S.C. 1862i), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(b) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1998.—The National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862k et seq.) is amended—

(1) in each of paragraphs (1) and (2) of section 2 (112 Stat. 869), by striking ''National Science Foundation established'' and inserting ''National Science and Technology Foundation established''; and

(2) in section 101(a)(6) (42 U.S.C. 1862k(a)(6)), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(c) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2002.—The National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n et seq.) is amended—

(1) in section 2 (42 U.S.C. 1862n note), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation'';

(2) in each of paragraphs (4) and (7) of section 4 (42 U.S.C. 1862n note), by striking ''National Science Foundation established'' and inserting ''National Science and Technology Foundation established''; and

(3) in section 10A (42 U.S.C. 1862n–1a)—

(A) in the section heading, by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**'';

(B) in the subsection heading of subsection (e), by inserting ''AND TECHNOLOGY'' after ''NATIONAL SCIENCE''; and

(C) by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(d) AMERICA COMPETES ACT.—The America COMPETES Act (Public Law 110–69; 121 Stat. 572) is amended—

(1) in each of sections 1006(c)(1)(K) (15 U.S.C. 3718(c)(1)(K)), 4001 (33 U.S.C. 893), and 5003(b)(1), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation'';

(2) in section 7001(5) (42 U.S.C. 1862o note), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation''; and

(3) in the title heading for title VII, by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**''.

(e) NATIONAL SCIENCE AND TECHNOLOGY POLICY, ORGANIZATION, AND PRIORITIES ACT OF 1976.—The National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.) is amended—

(1) in section 205(b)(2) (42 U.S.C. 6614(b)(2)), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation''; and

(2) in section 206 (42 U.S.C. 6615), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(f) AMERICA COMPETES REAUTHORIZATION ACT OF 2010.—The America COMPETES Reauthorization Act of 2010 (Public Law 111–358; 124 Stat. 3982) is amended—

(1) in the subtitle heading of subtitle A of title V, by inserting ''**and Technology**'' after ''**National Science**'';

(2) in section 502 (42 U.S.C. 1862p note)—

(A) in paragraph (1), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation''; and

(B) in paragraph (3), by striking ''National Science Foundation established'' and inserting ''National Science and Technology Foundation established'';

(3) in the section heading of section 506 (42 U.S.C. 1862p–1), by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**'';

(4) in section 517 (42 U.S.C. 1862p–9)—

(A) in paragraph (2) of subsection (a), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''; and

(B) in each of subsections (a)(4), (b), and (c)(2), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation'';

(5) in section 518 (124 Stat. 4015), by striking ''Foundation.'' and inserting ''and Technology Foundation.'';

(6) in section 519 (124 Stat. 4015)—

(A) in the section heading, by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**''; and

(B) by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation'';

(7) in section 520 (42 U.S.C. 1862p–10)—

(A) by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''; and

(B) in the subsection heading of subsection (b), by striking ''NSF'' and inserting ''NSTF'';

(8) in section 522 (42 U.S.C. 1862p–11)—

(A) in the section heading, by striking ''**NSF**'' and inserting ''**NSTF**''; and

(B) by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation'';

(9) in section 524 (42 U.S.C. 1862p–12), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''; and

(10) in section 555(5) (20 U.S.C. 9905(5)), by inserting ''and Technology'' after ''National Science''.

(g) STEM EDUCATION ACT OF 2015.—Each of sections 2 and 3 of the STEM Education Act of 2015 (42 U.S.C. 6621 note; 1862q) are amended by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation''.

(h) RESEARCH EXCELLENCE AND ADVANCEMENTS FOR DYSLEXIA ACT.—The Research Excellence and Advancements for Dyslexia Act (Public Law 114–124; 130 Stat. 120) is amended by striking ''National Science'' each place the term appears and inserting ''National Science and Technology''.

(i) AMERICAN INNOVATION AND COMPETITIVENESS ACT.—The American Innovation and Competitiveness Act (42 U.S.C. 1862s et seq.) is amended—

(1) in section 2 (42 U.S.C. 1862 note), by inserting ''and Technology'' after ''National Science''; and

(2) in section 601(a)(1) (42 U.S.C. 1862s–8(a)(1)), by striking ''National Science'' each place the term appears and inserting ''National Science and Technology''.

(j) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1976.—The National Science Foundation Authorization Act, 1976 (Public Law 94–86) is amended—

(1) in section 2(b) (42 U.S.C. 1869a), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''; and

(2) in section 6(a) (42 U.S.C. 1881a(a)), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation''.

(k) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, 1977.—Section 8 of the National Science Foundation Authorization Act, 1977 (42 U.S.C. 1883) is amended by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(l) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT, FISCAL YEAR 1978.—Section 8 of the National Science Foundation Authorization Act, Fiscal Year 1978 (42 U.S.C. 1869b) is amended by inserting ''and Technology'' after ''National Science''.

(m) ACT OF AUGUST 25, 1959.—The first section of the Act of August 25, 1959 (42 U.S.C. 1880) is amended by inserting ''and Technology'' after ''National Science''.

(n) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1980.—Section 9 of the National Science Foundation Authorization Act for Fiscal Year 1980 (42 U.S.C. 1882) is amended by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(o) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2005.—Section 721 of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 1886a) is amended by striking ''The National Science Foundation'' and inserting ''The National Science and Technology Foundation''.

(p) NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT FOR FISCAL YEAR 1986.—Section 108 of the National Science Foundation Authorization Act for Fiscal Year 1986 (42 U.S.C. 1886) is amended by inserting ''and Technology'' after ''National Science''.

(q) NATIONAL QUANTUM INITIATIVE ACT.—The National Quantum Initiative Act (Public Law 115–368) is amended—

(1) in the table of contents in section 2, by striking the item relating to title III and inserting the following:

''TITLE III—NATIONAL SCIENCE AND TECHNOLOGY FOUNDATION QUANTUM ACTIVITIES'';

(2) in section 102(a)(2)(A) (15 U.S.C. 8812(a)(2)(A)), by inserting ''and Technology'' after ''National Science'';

(3) in section 103 (15 U.S.C. 8813), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation'';

(4) in the title heading for title III, by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**''; and

(5) in each of sections 301 and 302 (15 U.S.C. 8841, 8842), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(r) CYBERSECURITY ENHANCEMENT ACT OF 2014.—The Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7421 et seq.) is amended—

(1) in section 201 (15 U.S.C. 7431), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''; and

(2) in each of sections 301 and 302 (15 U.S.C. 7441, 7442), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(s) HIGH-PERFORMANCE COMPUTING ACT OF 1991.—The High-Performance Computing Act of 1991 (15 U.S.C. 5501 et seq.) is amended—

(1) in section 101(a)(3)(C)(xi) 15 U.S.C. 5511(a)(3)(C)(xi)), by inserting ''and Technology'' after ''National Science''; and

(2) in section 201 (15 U.S.C. 5521)—

(A) in the section heading, by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**''; and

(B) by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(t) ARCTIC RESEARCH AND POLICY ACT OF 1984.—The Arctic Research and Policy Act of 1984 (15 U.S.C. 4101 et seq.) is amended—

(1) in each of sections 102(b)(3) and 103(b)(1) (15 U.S.C. 4101(b)(3), 4102(b)(1)), by inserting ''and Technology'' after ''National Science''; and

(2) in section 107 (15 U.S.C. 4106)—

(A) in the subsection heading of subsection (a), by inserting ''AND TECHNOLOGY'' after ''NATIONAL SCIENCE''; and

(B) by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(u) STEVENSON-WYDLER TECHNOLOGY INNOVATION ACT OF 1980.—The Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3701 et seq.) is amended—

(1) in each of sections 4(5), 5(a)(2)(A), 20, and 21(d) (15 U.S.C. 3703(5), 3704(a)(2)(A), 3712, and 3713(d)), by inserting ''and Technology'' after ''National Science'';

(2) in section 9 (15 U.S.C. 3707)—

(A) in the section heading, by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**'';

(B) in each of subsections (a) and (b), by striking ''National Science Foundation'' and inserting ''National Science and Technology Foundation''; and

(C) in subsection (c)—

(i) by striking ''National Science Foundation in'' and inserting ''National Science and Technology Foundation in''; and

(ii) by striking ''National Science Foundation under'' and inserting ''National Science and Technology Foundation under''; and

(3) in section 10 (15 U.S.C. 3708), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(v) CYBER SECURITY RESEARCH AND DEVELOPMENT ACT.—The Cyber Security Research and Development Act (15 U.S.C. 7401 et seq.) is amended—

(1) in section 3(1) (15 U.S.C. 7402(1)), by inserting ''and Technology'' after ''National Science'';

(2) in section 5 (15 U.S.C. 7404)—

(A) in the section heading, by inserting ''**AND TECHNOLOGY**'' after ''**NATIONAL SCIENCE**'';

(B) in subsection (c)(4), by inserting ''and Technology'' after ''National Science''; and

(C) in subsection (d), by striking ''National Science Foundation's'' and inserting ''National Science and Technology Foundation's''; and

(3) in section 13 (15 U.S.C. 7409), by striking ''National Science Foundation'' each place the term appears and inserting ''National Science and Technology Foundation''.

(w) NATIONAL SUPERCONDUCTIVITY AND COMPETITIVENESS ACT OF 1988.—Section 6 of the National Superconductivity and Competitiveness Act of 1988 (15 U.S.C. 5205) is amended by inserting ''and Technology'' after ''National Science''.

(x) WEATHER RESEARCH AND FORECASTING INNOVATION ACT OF 2017.—Each of sections 105 and 402(a)(1) of the Weather Research and Forecasting Innovation Act of 2017 (15 U.S.C. 8515, 8542(a)(1)) are amended by inserting ''and Technology'' after ''National Science''.

SA 2103. Ms. HASSAN (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. THREATS TO UNITED STATES FORCES FROM SMALL UNMANNED AERIAL SYSTEMS WORLDWIDE.

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

(1) United States military forces face an ever increasing and constantly evolving threat from small unmanned aerial systems in operations worldwide, whether in the United States or abroad.

(2) The Department of Defense is already doing important work to address the threats from small unmanned aerial systems worldwide, though the need for engagement in that area continues.

(b) EXECUTIVE AGENT.—

(1) IN GENERAL.—The Secretary of the Army is the executive agent of the Department of Defense for programs, projects, and activities to counter small unmanned aerial systems (in this section referred to as the ''Counter-Small Unmanned Aerial Systems Program'').

(2) FUNCTIONS.—The functions of the Secretary as executive agent shall be as follows:

(A) To develop the strategy required by subsection (c).

(B) To carry out such other activities to counter threats to United States forces worldwide from small unmanned aerial systems as the Secretary of Defense and the Secretary of the Army consider appropriate.

(3) STRUCTURE.—The Secretary as executive agent shall carry out the functions specified in paragraph (2) through such administrative structures as the Secretary considers appropriate.

(c) STRATEGY TO COUNTER THREATS FROM SMALL UNMANNED AERIAL SYSTEMS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army, as executive agent for the Counter-Small Unmanned Aerial Systems Program, shall develop and submit to relevant committees of Congress a strategy for the Armed Forces to effectively counter threats from small unmanned aerial systems worldwide. The report shall be submitted in classified form.

(d) REPORT ON EXECUTIVE AGENT ACTIVITIES.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army, as executive agent for the Counter-Small Unmanned Aerial Systems Program, shall submit to Congress a report on the Counter-Small Unmanned Aerial Systems Program.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description and assessment of the structure and activities of the executive agent as established and put in place by the Secretary, including the following:

(i) Any obstacles hindering the effective discharge of its functions and activities, including limitations in authorities or policy.

(ii) The changes, if any, to airspace management, rules of engagement, and training plans that are required in order to optimize the use by the Armed Forces of counter-small unmanned aerial systems.

(B) An assessment of the implementation of the strategy required by subsection (c), and a description of any updates to the strategy that are required in light of evolving threats to the Armed Forces from small unmanned aerial systems.

(e) REPORT ON THREAT FROM SMALL UNMANNED AERIAL SYSTEMS.—

(1) REPORT REQUIRED.—Not later than 180 days after the submittal of the strategy required by subsection (c), the Secretary of Defense shall submit to the appropriate committees of Congress a report that sets forth a direct comparison between the threats United States forces in combat settings face from small unmanned aerial systems and the capabilities of the United States to counter such threats. The report shall be submitted in classified form.

(2) COORDINATION.—The Secretary shall prepare the report required by paragraph (1) in coordination with the Director of the Defense Intelligence Agency and with such other appropriate officials of the intelligence community, and such other officials in the United States Government, as the Secretary considers appropriate.

(3) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An evaluation and assessment of the current and evolving threat being faced by United States forces from small unmanned aerial systems.

(B) A description of the counter-small unmanned aerial system systems acquired by the Department of Defense as of the date of the enactment of this Act, and an assessment whether such systems are adequate to meet the current and evolving threat described in subparagraph (A).

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

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

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(f) INDEPENDENT ASSESSMENT OF COUNTER-SMALL UNMANNED AERIAL SYSTEMS PROGRAM.—

(1) ASSESSMENT.—Not later than 60 days after the submittal of the strategy required by subsection (c), the Secretary of Defense shall seek to enter into a contract with a Federally funded research and development center to conduct an assessment of the efficacy of the Counter-Small Unmanned Aerial Systems Program.

(2) ELEMENTS.—The assessment conducted pursuant to paragraph (1) shall include the following:

(A) An identification of metrics to assess progress in the implementation of the strategy required by subsection (c), which metrics shall take into account the threat assessment required for purposes of subsection (e).

(B) An assessment of progress, and key challenges, in the implementation of the strategy using such metrics, and recommendations for improvements in the implementation of the strategy.

(C) An assessment of the extent to which the Department of Defense is coordinating adequately with other departments and agencies of the United States Government, and other appropriate entities, in the development and procurement of counter-small unmanned aerial systems for the Department.

(D) An assessment of the extent to which the designation of the Secretary of the Army as executive agent for the Counter-Small Unmanned Aerial Systems Program has reduced redundancies and increased efficiencies in procurement of counter-small unmanned aerial systems.

(E) An assessment whether United States technological progress on counter-small unmanned aerial systems is sufficient to maintain a competitive edge over the small unmanned aerial systems technology available to United States adversaries.

(3) REPORT.—Not later than 180 days after entry into the contract referred to in paragraph (1), the Secretary shall submit to the congressional defense committees a report setting forth the results of the assessment required under the contract.

SA 2104. Ms. HASSAN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. NATIONAL GUARD CYBER SUPPORT AND CYBER SERVICES FOR GOVERNMENTAL ENTITIES OUTSIDE THE DEPARTMENT OF DEFENSE AND NONGOVERNMENTAL ENTITIES.

(a) CYBER SUPPORT AND CYBER SERVICES AUTHORIZED.—The National Guard may provide cyber support and cyber services incidental to military training to organizations and activities outside the Department of Defense, including governmental and nongovernmental entities.

(b) POLICIES.—The Secretary of Defense, in coordination with the Chief of the National Guard Bureau, shall issue or revise such policies as the Secretary considers appropriate to exercise the authority provided by subsection (a).

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, shall submit to Congress a report on the exercise of the authority provided by subsection (a) and the activities under subsection (b).

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) An explanation of the structure of such working groups as may be tasked to carry out subsection (b).

(B) A status update on the progress of such working groups.

(C) Interim results and anticipated draft changes to any policies that may be revised under subsection (b).

(D) Any anticipated delays or obstacles to issuing the policy required by subsection (b).

(E) Such other matters as the Secretary considers appropriate or necessary for congressional action.

SA 2105. Ms. HASSAN (for herself, Ms. WARREN, Mr. DURBIN, and Mr. BROWN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. ESTABLISHMENT AND MAINTENANCE OF COMPLAINT RESOLUTION AND TRACKING SYSTEM.

Title I of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended by adding at the end the following:

''PART F—COMPLAINT TRACKING SYSTEM

''SEC. 161. COMPLAINT TRACKING SYSTEM.

''(a) IN GENERAL.—

''(1) IN GENERAL.—The Secretary shall maintain a complaint tracking system that includes a single, toll-free telephone number and a website to facilitate the centralized collection of, monitoring of, and response to complaints and reports (including evidence, as available) of suspicious activity (such as unfair, deceptive, or abusive acts or practices) regarding—

''(A) Federal student financial aid and the servicing of postsecondary education loans by loan servicers;

''(B) educational practices and services of institutions of higher education; and

''(C) the recruiting and marketing practices of institutions of higher education.

''(2) DEFINITIONS.—In this section:

''(A) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given that term in section 102.

''(B) RECRUITING AND MARKETING ACTIVITIES.—

''(i) IN GENERAL.—Except as provided in clause (ii), the term 'recruiting and marketing activities' shall include the following:

''(I) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

''(II) Efforts to identify and attract prospective students, either directly or through a third party contractor, including contact concerning a prospective student's potential enrollment or application for grant, loan, or

work assistance under title IV or participation in preadmission or advising activities, including—

''(aa) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other Internet communications regarding enrollment; and

''(bb) soliciting an individual to provide contact information to an institution of higher education, including websites established for such purpose and funds paid to third parties for such purpose.

''(III) Such other activities as the Secretary may prescribe, including paying for promotion or sponsorship of education or military-related associations.

''(ii) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV, is specifically authorized under such title, or is otherwise specified by the Secretary, shall not be considered to be a covered activity under this subparagraph.

''(b) COMPLAINTS.—Complaints and reports of suspicious activity submitted to the tracking system by students, borrowers of student loans, staff, or the general public—

''(1) may remain anonymous, if the complainant so chooses; and

''(2) may describe problems that are systematic in nature and not associated with a particular student.

''(c) ESTABLISHMENT OF COMPLAINT TRACKING OFFICE.—The Secretary shall establish within the Department an office whose functions shall include establishing and administering the complaint tracking system, and widely disseminating information about the complaint tracking system, established under this subsection. The Secretary shall—

''(1) to the extent necessary, combine and consolidate the other offices and functions of the Department to ensure that the office established under this subsection is the single point of contact for students and borrowers with complaints or reports of suspicious activity regarding Federal student financial aid, student loan servicers, educational practices and services of institutions of higher education, and recruiting and marketing activities of institutions of higher education; and

''(2) to the extent practicable, ensure that the office established under this subsection will work with the Student Loan Ombudsman appointed in accordance with section 141(f) and the Student Loan Ombudsman of the Bureau of Consumer Financial Protection to assist borrowers of Federal student loans that submit complaints or reports of suspicious activity to the complaint tracking system.

''(d) HANDLING OF COMPLAINTS.—

''(1) TIMELY RESPONSE TO COMPLAINTS.—The Secretary shall establish, in consultation with the heads of appropriate agencies (including the Director of the Bureau of Consumer Financial Protection), reasonable procedures to provide a response to complainants not more than 90 days after receiving a complaint in the complaint tracking system, in writing where appropriate. Each response shall include a description of—

''(A) the steps that have been taken by the Secretary in response to the complaint or report of suspicious activity;

''(B) any responses received by the Secretary from the institution of higher education or from a servicer; and

''(C) any additional actions that the Secretary has taken, or plans to take, in response to the complaint or report of suspicious activity.

''(2) TIMELY RESPONSE TO SECRETARY BY INSTITUTION OF HIGHER EDUCATION OR LOAN SERVICER.—If the Secretary determines that it is necessary, the Secretary shall notify an institution of higher education or loan servicer that is the subject of a complaint or report of suspicious activity through the complaint tracking system under this subsection regarding the complaint or report and directly address and resolve the complaint or report in the system. Not later than 60 days after receiving such notice, such institution or loan servicer shall provide a response to the Secretary concerning the complaint or report, including—

''(A) the steps that have been taken by the institution or loan servicer to respond to the complaint or report;

''(B) all responses received by the institution or loan servicer from the complainant; and

''(C) any additional actions that the institution or loan servicer has taken, or plans to take, in response to the complaint or report.

''(3) FURTHER INVESTIGATION.—The Secretary may, in the event that the complaint is not adequately resolved or addressed by the responses of the institution of higher education or loan servicer under paragraph (2), ask additional questions of such institution or loan servicer or seek additional information from or action by the institution or loan servicer.

''(4) PROVISION OF INFORMATION.—

''(A) IN GENERAL.—An institution of higher education or loan servicer shall, in a timely manner, comply with a request by the Secretary for information in the control or possession of such institution or loan servicer concerning a complaint or report of suspicious activity received by the Secretary under this subsection, including supporting written documentation, subject to subparagraph (B).

''(B) EXCEPTIONS.—An institution of higher education or loan servicer shall not be required to make available under this subsection—

''(i) any nonpublic or confidential information, including any confidential commercial information;

''(ii) any information collected by the institution for the purpose of preventing fraud or detecting or making any report regarding other unlawful or potentially unlawful conduct; or

''(iii) any information required to be kept confidential by any other provision of law.

''(5) COMPLIANCE.—An institution of higher education or loan servicer shall comply with the requirements to provide responses and information, in accordance with this subsection, as a condition of receiving funds under title IV or as a condition of the contract with the Department, as applicable.

''(e) TRANSPARENCY.—

''(1) COLLECTING AND SHARING INFORMATION WITH FEDERAL, STATE, AND NATIONALLY RECOGNIZED ACCREDITING AGENCIES.—In accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974') and other laws, the Secretary shall coordinate with the heads of relevant Federal or State agencies or entities, and nationally recognized accrediting agencies or associations recognized by the Secretary pursuant to section 496 to—

''(A) collect any complaints and reports of suspicious activity described in subsection (a)(1) from such agencies, entities, or associations; and

''(B) route complaints and reports received by the complaint tracking system under this section and complaints and reports collected in accordance with subparagraph (A) to the Department, the Department of Justice, the Department of Defense, the Department of Veterans Affairs, the Federal Trade Commission Consumer Sentinel Network, the Bureau of Consumer Financial Protection, any equivalent State agency, or the relevant nationally recognized accrediting agency or association.

''(2) INTERACTION WITH EXISTING COMPLAINT SYSTEMS.—To the extent practicable, all procedures established under this section, and all coordination carried out under paragraph (1), shall be established and carried out in accordance with the complaint tracking systems established under Executive Order 13607 (77 Fed. Reg. 25861; relating to establishing principles of excellence for educational institutions serving servicemembers, veterans, spouses, and other family members).

''(3) PUBLIC INFORMATION.—

''(A) IN GENERAL.—The Secretary shall, on an annual basis, publish on the website of the Department information on the complaints and reports of suspicious activity received for each institution of higher education or loan servicer under this subsection, including—

''(i) the number of complaints and reports received;

''(ii) the types of complaints and reports received; and

''(iii) where applicable, information about the resolution of the complaints and reports.

''(B) DATA PRIVACY.—In carrying out subparagraph (A), the Secretary shall—

''(i) comply with applicable data privacy laws and regulations; and

''(ii) ensure that personally identifiable information is not shared.

''(4) REPORTS.—Each year, the Secretary shall prepare and submit to Congress a report describing—

''(A) the types and nature of complaints or reports the Secretary has received under this section;

''(B) the extent to which complainants are receiving adequate resolution pursuant to this section;

''(C) whether particular types of complaints or reports are more common in a given sector of institutions of higher education or with particular loan servicers;

''(D) any legislative recommendations that the Secretary determines are necessary to better assist students and families regarding the activities described in subsection (a)(1); and

''(E) the institutions of higher education and loan servicers with the highest volume of complaints and reports, as determined by the Secretary.''.

SA 2106. Mrs. GILLIBRAND (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. INCREASE IN AUTHORIZATIONS FOR PURPOSES OF REMEDIATION OF PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

(a) IN GENERAL.—The amount authorized to be appropriated by this Act for fiscal year 2021 for the accounts of the Department of Defense specified in subsection (b) shall be increased by the amounts specified in such subsection and the amount of such increase shall be used for purposes of remediation of perfluoroalkyl substances and polyfluoroalkyl substances.

(b) ACCOUNTS INCREASED.—The accounts of the Department specified in this subsection,

and the amounts of any increase so specified, are the following:

(1) The amount authorized to be appropriated for Environmental Restoration, Navy shall be increased by $17,000,000.

(2) The amount authorized to be appropriated for Operation and Maintenance, Navy shall be increased by $13,600,000.

(3) The amount authorized to be appropriated for Operation and Maintenance, Army National Guard shall be increased by $20,000,000.

(4) The amount authorized to be appropriated for Operation and Maintenance, Air National Guard shall be increased by $15,000,000.

(c) OFFSET.—The amount authorized to be appropriated by this Act for fiscal year 2021 for operation and maintenance for the Army, SAG212, Army preposition stocks shall be reduced by $65,600,000.

SA 2107. Ms. ROSEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. CYBERSECURITY EDUCATION AND TRAINING ASSISTANCE PROGRAM.

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

(1) the United States continues to face critical shortages in the national cybersecurity workforce;

(2) the Cybersecurity and Infrastructure Security Agency within the Department of Homeland Security has the responsibility to manage cyber and physical risks to our critical infrastructure, including by ensuring a national workforce supply to support cybersecurity through education, training, and capacity development efforts;

(3) to reestablish the technology leadership, security, and economic competitiveness of the United States, the Cybersecurity and Infrastructure Security Agency should create a sustainable pipeline by strengthening K-12 cybersecurity outreach and education nationwide.

(b) AUTHORITIES.—Section 2202(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 652(e)(1)) is amended by adding at the end the following:

''(R) To encourage and build cybersecurity awareness and competency across the United States and to develop, attract, and retain the cybersecurity workforce necessary for the cybersecurity related missions of the Department, including by—

''(i) overseeing K-12 cybersecurity education and awareness related programs at the agency;

''(ii) leading efforts to develop, attract, and retain the cybersecurity workforce necessary for the cybersecurity related missions of the Department;

''(iii) encouraging and building cybersecurity awareness and competency across the United States; and

''(iv) carrying out cybersecurity related workforce development activities, including through—

''(I) increasing the pipeline of future cybersecurity professionals through programs focused on K-12, higher education, and non-traditional students; and

''(II) building awareness of and competency in cybersecurity across the civilian Federal government workforce.''.

(c) EDUCATION, TRAINING, AND CAPACITY DEVELOPMENT.—Section 2202(c) of the Homeland Security Act of 2002 (6 U.S.C. 652(c)) is amended—

(1) by redesignating paragraph (11) as paragraph (12);

(2) in paragraph (10), by striking ''and'' at the end; and

(3) by inserting after paragraph (10) the following:

''(11) provide education, training, and capacity development for Federal and non-Federal entities to enhance the security and resiliency of domestic and global cybersecurity and infrastructure security; and''.

(d) ESTABLISHMENT OF TRAINING PROGRAMS.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by adding at the end the following:

''SEC. 2215. CYBERSECURITY EDUCATION AND TRAINING PROGRAMS.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Cybersecurity Education and Training Assistance Program (referred to in this section as 'CETAP') is established within the Agency.

''(2) PURPOSE.—The purpose of CETAP shall be to support the effort of the Agency in building and strengthening a national cybersecurity workforce pipeline capacity through enabling K-12 cybersecurity education, including by—

''(A) providing foundational cybersecurity awareness and literacy;

''(B) encouraging cybersecurity career exploration; and

''(C) supporting the teaching of cybersecurity skills at the K-12 levels.

''(b) REQUIREMENTS.—In carrying out CETAP, the Director shall—

''(1) ensure that the program—

''(A) creates and disseminates K-12 cybersecurity-focused curricula and career awareness materials;

''(B) conducts professional development sessions for teachers;

''(C) develops resources for the teaching of K-12 cybersecurity-focused curricula;

''(D) provides direct student engagement opportunities through camps and other programming;

''(E) engages with local and State education authorities to promote awareness of the program and ensure that offerings align with State and local standards;

''(F) integrates with existing post-secondary education and workforce development programs at the Department;

''(G) establishes and maintains national standards for K-12 cyber education;

''(H) partners with cybersecurity and education stakeholder groups to expand outreach; and

''(I) any other activity the Director determines necessary to meet the purpose described in subsection (a)(2); and

''(2) enable the deployment of CETAP nationwide, with special consideration for underserved populations or communities.

''(c) BRIEFINGS.—

''(1) IN GENERAL.—Not later than 1 year after the establishment of CETAP, and annually thereafter, the Secretary shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives on the program.

''(2) CONTENTS.—Each briefing conducted under paragraph (1) shall include—

''(A) estimated figures on the number of students reached and teachers engaged;

''(B) information on community outreach and State engagement efforts;

''(C) information on new curricula offerings and teacher training platforms; and

''(D) information on coordination with post-secondary education and workforce development programs at the Department.

''(d) MISSION PROMOTION.—The Director may use appropriated amounts to purchase promotional and recognition items and marketing and advertising services to publicize and promote the mission and services of the Agency, support the activities of the Agency, and to recruit and retain Agency personnel.''.

(e) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Cybersecurity Education and Training Programs.''.

SA 2108. Ms. ROSEN (for herself, Mr. ROUNDS, Mr. PETERS, and Mr. JONES) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. GRANTS TO SUPPORT STEM EDUCATION IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—Chapter 102 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2036. Grants to support science, technology, engineering, and mathematics education

''(a) PROGRAM REQUIRED.—The Secretary, in consultation with the Secretary of Education, may carry out a program to make grants to eligible entities to assist such entities in providing education in covered subjects to students in the Junior Reserve Officers' Training Corps.

''(b) COORDINATION.—In carrying out the program under subsection (a), the Secretary may coordinate with the following:

''(1) The Secretaries of the military departments.

''(2) The Secretary of Education.

''(3) The Director of the National Science Foundation.

''(4) The Administrator of the National Aeronautics and Space Administration.

''(5) The heads of such other Federal, State, and local government entities the Secretary of Defense determines to be appropriate.

''(6) Private sector organizations as the Secretary of Defense determines appropriate.

''(c) ACTIVITIES.—Activities funded with grants under this section may include the following:

''(1) Training and other support for instructors to teach courses in covered subjects to students.

''(2) The acquisition of materials, hardware, and software necessary for the instruction of covered subjects.

''(3) Activities that improve the quality of educational materials, training opportunities, and curricula available to students and instructors in covered subjects.

''(4) Development of travel opportunities, demonstrations, mentoring programs, and informal education in covered subjects for students and instructors.

''(5) Students' pursuit of certifications in covered subjects.

''(d) PREFERENCE.—In making grants under this section, the Secretary shall give preference to eligible entities that are eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

''(e) EVALUATIONS.—The Secretary shall establish outcome-based metrics and internal and external assessments to evaluate the merits and benefits of the activities funded with grants under this section with respect to the needs of the Department of Defense.

''(f) AUTHORITIES.—In carrying out the program under this section, the Secretary shall, to the extent practicable, make use of the authorities under chapter 111 and sections 2601 and 2605 of this title, and other authorities the Secretary determines appropriate.

''(g) DEFINITIONS.—In this section:

''(1) The term 'eligible entity' means a local education agency that hosts a unit of the Junior Reserve Officers' Training Corps.

''(2) The term 'covered subjects' means—

''(A) science;

''(B) technology;

''(C) engineering;

''(D) mathematics;

''(E) computer science;

''(F) computational thinking;

''(G) artificial intelligence;

''(H) machine learning;

''(I) data science;

''(J) cybersecurity;

''(K) robotics; and

''(L) other subjects determined by the Secretary of Defense to be related to science, technology, engineering, and mathematics.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 102 of such title is amended by adding at the end the following new item:

''2036. Grants to support science, technology, engineering, and mathematics education.''.

(b) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the activities carried out under section 2036 of title 10, United States Code (as added by subsection (a)).

SA 2109. Ms. DUCKWORTH submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH VIETNAM, THAILAND, AND INDONESIA.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may establish a pilot program in Vietnam, Thailand, and Indonesia—

(1) to enhance the cyber security, resilience, and readiness of Vietnam, Thailand, and Indonesia; and

(2) to increase regional cooperation between the United States and Vietnam, Thailand, and Indonesia on cyber issues.

(b) ELEMENTS.—The activities of the pilot program under subsection (a) shall include the following:

(1) Provision of training to cybersecurity and computer science professionals in Vietnam, Thailand, and Indonesia.

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of Vietnam, Thailand, and Indonesia with respect to the development of infrastructure to protect against cyber attacks.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(5) A feasibility study on establishing a public-private partnership to build cloud-computing capacity in Vietnam, Thailand, and Indonesia and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of Vietnam, Thailand, and Indonesia.

(c) FUNDING.—The Secretary of Defense may enter into cooperative agreements with entities that receive funds under section 211 of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–254; 22 U.S.C. 2452 note), as added by section 7085 of the Consolidated and Further Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2685), to carry out the pilot program under subsection (a).

(d) REPORTS.—

(1) DESIGN OF PILOT PROGRAM.—Not later than June 1, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the design of the pilot program under subsection (a).

(2) PROGRESS REPORT.—Not later than December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the pilot program under subsection (a) that includes—

(A) a description of the activities conducted and the results of such activities; and

(B) an assessment of legal and other barriers to reforms relevant to cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(f) OFFSET.—The amount authorized to be appropriated by this Act for operation and maintenance, Navy, and available for SAG 1CCS for military information support operations, is hereby reduced by $5,000,000.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2110. Mr. CARPER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. CERTAIN DISEASES PRESUMED TO BE WORK-RELATED CAUSE OF DISABILITY OR DEATH FOR FEDERAL EMPLOYEES IN FIRE PROTECTION ACTIVITIES.

(a) DEFINITION.—Section 8101 of title 5, United States Code, is amended—

(1) in paragraph (18), by striking ''and'' at the end;

(2) in paragraph (19), by striking ''and'' at the end;

(3) in paragraph (20), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(21) 'employee in fire protection activities' means an employee—

''(A) serving as a firefighter, a paramedic, an emergency medical technician, a rescue worker, ambulance personnel, or a hazardous material worker; and

''(B) who—

''(i) is trained in fire suppression;

''(ii) has the legal authority and responsibility to engage in fire suppression;

''(iii) is engaged in the prevention, control, and extinguishment of fires or response to emergency situations in which life, property, or the environment is at risk; and

''(iv) performs such activities as a primary responsibility of the duty of the employee.''.

(b) PRESUMPTION RELATING TO EMPLOYEES IN FIRE PROTECTION ACTIVITIES.—Section 8102 of title 5, United States Code, is amended by adding at the end the following:

''(c)(1) Subject to paragraph (2), and any length of service limitation under paragraph (3), with respect to an employee in fire protection activities—

''(A) a disease described in paragraph (3) shall be presumed to be proximately caused by the employment of the employee; and

''(B) the disability or death of the employee due to a disease described in paragraph (3) shall be presumed to result from personal injury sustained while in the performance of the duty of the employee.

''(2) With respect to any presumption described in paragraph (1)—

''(A) the presumption shall apply with respect to an employee in fire protection activities only if the employee is diagnosed with the disease with respect to which the presumption is sought not later than 10 years after the last day on which the employee is an active employee in fire protection activities; and

''(B) the presumption may be rebutted by a preponderance of the evidence.

''(3) The following diseases shall be presumed to be proximately caused by the employment of an employee in fire protection activities:

''(A) If the employee has been employed for not less than 5 years in the aggregate as an employee in fire protection activities:

''(i) Heart disease.

''(ii) Lung disease.

''(iii) The following cancers:

''(I) Brain cancer.

''(II) Cancer of the blood or lymphatic systems.

''(III) Leukemia.

''(IV) Lymphoma (except Hodgkin's disease).

''(V) Multiple myeloma.

''(VI) Bladder cancer.

''(VII) Kidney cancer.

''(VIII) Testicular cancer.

''(IX) Cancer of the digestive system.

''(X) Colon cancer.

''(XI) Liver cancer.

''(XII) Skin cancer.

''(XIII) Lung cancer.

''(XIV) Breast cancer.

''(iv) Any other cancer, the contraction of which the Secretary of Labor, by rule, determines to be related to the hazards to which

an employee in fire protection activities may be subject.

''(B) Without regard to the length of time that an employee in fire protection activities has been employed, any uncommon infectious disease, including—

''(i) tuberculosis;

''(ii) hepatitis A, B, or C;

''(iii) the human immunodeficiency virus (commonly known as 'HIV'); and

''(iv) any other uncommon infectious disease, the contraction of which the Secretary of Labor, by rule, determines to be related to the hazards to which an employee in fire protection activities may be subject.''.

(c) REPORT.—Not later than 5 years after the date of enactment of this Act, the Director of the National Institute for Occupational Safety and Health shall—

(1) examine the implementation of this section, and the amendments made by this section, and appropriate scientific and medical data relating to the health risks associated with firefighting; and

(2) submit to Congress a report, which shall include—

(A) an analysis of the claims for compensation made under the amendments made by this section;

(B) an analysis of the available research relating to the health risks associated with firefighting; and

(C) recommendations for any administrative or legislative actions necessary to ensure that those diseases most associated with firefighting are included in the presumptions under subsection (c) of section 8102 of title 5, United States Code, as added by subsection (b) of this section.

(d) APPLICATION.—The amendments made by this section shall apply to a disability or death that occurs on or after the date of enactment of this Act.

SA 2111. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 XII, add the following:

SEC. 1287. EXCLUSION OF IMPOSITION OF DUTIES AND IMPORT QUOTAS FROM PRESIDENTIAL AUTHORITIES UNDER INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.

Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c)(1) The authority granted to the President by this section does not include the authority to impose duties or tariff-rate quotas or (subject to paragraph (2)) other quotas on articles entering the United States.

''(2) The limitation under paragraph (1) does not prohibit the President from excluding all articles, or all of a certain type of article, imported from a country from entering the United States.''.

SA 2112. Ms. BALDWIN (for herself, Mr. MURPHY, Mr. BLUMENTHAL, Mrs. SHAHEEN, Ms. HASSAN, Mr. MERKLEY, Mr. MENENDEZ, Ms. WARREN, Mr. JONES, Mr. BENNET, Ms. HIRONO, Mr. MARKEY, Mr. DURBIN, Mr. SCHATZ, Mr. KAINE, Mr. WARNER, Ms. HARRIS, Ms. DUCKWORTH, Mr. BROWN, Mr. SCHUMER, and Mr. MANCHIN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Transparency and Delivery of Medical Supplies

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Medical Supply Transparency and Delivery Act''.

SEC. 1092. EMERGENCY PRODUCTION OF MEDICAL EQUIPMENT AND SUPPLIES TO ADDRESS COVID–19.

(a) EXECUTIVE OFFICER FOR CRITICAL MEDICAL EQUIPMENT AND SUPPLIES.—

(1) APPOINTMENT.—Not later than 3 days after the date of the enactment of this Act, the Secretary of Defense shall appoint, detail, or temporarily assign a civilian to serve as the Executive Officer for Critical Medical Equipment and Supplies (in this section referred to as the ''Executive Officer''), who shall—

(A) direct, through the National Response Coordination Center of the Federal Emergency Management Agency, the national production and distribution of critical medical equipment and supplies, including personal protective equipment, in support of the response of the Federal Emergency Management Agency to the Coronavirus Disease 2019 (commonly known as ''COVID–19''); and

(B) report directly to the Administrator of the Federal Emergency Management Agency for the duration of the appointment, detail, or temporary assignment.

(2) QUALIFICATIONS.—The Secretary of Defense, in consultation with the Administrator of the Federal Emergency Management Agency, shall select the individual to serve as the Executive Officer from among individuals with sufficient experience in defense and industrial acquisition and production matters, including such matters as described in section 668(a)(1)(B) of title 10, United States Code.

(3) AUTHORITIES.—The Executive Officer, acting through the National Response Coordination Center and in direct consultation with the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Health and Human Services, and the Secretary of Commerce, shall use all available Federal acquisition authorities, including the authorities described under sections 101(b), 102, 301, 302, 303, 704, 705, 706, 708(c) and (d), and 710 of the Defense Production Act of 1950 (50 U.S.C. 4511(b), 4512, 4531, 4532, 4533, 4554, 4555, 4556, 4558 (c) and (d), and 4560), to oversee all acquisition and logistics functions related to the response by the National Response Coordination Center to COVID–19.

(4) RESPONSIBILITIES.—The Executive Officer, as the officer overseeing the acquisition and logistics functions of the response by the National Response Coordination Center to COVID–19, shall—

(A) receive all requests for equipment and supplies, including personal protective equipment, from States and Indian Tribes;

(B) make recommendations to the President on utilizing the full authorities available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to increase production capacity as identified under subparagraphs (C) and (H) of subsection (c)(1);

(C) ensure that allocation of critical resources is carried out in a manner consistent with the needs identified in the reports required by subsection (c);

(D) direct, in consultation with the Federal Emergency Management Agency, the Department of Health and Human Services, the Defense Logistics Agency, and other Federal agencies as appropriate, all distribution of critical equipment and supplies to the States and Indian Tribes, through existing commercial distributers where practical;

(E) communicate with State and local governments and Indian Tribes with respect to availability and delivery schedule of equipment and supplies;

(F) contribute to the COVID–19 strategic testing plan required by title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139) to ensure the Secretary of Health and Human Services includes in that plan a comprehensive plan to scale production and optimize distribution of COVID–19 tests, including molecular, antigen, and serological tests, in the United States; and

(G) establish, in direct consultation with the Secretary of Health and Human Services, and the heads of any other appropriate Federal agencies, a comprehensive plan to address necessary supply chain issues in order to rapidly scale up production of a SARS–CoV–2 vaccine.

(5) TRANSPARENCY.—The Executive Officer shall make available, including on a publicly available website, information, updated not less frequently than every 3 days, including—

(A) the reports required by subsection (c);

(B) requests for equipment and supplies from State governments and Indian Tribes;

(C) standards used for data collection;

(D) modeling and any formulas used to determine allocation of equipment and supplies, and any related chain of command making final decisions on allocations;

(E) the amount and destination of equipment and supplies delivered;

(F) an explanation of why any portion of a purchase order placed under subsection (d), whether to replenish the Strategic National Stockpile or otherwise, will not be filled;

(G) the percentage amounts of procured products used to replenish the Strategic National Stockpile, targeted to COVID–19 hotspots, or going into the commercial market;

(H) metrics, formulas, and criteria used to determine hotspots or areas of critical need at the State, county, and Indian Health Service area level;

(I) production and procurement benchmarks, where practicable; and

(J) results of the outreach and stakeholder reviews required by subsection (c).

(6) ADDITIONAL PERSONNEL.—The Secretary of Defense may detail members of the armed forces on active duty, or additional civilian employees of the Department of Defense, as appropriate, with relevant experience in acquisition matters, to support the Executive Officer.

(7) TERMINATION.—The office of the Executive Officer shall terminate 30 days after the Executive Officer certifies in writing to Congress that all needs of States and Indian Tribes identified in reports submitted under subsection (c) have been met and all Federal Government stockpiles have been replenished.

(b) COMMERCIAL SECTOR PARTICIPATION.—

(1) IN GENERAL.—The Executive Officer shall collect and compile data from each of the commercial distributors that is able to fulfill purchase orders authorized by this subtitle through the Federal Emergency Management Agency, the Defense Logistics Agency, the Department of Health and

Human Services, the Department of Veterans Affairs, and any other appropriate Federal agencies.

(2) DATA INCLUDED.—The data to be collected and compiled under paragraph (1) includes—

(A) the name and address of each delivery of supplies and equipment under a purchase order authorized by this subtitle;

(B) the number of such supplies and equipment delivered; and

(C) the date of each such delivery.

(c) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than 7 days after the date of the enactment of this Act, and every 7 days thereafter until the termination date described in subsection (a)(7), the Executive Officer, in coordination with the National Response Coordination Center of the Federal Emergency Management Agency, the Defense Logistics Agency, the Department of Health and Human Services, the Department of Veterans Affairs, and other Federal agencies as appropriate, shall submit to Congress and the President, and publish in a timely manner in the Federal Register a summary of, a report including—

(A) an assessment of the needs of the States and Indian Tribes for equipment and supplies necessary to prevent, identify, mitigate, and recover from cases of COVID–19, including personal protective equipment, ventilators, testing supplies, construction supplies, and emergency food sources, for each month during the 2-year period beginning on the date of the enactment of this Act;

(B) an assessment of the quantities of equipment and supplies in the Strategic National Stockpile as of the date of the report and the projected gap between the quantities of equipment and supplies identified as needed in the assessment under subparagraph (A) and the quantities in the Stockpile;

(C) an identification of the industry sectors and manufacturers most ready to fulfill purchase orders for such equipment and supplies, including manufacturers that may be incentivized, through the exercise of authority under section 303(e) of the Defense Production Act of 1950 (50 U.S.C. 4533(e)), to modify, expand, or improve production processes to manufacture such equipment and supplies;

(D) an estimate of the funding and other measures necessary to rapidly expand manufacturing production capacity for such equipment and supplies, including—

(i) any efforts to expand, retool, or reconfigure production lines;

(ii) any efforts to establish new production lines through the purchase and installation of new equipment; or

(iii) the issuance of additional contracts, purchase orders, purchase guarantees, or other similar measures;

(E) an identification of government and privately owned stockpiles of equipment and supplies not included in the Strategic National Stockpile that could be repaired or refurbished;

(F) an identification of previously distributed critical supplies that can be redistributed based on current need;

(G) an identification of critical areas of need by county and Indian Health Service area in the United States and the metrics and criteria for their identification as critical;

(H) an inventory of the national production capacity for equipment and supplies identified as needed in the assessment under subparagraph (A); and

(I) an identification of the needs of essential employees and healthcare workers based on regular stakeholder reviews.

(2) FORM OF REPORTS.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(d) PURCHASE ORDERS.—

(1) IN GENERAL.—Not later than 1 day after receiving a report required under subsection (c), the President, using authorities provided under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), shall—

(A) establish a fair and reasonable price for the sale of equipment and supplies identified in the reports required by subsection (c); and

(B) issue rated priority purchase orders pursuant to Department of Defense Directive 4400.1, part 101, subpart A of title 45, Code of Federal Regulations, or any other applicable acquisition authority, to procure equipment and supplies identified in the reports required by subsection (c).

(2) DISPOSITION OF UNUSED EQUIPMENT AND SUPPLIES.—Any equipment or supplies produced pursuant to paragraph (1) using amounts from the Defense Production Act Fund and in excess of needs identified in reports required by subsection (c) shall be deposited in the Strategic National Stockpile.

(3) AUTHORIZATION OF CONGRESS TO IMPOSE PRICE CONTROLS.—Paragraph (1)(A) shall be deemed to be a joint resolution authorizing the imposition of price controls for purposes of section 104(a) of the Defense Production Act of 1950 (50 U.S.C. 4514(a)).

(e) WAIVER OF CERTAIN REQUIREMENTS.—The requirements of sections 301(d)(1)(A), 302(d)(1), and subparagraphs (B) and (C) of section 303(a)(6) of the Defense Production Act of 1950 (50 U.S.C. 4531(d)(1)(A), 4532(d)(1), and 4533(a)(6)) are waived for purposes of this section until the termination date described in subsection (a)(6).

(f) FUNDING.—Amounts available in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) shall be available for purchases made under this section.

(g) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) INDIAN HEALTH SERVICE AREA.—The term ''Indian Health Service area'' has the meaning given the term ''Service area'' in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

(3) STATE.—The term ''State'' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.

(4) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given that term in section 101 of title 37, United States Code.

SEC. 1093. ANNUAL COMPTROLLER GENERAL REPORT.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report assessing the Strategic National Stockpile, including—

(1) recommendations for preparing for and responding to future pandemics;

(2) recommendations for changes to the Strategic National Stockpile, including to the management of the stockpile;

(3) in the case of the first report required to be submitted under this section—

(A) an assessment with respect to how much personal protective equipment used for the COVID–19 response was sourced within the United States and how much was sourced from the People's Republic of China and other foreign countries; and

(B) recommendations with respect to how to ensure that the United States supply chain for personal protective equipment is better equipped to respond to emergencies, including through the use of funds in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) to address shortages in that supply chain; and

(4) in the case of each subsequent report required to be submitted under this section—

(A) an assessment with respect to how much personal protective equipment was imported into the United States in the year preceding submission of the report and, of that equipment, how much would be used to prepare for and respond to a future pandemic; and

(B) a review of the implementation during that year of the recommendations required by paragraph (3)(B).

SEC. 1094. OVERSIGHT.

(a) IN GENERAL.—The Chairperson of the Council of the Inspectors General on Integrity and Efficiency shall designate any Inspector General responsible for conducting oversight of any program or operation performed in support of this subtitle to oversee the implementation of this subtitle, to the maximum extent practicable and consistent with the duties, responsibilities, policies, and procedures of that Inspector General.

(b) REMOVAL.—The designation of an Inspector General under subsection (a) may be terminated only for permanent incapacity, inefficiency, neglect of duty, malfeasance, or conviction of a felony or conduct involving moral turpitude.

SA 2113. Ms. BALDWIN (for herself, Mr. BLUMENTHAL, Mr. VAN HOLLEN, Mr. LEAHY, and Mr. TESTER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 F of title X, add the following:

SEC. 1064. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON CERTAIN USES OF THE NATIONAL GUARD.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the use of the National Guard when members and units of the National Guard are performing training or duty under the authorities in title 32, United States Code.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description and assessment of the use of the National Guard to perform or support Federally funded operations or missions under title 32, United States Code, during the period beginning on October 1, 1999, and ending on the date of the enactment of this Act, including operations or missions related to any of the following:

(A) Airport security.

(B) Disaster relief support.

(C) Support for, or direct participation in, law enforcement activities, including, but not limited to, law enforcement activities along the United States border.

(D) Cybersecurity and intelligence support.

(E) Pandemic response in connection with the Coronavirus Disease 2019 (COVID–19).

(F) Response to protests for racial justice.

(2) A description and assessment of the cost of the use of the National Guard as described pursuant to each of subparagraphs (C) and (F) of paragraph (1).

(3) An assessment of the availability of Federal benefits for members National Guard in performing or supporting any operations or missions described pursuant to paragraph (1).

(4) A description and assessment of the deployment of National Guard units to the District of Columbia from jurisdictions outside the District of Columbia in connection with any operations or missions described pursuant to paragraph (1), and an assessment of the command and control procedures during such deployments.

(5) An assessment whether any National Guard personnel performing training or duty (whether pursuant to title 10, United States Code, title 32, United States Code, or in State status) during the period described in paragraph (1) performed or supported law enforcement functions.

(6) Such recommendations as the Comptroller General considers appropriate (including recommendations for legislative or administrative action) to reform or clarify authorities on training or duty of members of the National Guard under title 32, United States Code.

SA 2114. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

On page 445, line 3, strike ''costs'' and insert ''impacts, costs,''.

On page 445, line 6, insert '', including criticality to program and mission accomplishment'' after ''industrial base''.

On page 445, line 7, strike ''costs'' and insert ''impacts, costs,''.

On page 445, line 24, insert '', including costs to reconstitute capability should such capability be lost to competition'' after ''base''.

SA 2115. Ms. BALDWIN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 815. PROCUREMENT OF GOODS FOR THE FFG-FRIGATE PROGRAM.

Amounts authorized to carry out the FFG-Frigate program shall be used for the acquisition of components manufactured in the United States at a higher cost than comparable foreign components if the Navy determines that the component manufactured in the United States—

(1) is already qualified to applicable standards and certifications;

(2) is already fielded on other United States Navy ships;

(3) offers proven life-cycle cost savings through fuel usage and on-ship maintenance capability;

(4) offers FFGX a higher documented operational availability with substantiated Mean Time Between Failure (MTBF) and Mean Time To Repair (MTTR) values from United States Navy operational data and United States Navy-approved Failure Mode Effects Analysis (FMEA); and

(5) is critical for sustaining the domestic industrial base in support of other United States Navy ship programs.

SA 2116. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. INTEREST RATE LIMITATION ON DEBT ENTERED INTO DURING MILITARY SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE MILITARY SERVICE.

(a) IN GENERAL.—Subsection (a) of section 207 of the Servicemembers Civil Relief Act (50 U.S.C. 3937) is amended—

(1) in paragraph (1), by inserting ''ON DEBT INCURRED BEFORE SERVICE'' after ''LIMITATION TO 6 PERCENT'';

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following new paragraph (2):

''(2) LIMITATION TO 6 PERCENT ON DEBT INCURRED DURING SERVICE TO CONSOLIDATE OR REFINANCE STUDENT LOANS INCURRED BEFORE SERVICE.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, during military service to consolidate or refinance one or more student loans incurred by the servicemember before such military service shall not bear an interest at a rate in excess of 6 percent during the period of military service.'';

(4) in paragraph (3), as redesignated by paragraph (2) of this subsection, by inserting ''or (2)'' after ''paragraph (1)''; and

(5) in paragraph (4), as so redesignated, by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) IMPLEMENTATION OF LIMITATION.—Subsection (b) of such section is amended—

(1) in paragraph (1)(A), by striking ''the interest rate limitation in subsection (a)'' and inserting ''an interest rate limitation in paragraph (1) or (2) of subsection (a)''; and

(2) in paragraph (2)—

(A) in the paragraph heading, by striking ''EFFECTIVE AS OF DATE OF ORDER TO ACTIVE DUTY'' and inserting ''EFFECTIVE DATE''; and

(B) by inserting before the period at the end the following: ''in the case of an obligation or liability covered by subsection (a)(1), or as of the date the servicemember (or servicemember and spouse jointly) incurs the obligation or liability concerned under subsection (a)(2)''.

(c) STUDENT LOAN DEFINED.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

''(3) STUDENT LOAN.—The term 'student loan' means the following:

''(A) A Federal student loan made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(B) A private student loan as that term is defined section 140(a) of the Truth in Lending Act (15 U.S.C. 1650(a)).''.

SA 2117. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1652.

SA 2118. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3111.

SA 2119. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3114.

SA 2120. Mr. MANCHIN (for himself, Ms. MURKOWSKI, Mr. HEINRICH, Mr. CRAMER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3116.

SA 2121. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. PLAN TO RESPOND TO NATURAL DISASTERS IN BANGLADESH.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Defense and the Administrator of the United

States Agency for International Development, shall develop a plan to respond to—

(1) destabilization in Bangladesh caused by natural disasters; and

(2) other effects associated with disruptions to the global climate system.

(b) ELEMENTS.—The plan required by subsection (a) shall include the following:

(1) A worst-case scenario relief plan with respect to population displacement in Bangladesh, developed in accordance with established international humanitarian principles, which shall serve as a notional plan to prepare more broadly for large-scale, permanent population displacement in South Asia.

(2) An assessment of methods to ensure United States defense and civilian preparedness for global, regional, or local disruptions in logistics that may effect the operations of the Armed Forces or the operations of the military forces of United States allies.

(3) A determination of the impact of, steps that may be taken to prevent, and a contingency plan to address, destabilization of nuclear weapon states in Asia, including changes in the likelihood of interstate conflict and the loss of control of nuclear weapons to nonstate actors.

(4) Recommendations, developed in consultation with the Government of Bangladesh, on the manner in which the United States may best support—

(A) building the resilience capacity of Bangladesh with respect to current and forecasted shocks and stresses; and

(B) improving the ability of Bangladesh to adapt to changes in the regional environment so as to mitigate the effects of a worst-case scenario.

(c) SUBMITTAL TO CONGRESS.—

(1) SCOPE OF PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report describing the scope of the plan required by subsection (a).

(2) COMPLETED PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress the completed plan required by subsection (a).

(3) FORM.—The reports under this paragraph shall be submitted in unclassified form but may include a classified annex.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

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

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

SA 2122. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike subtitle B of title XXXI.

SA 2123. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 235, strike subsection (e) and insert the following:

(e) SUBMITTAL.—The report required by subsection (a) shall be submitted to the appropriate congressional committees not later than 180 days after the date of the enactment of this Act.

SA 2124. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 911 through 918 and insert the following:

SEC. 911. CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) CHARTER OF DUTIES AND AUTHORITIES.—In consideration of the findings and recommendations in the Independent Assessment of the Chief Management Officer of the Department of Defense made by the Defense Business Board, the Secretary of Defense, in coordination with the Deputy Secretary of Defense and the Chief Management Officer, shall, not later than 90 days after the date of the enactment of this Act, issue an official charter specifying the duties, responsibilities, and authorities of the Chief Management Officer.

(b) REPORT.—Not later than 45 days after the date of the enactment of this Act, the Secretary shall, in coordination with the Deputy Secretary and the Chief Management Officer, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) A description of the issues identified, and recommendations made, by the Defense Business Board in the Independent Assessment referred to in subsection (a).

(2) A description and assessment of the actions to be undertaken by the Department of Defense to reaffirm the independent authority of the Chief Management Officer in bringing about of transformational business process changes in the Department.

SA 2125. Mr. MANCHIN (for himself, Ms. HIRONO, Ms. SMITH, Mrs. BLACKBURN, Mr. HAWLEY, and Mr. WICKER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. INCLUSION OF NATIONAL GUARD IN THE ANNUAL REPORTS ON THE UNFUNDED PRIORITIES OF THE ARMED FORCES AND THE COMBATANT COMMANDS.

(a) IN GENERAL.—Section 222a of title 10 United States Code, is amended—

(1) in subsection (a), by striking ''or combatant command'' and inserting '', combatant command, or National Guard components''; and

(2) in subsection (b), by adding at the end the following new paragraph:

''(6) The Chief of the National Guard Bureau.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 222a. Unfunded priorities of the armed forces, combatant commands, and National Guard: annual report''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 9 of such title is amended by striking the item relating to section 222a and inserting the following new item:

''222a. Unfunded priorities of the armed forces, combatant commands, and National Guard: annual report.''.

SA 2126. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 603. TERMINATION OF PRORATION IN PAYMENT OF HAZARDOUS DUTY PAY FOR MEMBERS OF THE RESERVE COMPONENTS.

(a) TERMINATION.—Subsection (c) of section 351 of title 37, United States Code, is amended—

(1) in paragraph (2)—

(A) in the paragraph heading, by inserting ''FOR MEMBERS ENTITLED TO BASIC PAY'' after ''PRORATION''; and

(B) in the matter preceding subparagraph (A), by inserting ''entitled to basic pay'' after ''If a member''; and

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

''(3) NO PRORATION FOR MEMBERS ENTITLED TO COMPENSATION.—A member entitled to compensation under section 206 of this title who satisfies the eligibility requirements specified in subsection (a) in a month shall be paid the entire amount of hazardous duty payable to the member under subsection (a) for the month.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2020, and shall apply to hazardous duty performed on or after that date.

SA 2127. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

SEC. _____. SENSE OF CONGRESS ON UNITED STATES-INDIA DEFENSE RELATIONSHIP.

(a) Sense of Congress.—It is the sense of Congress that-

(1) the United States has made meaningful progress in strengthening its major defense partnership with India by-

(A) maintaining a broad-based strategic partnership, underpinned by shared interests

and objectives in promoting a rules-based international system;

(B) establishing the joint/tri-service exercise, Tiger TRIUMPH, focused on amphibious operations;

(C) building joint peacekeeping capacity efforts;

(D) enhancing United States-India maritime domain awareness cooperation;

(E) leveraging the secure communications equipment enabled by the Communications Compatibility and Security Agreement;

(F) installing liaison officers at United States Naval Forces Central Command and the maritime Information Fusion Center of India;

(G) establishing a secure hotline for the four 2+2 Ministers, which is the consultation mechanism between-

(i) the Secretary of State and the Secretary of Defense: and

(ii) the Minister of External Affairs and the Minister of Defence of India; and

(H) discussing critical mutual defense issues at the first quadrilateral ministerial-level meeting on the sidelines of the United Nations General Assembly among the United States, India, Australia, and Japan in September 2019; and

(2) the United States should strengthen and enhance its major defense partnership with India by-

(A) expanding defense-specific engagement in multilateral frameworks, including the quadrilateral dialogue among the United States, India, Japan, and Australia, to promote regional security and defend shared values and common interests in the rules-based order;

(B) increasing the frequency and scope of exchanges between senior military officers of the United! States and India to support the development and implementation of the major defense partnership:

(C) exploring additional steps to implement the major defense partner designation to better facilitate interoperability, information sharing, and appropriate technology transfers; '

(D) pursuing strategic initiatives to help develop the defense capabilities of India;

(E) conducting additional combined exercises with India in the Persian Gulf, Indian Ocean, and western Pacific regions;

(F) furthering cooperative efforts to promote stability and security in Afghanistan;

(G) remaining committed to concluding the two remaining ''enabling agreements'', which are-

(i) the Industrial Security Agreement; and

(ii) the Basic Exchange and Cooperation Agreement;

(H) fully and quickly implementing of the Communications Compatibility and Security Agreement, which is critical to advancing United States-India interoperability:

(I) continuing the efforts of the Commander of the United States Inda-Pacific Command, in cooperation with the Minister of Defence of India-

(i) to retrofit existing United States-origin equipment; and

(ii) to incorporate communications security into future United States defense sales;

(J) focusing on several priority areas for cooperation, including Air Launched Small Unmanned Aerial Systems, Lightweight Small Arms Technologies, and Intelligence Surveillance, Targeting and Reconnaissance;

(K) expanding military-to-military cooperation, including more joint/tri-service cooperation;

(L) strengthening maritime operational cooperation and information sharing;

(M) increasing Professional Military Education opportunities and exchanges between personnel and liaison officers; and

(N) strengthening cooperation between the Army, Air Force, and Special Operations Forces of the United States and the military forces of India; and

(O) identifying additional practical areas for cooperation between the United States and India in and beyond the Indo-Pacific region.

(3) The U.S. should commend India on its recent, continued, and positive trajectory on decreasing purchases of Russian-made weapons systems and encourage them to be mindful of when considering future purchases of Russian-made systems.

SA 2128. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1003. UNDER SECRETARY OF DEFENSE (COMPTROLLER) REPORTS ON IMPROVING THE BUDGET JUSTIFICATION AND RELATED MATERIALS OF THE DEPARTMENT OF DEFENSE.

(a) REPORTS REQUIRED.—Not later than April 1 of each of 2021 through 2025, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on improving the following:

(1) Modernization of covered materials, including the following:

(A) Updating the format of such materials in order to account for significant improvements in document management and data visualization.

(B) Expanding the scope and quality of data included in such materials.

(2) Streamlining of the production of covered materials within the Department of Defense.

(3) Transmission of covered materials to Congress.

(4) Availability of adequate resources and capabilities to permit the Department to integrate changes to covered materials together with its submittal of current covered materials.

(5) Promotion of the flow between the Department and the congressional defense committees of other information required by Congress for its oversight of budgeting for the Department and the future-years defense programs.

(b) COVERED MATERIALS DEFINED.—In this section, the term ''covered materials'' means the following:

(1) Materials submitted in support of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code.

(2) Materials submitted in connection with the future-years defense program for a fiscal year under section 221 of title 10, United States Code.

SA 2129. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 section G of title XII, add the following:

SEC. ___. WESTERN HEMISPHERE SECURITY STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to appropriate committees of Congress a strategy for enhancing security cooperation and security assistance, and advancing United States strategic interests, in the Western Hemisphere.

(b) ELEMENTS.—The strategy required by subsection (a) shall include the following:

(1) Activities to expand bilateral and multilateral security cooperation in Latin America and the Caribbean so as to maintain consistent United States presence in the region.

(2) Activities to build the defense and security capacity (other than civilian law enforcement) of partner countries in Latin America and the Caribbean.

(3) Activities to counter malign influence of state actors and transnational criminal organizations with connections to illicit trafficking, terrorism, or weapons proliferation.

(4) Efforts to disrupt, degrade, and counter transregional and transnational illicit trafficking, with an emphasis on illicit narcotics and precursor chemicals that produce illicit narcotics.

(5) Activities to provide transparency and support for strong and accountable defense institutions in the region through institutional capacity-building efforts, including efforts to ensure compliance with internationally-recognized human rights standards.

(6) Steps to expand bilateral and multinational military exercises and training with partner countries in Latin America and the Caribbean.

(7) The provision of assistance to such partner countries for regional defense and security organizations and institutions and national military or other security forces (other than civilian law enforcement) that carry out national or regional security missions.

(8) The provision of training and education to defense and security ministries, agencies, and headquarters-level organizations for organizations and forces described in paragraph (7).

(9) Activities to counter misinformation and disinformation campaigns and highlight corrupt, predatory and illegal practices.

(10) The provision of Department of Defense humanitarian assistance and disaster relief to support partner countries by promoting the development and growth of responsive institutions through activities such as—

(A) the provision of equipment, training, logistical support;

(B) transportation of humanitarian supplies or foreign security forces or personnel;

(C) making available, preparing, and transferring on-hand nonlethal Department stocks for humanitarian or health purposes to respond to unforeseen emergencies;

(D) the provision of Department humanitarian demining assistance and conducting physical security and stockpile-management activities; and

(E) as appropriate, conducting medical support operations or medical humanitarian missions, such as hospital ship deployments and base-operating services, to the extent required by the operation.

(11) Continued support for the women, peace, and security efforts of the Department of State to support the capacity of partner countries in the Western Hemisphere—

(A) to ensure that women and girls are safe and secure and the rights of women and girls are protected; and

(B) to promote the meaningful participation of women in the defense and security sectors.

(12) The provision of support to increase the capacity and effectiveness of Department educational programs and institutions, such as the William J. Perry Center, and international institutions, such as the Inter-American Defense Board and the Inter-American Defense College, that promote United States defense objectives through bilateral and regional relationships.

(13) Professional military education initiatives, including International Military and Education Training (IMET) assistance.

(14) The permanent assignment of Navy maritime vessels to the United States 4th Fleet, including the use of ships scheduled to be decommissioned.

(15) A detailed assessment of the resources required to carry out such strategy and a plan to be executed in fiscal year 2022.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2130. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1052. DEPARTMENT OF DEFENSE PROVISION OF VETERINARY CARE FOR RETIRED MILITARY WORKING DOGS AND ADOPTION OF MILITARY ANIMALS.

(a) IN GENERAL.—Section 994 of title 10, United States Code, is amended—

(1) in subsection (a);

(A) by striking ''establish and maintain a system to'';

(B) by striking ''for the veterinary care of'' and inserting ''veterinary care for''; and

(C) by striking the second sentence;

(2) in subsection (b), by inserting ''that the Secretary of the military department concerned determines is suitable for adoption or is'' before ''adopted''; and

(3) in subsection (c), by striking ''the system authorized by''.

(b) MULTI-YEAR AGREEMENTS WITH OTHER ENTITIES.—Such section is further amended by adding at the end the following new subsection:

''(d) ACCEPTANCE AND USE OF DONATED FUNDS.—(1) The Secretary of Defense may accept donations of funds, gifts, and in-kind contributions for the purpose of providing long-term care for any military working dog adopted under section 2583 of this title. Any amount so accepted shall be available without further appropriation and without fiscal year limitation.

''(2) The Secretary of Defense may enter into a multi-year agreement with a veterans service organization or appropriate nonprofit entity under which—

''(A) the organization or entity may solicit and accept donations of funds on behalf of the Department of Defense pursuant to paragraph (1); and

''(B) the organization or entity agrees to transfer any funds accepted pursuant to such an agreement to the Department of Defense.

''(3) In this subsection, the term 'veterans service organization' means an organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38.''.

(c) PROHIBITION ON CHARGE FOR ADOPTION OF MILITARY ANIMALS.—Section 2583(d) of title 10, United States Code, is amended by striking ''may'' and inserting ''shall''.

SA 2131. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. PROHIBITION ON USE OF FUNDS TO PURCHASE GOODS OR SERVICES FROM COMMUNIST CHINESE MILITARY COMPANIES.

(a) IN GENERAL.—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2020 and available for obligation as of the date of the enactment of this Act, or authorized to be appropriated or otherwise made available for fiscal year 2021 or any fiscal year thereafter, may be obligated or expended to purchase goods or services from a person on the list required by section 1237(b) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1701 note).

(b) APPLICATION TO PRIVATE ENTITIES AND STATE AND LOCAL GOVERNMENTS.—

(1) IN GENERAL.—The prohibition under subsection (a) includes a prohibition on the obligation or expenditure of funds described in that subsection for the purchase of goods or services from persons described in that subsection by a private entity or a State or local government that received such funds through a grant or any other means.

(2) CERTIFICATION REQUIRED TO RECEIVE FUTURE FUNDS.—On and after the date of the enactment of this Act, the head of an executive agency may not provide funds described in subsection (a) to a private entity or a State or local government unless the entity or government certifies that the entity or government, as the case may be, is not purchasing goods or services from a person described in subsection (a).

(c) EXECUTIVE AGENCY DEFINED.—In this section, the term ''executive agency'' has the meaning given that term in section 133 of title 41, United States Code.

SA 2132. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. DISCLOSURE BY ONLINE RETAILERS OF WHETHER ARTICLES ORIGINATE IN THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) is amended by adding at the end the following:

''(m) MARKING OF ARTICLES FROM THE PEOPLE'S REPUBLIC OF CHINA SOLD BY ONLINE RETAILERS.—

''(1) IN GENERAL.—Any person that sells, through an online marketplace or e-commerce platform, articles of foreign origin imported into the United States, shall state as legibly as possible, in a conspicuous place on the webpage for each such article, if any of the following is the People's Republic of China:

''(A) The country of origin of the article.

''(B) The country of origin of any major component of the article.

''(C) The country in which the article was manufactured.

''(D) The country in which the article was assembled.

''(2) APPLICATION OF CERTAIN PROVISIONS.—The following provisions of this section shall apply with respect to the statement required by paragraph (1) to the same extent that such provisions apply with respect to the marking of articles under subsection (a):

''(A) Paragraphs (1) and (2) of subsection (a).

''(B) Subparagraphs (E), (H), (I) of subsection (a)(3).

''(C) Subsections (f), (g), (h), (k), and (l).''.

(b) REGULATIONS.—The Secretary of the Treasury shall prescribe regulations to carry out subsection (m) of section 304 of the Tariff Act of 1930, as added by subsection (a), which regulations may include exceptions to the requirements of that subsection for small retailers or for second point-of-sale retailers.

(c) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of the enactment of this Act.

SA 2133. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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____. WATER SUPPLY INFRASTRUCTURE REHABILITATION AND UTILIZATION.

(a) AGING INFRASTRUCTURE ACCOUNT.—Section 9603 of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 510b) is amended by adding at the end the following:

''(d) AGING INFRASTRUCTURE ACCOUNT.—

''(1) ESTABLISHMENT.—There is established in the general fund of the Treasury a special account, to be known as the 'Aging Infrastructure Account' (referred to in this subsection as the 'Account'), to provide funds to, and provide for the extended repayment of the funds by, a transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for the conduct of extraordinary operation and maintenance work at a project facility, which shall consist of—

''(A) any amounts that are specifically appropriated to the Account under section 9605; and

''(B) any amounts deposited in the Account under paragraph (3)(B).

''(2) EXPENDITURES.—Subject to appropriations and paragraph (3), the Secretary may expend amounts in the Account to fund and provide for extended repayment of the funds for eligible projects identified in a report submitted under paragraph (5)(A).

''(3) REPAYMENT CONTRACT.—

''(A) IN GENERAL.—The Secretary may not expend amounts under paragraph (2) with respect to an eligible project described in that paragraph unless the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs has entered into a contract to repay the amounts under subsection (b)(2).

''(B) DEPOSIT OF REPAID FUNDS.—Amounts repaid by a transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs receiving funds under a repayment contract entered into under this subsection shall be deposited in the Account and shall be available to the Secretary for expenditure in accordance with this subsection without further appropriation.

''(4) APPLICATION FOR FUNDING.—

''(A) IN GENERAL.—Not less than once per fiscal year, the Secretary shall accept, during an application period established by the Secretary, applications from transferred works operating entities or project beneficiaries responsible for payment of reimbursable costs for funds and extended repayment for eligible projects.

''(B) ELIGIBLE PROJECT.—A project eligible for funding and extended repayment under this subsection is a project that—

''(i) qualifies as an extraordinary operation and maintenance work under this section;

''(ii) is for the major, non-recurring maintenance of a mission-critical asset; and

''(iii) is not eligible to be carried out or funded under the repayment provisions of section 4(c) of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 508(c)).

''(C) GUIDELINES FOR APPLICATIONS.—Not later than 60 days after the date of enactment of this subsection, the Secretary shall issue guidelines describing the information required to be provided in an application for funding and extended repayment under this subsection that require, at a minimum—

''(i) a description of the project for which the funds are requested;

''(ii) the amount of funds requested;

''(iii) the repayment period requested by the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs;

''(iv) alternative non-Federal funding options that have been evaluated;

''(v) the financial justification for requesting an extended repayment period; and

''(vi) the financial records of the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs.

''(D) REVIEW BY THE SECRETARY.—The Secretary shall review each application submitted under subparagraph (A)—

''(i) to determine whether the project is eligible for funds and an extended repayment period under this subsection;

''(ii) to determine if the project has been identified by the Bureau of Reclamation as part of the major rehabilitation and replacement of a project facility; and

''(iii) to conduct a financial analysis of—

''(I) the project; and

''(II) the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs.

''(5) REPORT.—Not later than 90 days after the date on which an application period closes under paragraph (4)(A), the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Natural Resources and Appropriations of the House of Representatives a report that—

''(A) identifies each project eligible for funding and extended repayment under this subsection;

''(B) with respect to each eligible project identified under subparagraph (A), includes—

''(i) a description of—

''(I) the eligible project;

''(II) the anticipated cost and duration of the eligible project; and

''(III) any remaining engineering or environmental compliance that is required before the eligible project commences;

''(ii) an analysis of—

''(I) the repayment period proposed in the application; and

''(II) if the Secretary recommends a minimum necessary repayment period that is different than the repayment period proposed in the application, the minimum necessary repayment period recommended by the Secretary; and

''(iii) an analysis of alternative non-Federal funding options; and

''(C) describes the balance of funds in the Account as of the date of the report.

''(6) EFFECT OF SUBSECTION.—Nothing in this subsection affects—

''(A) any funding provided, or contracts entered into, under subsection (a) before the date of enactment of this subsection; or

''(B) the use of funds otherwise made available to the Secretary to carry out subsection (a).''.

(b) AUTHORIZATION OF APPROPRIATIONS FOR THE RECLAMATION SAFETY OF DAMS ACT OF 1978.—Section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended, in the first sentence, by inserting '', and, effective October 1, 2019, not to exceed an additional $550,000,000 (October 1, 2019, price levels)'' before '', plus or minus''.

SA 2134. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. ENHANCEMENT OF COMMERCIAL ENGAGEMENT.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

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

(C) the Committee on Armed Services of the Senate;

(D) the Committee on Energy and Commerce of the House of Representatives;

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

(F) the Committee on Armed Services of the House of Representatives; and

(2) the term ''Secretary'' means the Secretary of Commerce.

(b) PROGRAM.—Notwithstanding any other provision of law, including any provision of title 5, United States Code, the Secretary may appoint locally-engaged staff in Pacific Island countries for the purpose of promoting increased economic and commercial engagement between the United States and those countries.

(c) AVAILABILITY OF FUNDS.—Until September 30, 2024, amounts appropriated to the Secretary under any other provision of law shall be available to carry out subsection (b).

(d) REPORT.—Not later than March 15, 2025, the Secretary, in consultation with the Secretary of State and the Secretary of Defense, shall submit to the appropriate committees of Congress a report on the activities of any staff appointed under subsection (b), which shall include—

(1) an assessment of the commercial results of those activities, including the impact on United States companies and on the economies of the applicable Pacific Island countries;

(2) an assessment of the impact of those activities with respect to the diplomatic and security interests of the United States;

(3) recommendations for the future of United States commercial engagement in Pacific Island countries; and

(4) any other matter that the Secretary determines is appropriate.

(e) RULE OF CONSTRUCTION.—For the purposes of this section, American Samoa shall be considered to be a Pacific Island country.

SA 2135. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. INTERNET OF THINGS.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) the Internet of Things refers to the growing number of connected and interconnected devices;

(B) estimates indicate that more than 125,000,000,000 devices will be connected to the internet by 2030;

(C) the Internet of Things has the potential to generate trillions of dollars in new economic activity around the world in the transportation, energy, agriculture, manufacturing, and health care sectors and in other sectors that are critical to the growth of the gross domestic product of the United States;

(D) businesses across the United States can develop new services and products, improve the efficiency of operations and logistics, cut costs, improve worker and public safety, and pass savings on to consumers by utilizing the Internet of Things and related innovations;

(E) the Internet of Things will—

(i) be vital in furthering innovation and the development of emerging technologies; and

(ii) play a key role in developing artificial intelligence and advanced computing capabilities;

(F) the United States leads the world in the development of technologies that support the internet, the United States technology sector is well-positioned to lead in the development of technologies for the Internet of Things, and the appropriate prioritization of a national strategy with respect to the Internet of Things would strengthen that position;

(G) the Federal Government can implement this technology to better deliver services to the public; and

(H) the Senate unanimously passed Senate Resolution 110, 114th Congress, agreed to March 24, 2015, calling for a national strategy for the development of the Internet of Things.

(2) SENSE OF CONGRESS.—It is the sense of Congress that policies governing the Internet of Things should—

(A) promote solutions with respect to the Internet of Things that are secure, scalable, interoperable, industry-driven, and standards-based; and

(B) maximize the development and deployment of the Internet of Things to benefit all stakeholders, including businesses, governments, and consumers.

(b) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(3) STEERING COMMITTEE.—The term ''steering committee'' means the steering committee established under subsection (c)(5)(A).

(4) WORKING GROUP.—The term ''working group'' means the working group convened under subsection (c)(1).

(c) FEDERAL WORKING GROUP.—

(1) IN GENERAL.—The Secretary shall convene a working group of Federal stakeholders for the purpose of providing recommendations and a report to Congress relating to the aspects of the Internet of Things described in paragraph (2).

(2) DUTIES.—The working group shall—

(A) identify any Federal regulations, statutes, grant practices, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development or deployment of the Internet of Things;

(B) consider policies or programs that encourage and improve coordination among Federal agencies that have responsibilities that are relevant to the objectives of this section;

(C) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations;

(D) examine—

(i) how Federal agencies can benefit from utilizing the Internet of Things;

(ii) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

(iii) the preparedness and ability of Federal agencies to adopt Internet of Things technology as of the date on which the working group performs the examination and in the future; and

(iv) any additional security measures that Federal agencies may need to take to—

(I) safely and securely use the Internet of Things, including measures that ensure the security of critical infrastructure; and

(II) enhance the resiliency of Federal systems against cyber threats to the Internet of Things; and

(E) in carrying out the examinations required under subclauses (I) and (II) of subparagraph (D)(iv), ensure to the maximum extent possible the coordination of the current and future activities of the Federal Government relating to security with respect to the Internet of Things.

(3) AGENCY REPRESENTATIVES.—In convening the working group under paragraph (1), the Secretary shall have discretion to appoint representatives from Federal agencies and departments as appropriate and shall specifically consider seeking representation from—

(A) the Department of Commerce, including—

(i) the National Telecommunications and Information Administration;

(ii) the National Institute of Standards and Technology; and

(iii) the National Oceanic and Atmospheric Administration;

(B) the Department of Transportation;

(C) the Department of Homeland Security;

(D) the Office of Management and Budget;

(E) the National Science Foundation;

(F) the Commission;

(G) the Federal Trade Commission;

(H) the Office of Science and Technology Policy;

(I) the Department of Energy; and

(J) the Federal Energy Regulatory Commission.

(4) NONGOVERNMENTAL STAKEHOLDERS.—The working group shall consult with nongovernmental stakeholders with expertise relating to the Internet of Things, including—

(A) the steering committee;

(B) information and communications technology manufacturers, suppliers, service providers, and vendors;

(C) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(D) small, medium, and large businesses;

(E) think tanks and academia;

(F) nonprofit organizations and consumer groups;

(G) security experts;

(H) rural stakeholders; and

(I) other stakeholders with relevant expertise, as determined by the Secretary.

(5) STEERING COMMITTEE.—

(A) ESTABLISHMENT.—There is established within the Department of Commerce a steering committee to advise the working group.

(B) DUTIES.—The steering committee shall advise the working group with respect to—

(i) the identification of any Federal regulations, statutes, grant practices, programs, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(ii) situations in which the use of the Internet of Things is likely to deliver significant and scalable economic and societal benefits to the United States, including benefits from or to—

(I) smart traffic and transit technologies;

(II) augmented logistics and supply chains;

(III) sustainable infrastructure;

(IV) precision agriculture;

(V) environmental monitoring;

(VI) public safety; and

(VII) health care;

(iii) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers may exist to providing any spectrum needed in the future;

(iv) policies, programs, or multi-stakeholder activities that—

(I) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(II) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(III) may protect users of the Internet of Things; and

(IV) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(v) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(vi) any international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party.

(C) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing a wide range of stakeholders outside of the Federal Government with expertise relating to the Internet of Things, including—

(i) information and communications technology manufacturers, suppliers, service providers, and vendors;

(ii) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(iii) small, medium, and large businesses;

(iv) think tanks and academia;

(v) nonprofit organizations and consumer groups;

(vi) security experts;

(vii) rural stakeholders; and

(viii) other stakeholders with relevant expertise, as determined by the Secretary.

(D) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes any findings or recommendations of the steering committee.

(E) INDEPENDENT ADVICE.—

(i) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee under subparagraph (B).

(ii) SUGGESTIONS.—The working group may suggest topics or items for the steering committee to study, and the steering committee shall take those suggestions into consideration in carrying out the duties of the steering committee.

(iii) REPORT.—The steering committee shall ensure that the report submitted under subparagraph (D) is the result of the independent judgment of the steering committee.

(F) NO COMPENSATION FOR MEMBERS.—A member of the steering committee shall serve without compensation.

(G) TERMINATION.—The steering committee shall terminate on the date on which the working group submits the report under paragraph (6).

(6) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(i) the findings and recommendations of the working group with respect to the duties of the working group under paragraph (2);

(ii) the report submitted by the steering committee under paragraph (5)(D), as the report was received by the working group;

(iii) recommendations for action or reasons for inaction, as applicable, with respect to each recommendation made by the steering committee in the report submitted under paragraph (5)(D); and

(iv) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(B) COPY OF REPORT.—The working group shall submit a copy of the report described in subparagraph (A) to—

(i) the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Energy and Commerce of the House of Representatives; and

(iii) any other committee of Congress, upon request to the working group.

(d) ASSESSING SPECTRUM NEEDS.—

(1) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs to enable better connectivity relating to the Internet of Things.

(2) REQUIREMENTS.—In issuing the notice of inquiry under paragraph (1), the Commission shall seek comments that consider and evaluate—

(A) whether adequate spectrum is available, or is planned for allocation, for commercial wireless services that could support the growing Internet of Things;

(B) if adequate spectrum is not available for the purposes described in subparagraph (A), how to ensure that adequate spectrum is available for increased demand with respect to the Internet of Things;

(C) what regulatory barriers may exist to providing any needed spectrum that would support uses relating to the Internet of Things; and

(D) what the role of unlicensed and licensed spectrum is and will be in the growth of the Internet of Things.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the comments submitted in response to the notice of inquiry issued under paragraph (1).

SA 2136. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. PRODUCT SUPPORT STRATEGY FOR THE C–17 GLOBEMASTER AIRCRAFT.

(a) REPORT.—

(1) IN GENERAL.—Not later than January 31, 2021, on the basis of the business case analysis finalized in 2019 conducted pursuant to the requirements of section 2377 of title 10, United States Code, for the future product support strategy for the C–17 Globemaster aircraft, the Secretary of the Air Force shall submit to the congressional defense committees a report detailing for each course of action evaluated in the business case analysis—

(A) the cost-benefit analysis by year performed in accordance with circular A–94 prepared by the Office of Management and Budget;

(B) the quantitative performance score by year, including calculated mission capability and aircraft availability rates; and

(C) the rate impacts by year on other programs of the Department of Defense at all depot maintenance facilities currently supporting C–17 heavy maintenance.

(2) REVIEW.—The Director of Cost Assessment and Performance Evaluation shall review the report required by paragraph (1) and, not later than March 1, 2021, shall submit to the congressional defense committees a report that sets forth an independent assessment of the elements described in paragraph (1).

(b) CERTIFICATION.—

(1) IN GENERAL.—Of the amounts authorized to be appropriated or otherwise made available in this Act for the Department of Defense for fiscal year 2021, no amounts may be obligated or expended for planning or implementing a change to the product support strategy for the C–17 Globemaster aircraft in 2024 or later until the Secretary of the Air Force, with the concurrence of the Director of Cost Assessment and Performance Evaluation, the Commander of the United States Transportation Command, and the Chief of the National Guard Bureau, certifies that such a product support strategy—

(A) results in a cost savings when considering rate impacts on all programs of the Department of Defense at the depot maintenance facilities currently supporting C–17 heavy maintenance;

(B) will result in no materiel readiness degradation of the C–17 fleet; and

(C) is optimized to support the National Defense Strategy, the operational plans of the combatant commanders, and the requirements of the National Guard.

(2) EXCEPTION.—The limitation under paragraph (1) shall not apply to amounts necessary to carry out such paragraph or subsection (a).

SA 2137. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. REVIEW OF NATIONAL SECURITY IMPLICATIONS OF WIND FARM PROPOSALS NEAR INSTALLATIONS OF DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of the Air Force, in conjunction with the Secretary of the Treasury, shall conduct a thorough review lasting not less than 180 days of the national security implications of wind farm proposals within 100 miles of an installation of the Department of Defense if an entity purchasing or constructing the wind farm has financial holdings in, or is a subsidiary of, a company that is influenced or controlled by—

(1) the Communist Party of the People's Republic of China;

(2) the Government of the Russian Federation;

(3) the Government of the Islamic Republic of Iran; or

(4) the Government of the People's Republic of North Korea.

(b) REPORT.—

(1) IN GENERAL.—Not later than 15 days after the completion of the review under subsection (a), the Secretary of the Air Force shall submit to the appropriate committees of Congress and the appropriate members of Congress a report that includes the results of the review.

(2) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(B) APPROPRIATE MEMBERS OF CONGRESS.—The term ''appropriate members of Congress'' means, with respect to a State in which an installation of the Department of Defense is located that is within 100 miles of a wind farm proposal subject to the review under subsection (a)—

(i) the Senators from the State; and

(ii) the members of the House of Representatives from the State.

(c) LIMITATION ON PUBLICATION OR RELEASE.—The Secretary of the Air Force and the Secretary of the Treasury may not publish or release any conclusions or rulings resulting from the review conducted under subsection (a) until the date that is 60 days after the submittal of the report under subsection (b).

SA 2138. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ____. LEVERAGING COMMERCIAL SATELLITE REMOTE SENSING.

(a) IN GENERAL.—In acquiring geospatial-intelligence, the Secretary of Defense, in coordination with the Director of the National Reconnaissance Office and the Director of the National Geospatial-Intelligence Agency, shall leverage, to the maximum extent practicable, the capabilities of United States industry, including through the use of commercial geospatial-intelligence services and acquisition of commercial satellite imagery.

(b) OBTAINING FUTURE GEOSPATIAL-INTELLIGENCE DATA.—The Director of the National Reconnaissance Office, as part of an analysis of alternatives for the future acquisition of space systems for geospatial-intelligence, shall—

(1) consider whether there is a suitable, cost-effective, commercial capability available that can meet any or all of the geospatial-intelligence requirements of the Department and the intelligence community;

(2) if a suitable, cost-effective, commercial capability is available as described in paragraph (1), determine whether it is in the national interest to develop a governmental space system for geospatial intelligence; and

(3) include, as part of the established acquisition reporting requirements to the appropriate committees of Congress, any determination made under paragraphs (1) and (2).

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the congressional defense committees;

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

(C) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 2139. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

Amend section 144 to read as follows:

SEC. 144. MINIMUM AIR FORCE BOMBER AIRCRAFT LEVEL.

(a) MINIMUM.—The Secretary of Defense shall submit to the congressional defense committees recommendations for a minimum number of bomber aircraft, including penetrating bombers in addition to B–52H

aircraft, to enable the Air Force to carry out its long-range penetrating strike capability.

(b) BRIEFING ON B–1 FLEET SUSTAINMENT.—

(1) INITIAL BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall brief the congressional defense committees on the current state of readiness and continued sustainment of the B–1 fleet and any gaps or necessary steps to ensure that the mission capable rate of the B–1 fleet is not less than 70 percent and the structural life of such fleet is sufficient to 2040.

(2) QUARTERLY BRIEFING.—If the mission capable rate and structural life levels specified in paragraph (1) have not been met, not later than 60 days after the briefing under paragraph (1), and not less frequently than quarterly thereafter until such levels have been met, the Secretary of the Air Force shall brief the congressional defense committees on, with respect to the B–1 fleet, the following:

(A) A description of any structural issues or technical deficiencies.

(B) A plan for continued structural deficiency data analysis and training.

(C) A description of projected repair timelines to address issues identified under subparagraph (A).

(D) A description of future mitigation strategies, including an analysis of the support requirement for each aircraft.

(E) An aircrew maintainer training plan, including a plan to ensure that the training pipeline remains steady for any degradation period.

(F) An identification of any deficiencies in equipment or funds required to address issues identified under subparagraph (A).

(G) A recovery timeline to resolve issues identified under subparagraph (A).

SA 2140. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. REQUIREMENTS RELATING TO SUSTAINMENT OF B–1 FLEET FOR THE AIR FORCE.

(a) IN GENERAL.—The Secretary of the Air Force shall ensure that—

(1) the mission capable rate of the B–1 fleet is not less than 70 percent; and

(2) the structural life of such fleet is sufficient to 2040.

(b) BRIEFING.—

(1) INITIAL BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Air Force shall brief the congressional defense committees on the current state of readiness and continued sustainment of the B–1 fleet and any gaps or necessary steps to take relating to the requirements under subsection (a).

(2) QUARTERLY BRIEFING.—If the requirements under subsection (a) have not been met, not later than 60 days after the briefing under paragraph (1), and not less frequently than quarterly thereafter until such requirements have been met, the Secretary of the Air Force shall brief the congressional defense committees on, with respect to the B–1 fleet, the following:

(A) A description of any structural issues or technical deficiencies.

(B) A plan for continued structural deficiency data analysis and training.

(C) A description of projected repair timelines.

(D) A description of future mitigation strategies, including an analysis of the support requirement for each aircraft.

(E) An aircrew maintainer training plan, including a plan to ensure that the training pipeline remains steady for any degradation period.

(F) An identification of any deficiencies in equipment or funds required to meet the requirements under subsection (a).

(G) A recovery timeline to meet the requirements under subsection (a).

SA 2141. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3___. PLAN TO ACHIEVE FULL OPERATIONAL CAPABILITY FOR THE B–1 FLEET TO DELIVER HYPERSONIC WEAPONS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a plan to achieve full operational capability for the B–1 fleet to deliver hypersonic weapons by fiscal year 2025.

SA 2142. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 appropriate place in title XI, insert the following:

SEC. _____. TIERED PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) PREFERENCE ELIGIBILITY FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 2108 of title 5, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (G)(ii), by striking ''and'' at the end;

(B) in subparagraph (H), by adding ''and'' at the end; and

(C) by inserting after subparagraph (H) the following:

''(I) a qualified reservist;'';

(2) in paragraph (4), by striking ''and'' at the end;

(3) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(6) 'qualified reservist' means an individual who is a member of a reserve component of the Armed Forces on the date of the applicable determination—

''(A) who—

''(i) has completed at least 6 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; or

''(B) who—

''(i) has completed at least 10 years of service in a reserve component of the Armed Forces; and

''(ii) in each year of service in a reserve component of the Armed Forces, was credited with at least 50 points under section 12732 of title 10; and

''(7) 'reserve component of the Armed Forces' means a reserve component specified in section 101(27) of title 38.''.

(b) TIERED HIRING PREFERENCE FOR MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—Section 3309 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

''(3) a preference eligible described in section 2108(6)(B)—3 points; and

''(4) a preference eligible described in section 2108(6)(A)—2 points.''.

(c) GAO REVIEW.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that—

(1) assesses Federal employment opportunities for members of a reserve component of the Armed Forces;

(2) evaluates the impact of the amendments made by this section on the hiring of reservists and veterans by the Federal Government; and

(3) provides recommendations, if any, for strengthening Federal employment opportunities for members of a reserve component of the Armed Forces.

SA 2143. Mrs. BLACKBURN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Protecting American Innovation and Development

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Protecting American Innovation and Development Act of 2020''.

SEC. 1292. STATEMENT OF POLICY REGARDING THE MAINTENANCE OF RESEARCH AND DEVELOPMENT LEADERSHIP WITH RESPECT TO WIRELESS COMMUNICATIONS TECHNOLOGIES.

Section 1752(2) of the Export Control Reform Act of 2018 (50 U.S.C. 4811(2)) is amended by adding at the end the following:

''(H) To ensure the continued strength and leadership of the United States with respect to the research and development of key technologies for future wireless telecommunications standards and infrastructure.''.

SEC. 1293. LIST OF FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY WITH RESPECT TO WIRELESS COMMUNICATIONS RESEARCH AND DEVELOPMENT.

Part I of the Export Control Reform Act of 2018 (50 U.S.C. 4811 et seq.) is amended by inserting after section 1759 the following:

''SEC. 1759A. LIST OF FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY WITH RESPECT TO WIRELESS COMMUNICATIONS RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Secretary shall establish and maintain a list of each foreign entity that the Secretary determines—

''(1)(A) uses, without a license, a claimed invention protected by a patent that is essential for the implementation of a wireless communications standard and is held by a United States person; and

''(B) has as its ultimate parent a covered foreign person; or

''(2) is a successor to an entity described in paragraph (1).

''(b) WATCH LIST.—

''(1) IN GENERAL.—The Secretary shall establish and maintain a watch list of each foreign entity—

''(A)(i) that is a covered foreign person or has as its ultimate parent a covered foreign person; and

''(ii) with respect to which a covered United States person has made a demonstration described in paragraph (2); or

''(B) that is a successor to an entity described in subparagraph (A).

''(2) DEMONSTRATION DESCRIBED.—

''(A) IN GENERAL.—A covered United States person has made a demonstration described in this paragraph if the person has reasonably demonstrated to the Secretary that—

''(i) the person owns at least one unexpired patent that is essential for the implementation of a wireless communications standard;

''(ii) a foreign entity that is a covered foreign person, or has as its ultimate parent a covered foreign person, has been, for a period of more than 180 days, selling wireless communications devices in or into the United States, directly or indirectly, that—

''(I) are claimed, labeled, marketed, or advertised as complying with that standard; and

''(II) use a claimed invention protected by a patent described in clause (i) without a license;

''(iii) the covered United States person has offered to the foreign entity or any of its affiliates—

''(I) a license to the person's portfolio of patents that are essential to that standard; or

''(II) to enter into binding arbitration to resolve the terms of such a license; and

''(iv) the foreign entity has not executed a license agreement or an agreement to enter into such arbitration, as the case may be, by the date that is 180 days after the covered United States person made such an offer.

''(B) DEMONSTRATION OF ESSENTIALITY.—A covered United States person may demonstrate under subparagraph (A)(i) that the person owns at least one unexpired patent that is essential for the implementation of a wireless communications standard by providing to the Secretary any of the following:

''(i) A decision by a court or arbitral tribunal that a patent owned by the person is essential for the implementation of that standard.

''(ii) A determination by an independent patent evaluator not hired by the person that a patent owned by the person is essential for the implementation of that standard.

''(iii) A showing that wireless communications device manufacturers together accounting for a significant portion of the United States or world market for such devices have entered into agreements for licenses to the person's portfolio of patents that are essential for the implementation of that standard.

''(iv) A showing that the person has previously granted licenses to the foreign entity described in subparagraph (A)(ii) or any of its affiliates with respect to a reasonably similar portfolio of the person's patents that are essential for the implementation of that standard.

''(C) ACCOUNTING OF WIRELESS COMMUNICATIONS DEVICE MARKET.—A showing described in subparagraph (B)(iii) may be made either by including or excluding wireless communications device manufacturers that are covered foreign persons.

''(c) MOVEMENT BETWEEN LISTS.—A foreign entity on the watch list required by subsection (b)(1) may be moved to the list required by subsection (a), pursuant to procedures established by the Secretary, on or after the date that is one year after being placed on the watch list if the foreign entity is not able to demonstrate that it has entered into a patent license agreement or a binding arbitration agreement with each covered United States person that has made the demonstration described in subsection (b)(2) with respect to the entity.

''(d) DEFINITIONS.—In this section:

''(1) AFFILIATE.—The term 'affiliate', with respect to an entity, means any entity that owns or controls, is owned or controlled by, or is under common ownership or control with, the entity.

''(2) COVERED FOREIGN COUNTRY.—The term 'covered foreign country' means a country with respect to which the Secretary determines that—

''(A) persons in the country persistently use, without obtaining a license, patents—

''(i) essential to the implementation of wireless communications standards; and

''(ii) held by a United States person; and

''(B) that use of patents poses a threat to—

''(i) the ability of the United States to maintain a wireless communications research and development infrastructure; and

''(ii) the national security of the United States, pursuant to the policy set forth in paragraphs (2)(H) and (3) of section 1752.

''(3) COVERED FOREIGN PERSON.—The term 'covered foreign person' means a person that is—

''(A) an individual who is a citizen or national (as defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a))) of a covered foreign country; or

''(B) an entity that is headquartered in, or organized under the laws of, such a country.

''(4) COVERED UNITED STATES PERSON.—The term 'covered United States person' means a United States person engaged in wireless communications research and development in the United States.

''(5) WIRELESS COMMUNICATIONS STANDARD.—The term 'wireless communications standard' means—

''(A) a cellular wireless telecommunications standard, including such a standard promulgated by the 3rd Generation Partnership Project (commonly known as '3GPP') or the 3rd Generation Partnership Project 2 (commonly known as '3GPP2'); or

''(B) a wireless local area network standard, including such a standard designated as IEEE 802.11 as developed by the Institute of Electrical and Electronics Engineers (commonly known as the 'IEEE').''.

SEC. 1294. IMPORT SANCTIONS WITH RESPECT TO CERTAIN FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY.

Chapter 4 of title II of the Trade Expansion Act of 1962 (19 U.S.C. 1862 et seq.) is amended by inserting after section 233 the following:

''SEC. 234. IMPORT SANCTIONS WITH RESPECT TO CERTAIN FOREIGN ENTITIES THAT THREATEN NATIONAL SECURITY.

''(a) IN GENERAL.—Any foreign entity on the list required by section 1759A(a) of the Export Control Reform Act of 2018 may be subject to such controls on the importing of goods or technology into the United States as the President may prescribe.

''(b) ENTRY UNDER BOND.—

''(1) IN GENERAL.—A product described in paragraph (2) may enter the United States under bond prescribed by the Secretary of Commerce in an amount determined by the Secretary to be sufficient to protect from injury the covered United States person that made the demonstration described in section 1759A(b)(2) of Export Control Reform Act of 2018 with respect to the entity that sold the product.

''(2) PRODUCTS DESCRIBED.—A product described in this paragraph is a product—

''(A) produced or sold by—

''(i) a foreign entity on the watch list required by section 1759A(b) of the Export Control Reform Act of 2018;

''(ii) a successor of such an entity; or

''(iii) an affiliate of an entity described in clause (i) or (ii); and

''(B) that is claimed, labeled, marketed, or advertised as complying with a wireless communications standard that was the basis for the inclusion of the foreign entity on the watch list.

''(c) FORFEITURE OF BOND.—

''(1) IN GENERAL.—If a foreign entity on the watch list required by subsection (b) of section 1759A of the Export Control Reform Act of 2018 is moved to the list required by subsection (a) of that section and becomes subject to controls under subsection (a) of this section, a bond paid under subsection (b) shall be forfeited to the covered United States person that made the demonstration described in section 1759A(b)(2) of Export Control Reform Act of 2018 with respect to the entity.

''(2) TERMS AND CONDITIONS.—The Secretary of Commerce shall prescribe the procedures and any terms or conditions under which bonds will be forfeited under paragraph (1).

''(d) DEFINITIONS.—In this section, the terms 'affiliate' and 'covered United States person' have the meanings given those terms in section 1759A(d) of the Export Control Reform Act of 2018.''.

SEC. 1295. EXCLUSION FROM LICENSE REQUIREMENTS UNDER EXPORT CONTROL REFORM ACT OF 2018 FOR PARTICIPATION IN STANDARDS ORGANIZATIONS.

Section 1756 of the Export Control Reform Act of 2018 (50 U.S.C. 4815) is amended by adding at the end the following:

''(e) EXCLUSION FROM LICENSE REQUIREMENTS FOR PARTICIPATION IN STANDARDS ORGANIZATIONS.—No license shall be required for the export, reexport, or in-country transfer to a foreign person of technology or software controlled under this part if—

''(1) the technology or software—

''(A) is not included on the Commerce Control List set forth in Supplement No. 1 to part 774 of the Export Administration Regulations; or

''(B) is included on the Commerce Control List and is controlled only for anti-terrorism reasons; and

''(2) the export, reexport, or in-country transfer occurs—

''(A) in connection with the participation of the person in a standards organization; and

''(B) for the purpose of contributing to the revision, development, or deployment of a standard by that organization.''.

SA 2144. Mrs. BLACKBURN (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. _____. GUIDANCE AND DIRECTION ON USE OF DIRECT HIRING PROCESSES FOR ARTIFICIAL INTELLIGENCE PROFESSIONALS AND OTHER DATA SCIENCE AND SOFTWARE DEVELOPMENT PERSONNEL.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to the secretaries of the military departments and the heads of the defense components on improved use of the direct hiring processes for artificial intelligence professionals and other data science and software development personnel.

(b) OBJECTIVE.—The objective of the guidance issued under subsection (a) shall be to ensure that organizational leaders assume greater responsibility for the results of civilian hiring of artificial intelligence professionals and other data science and software development personnel.

(c) CONTENTS OF GUIDANCE.—At a minimum, the guidance required by subsection (a) shall—

(1) instruct human resources professionals and hiring authorities to utilize available direct hiring authorities (including excepted service authorities) for the hiring of artificial intelligence professionals and other data science and software development personnel, to the maximum extent practicable;

(2) instruct hiring authorities, when using direct hiring authorities, to prioritize utilization of panels of subject matter experts over human resources professionals to assess applicant qualifications and determine which applicants are best qualified for a position;

(3) authorize and encourage the use of ePortfolio reviews to provide insight into the previous work of applicants as a tangible demonstration of capabilities and contribute to the assessment of applicant qualifications by subject matter experts; and

(4) encourage the use of referral bonuses for recruitment and hiring of highly qualified artificial intelligence professionals and other data science and software development personnel in accordance with volume 451 of Department of Defense Instruction 1400.25.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date on which the guidance is issued under subsection (a), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the guidance issued pursuant to subsection (a).

(2) CONTENTS.—At a minimum, the report submitted under paragraph (1) shall address the following:

(A) The objectives of the guidance and the manner in which the guidance seeks to achieve those objectives.

(B) The effect of the guidance on the hiring process for artificial intelligence professionals and other data science and software development personnel, including the effect on—

(i) hiring time;

(ii) the use of direct hiring authority;

(iii) the use of subject matter experts; and

(iv) the quality of new hires, as assessed by hiring managers and organizational leaders.

SA 2145. Mrs. BLACKBURN (for herself and Mr. HEINRICH) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle B of title XVI, add the following:

SEC. _____. ENHANCEMENT OF PUBLIC-PRIVATE TALENT EXCHANGE PROGRAMS IN THE DEPARTMENT OF DEFENSE.

(a) APPLICATION OF EXCHANGE AUTHORITY TO ARTIFICIAL INTELLIGENCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall take steps to ensure that the authority for the Secretary to operate a public-private talent exchange program pursuant to section 1599g of title 10, United States Code, is utilized to exchange personnel with private sector entities working on artificial intelligence applications. Such application of the authority of section 1599g shall be in addition to, not in lieu of, any other application of the authority by the Secretary.

(b) GOALS FOR PROGRAM PARTICIPATION.—In carrying out the requirement of subsection (a), the Secretary shall—

(1) establish goals for an expanded artificial intelligence public-private talent exchange;

(2) identify any barriers that would prevent the Secretary from achieving these goals; and

(3) provide a request to Congress for any additional authorities required to expand the program.

(c) BRIEFING ON EXPANSION OF EXISTING EXCHANGE PROGRAMS.—Not later than 180 days after the date of the enactment of this Act and annually thereafter for five years, the Secretary shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on efforts taken to expand existing public-private exchange programs of the Department of Defense and to ensure that such programs seek opportunities for exchanges with private sector entities working on artificial intelligence applications, in accordance with the requirements of this section.

SA 2146. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

In section 809(a)(2), insert ''for critical mineral-based equipment and'' after ''manufacturing capabilities in the United States''.

SA 2147. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. LIMITED EXEMPTION FOR DISPOSAL OF CERTAIN MATERIALS CONTAINING PER- AND POLYFLUOROALKYL SUBSTANCES OTHER THAN UNDILUTED AQUEOUS FILM FORMING FOAM AT ALASKA THERMAL TREATMENT FACILITIES.

Section 330 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''The Secretary of Defense'' and inserting ''Except as provided in subsection (c), the Secretary of Defense''; and

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

''(c) LIMITED EXEMPTION FOR DISPOSAL OF CERTAIN MATERIALS CONTAINING PFAS AT ALASKA THERMAL TREATMENT FACILITIES.—

''(1) IN GENERAL.—Except as provided in paragraph (2), materials containing PFAS or materials derived from the treatment of materials containing PFAS may be stored and thermally treated in a thermal treatment unit (to include secondary combustion) without regard to the storage requirements set forth in subsection (a)(3) or the permitting requirements set forth in subsection (a)(4) at a facility in Alaska that demonstrates to the Administrator of the Environmental Protection Agency that the facility—

''(A) meets the requirements of subsections (a)(1) and (a)(2);

''(B) meets Category D treatment facility requirements under 18 AAC 75.365 and 18 AAC 78.273 of the Alaska Administrative Code; and

''(C) demonstrates treatment effectiveness using a thermal treatment method that achieves the destruction of PFAS compounds in compliance with permits issued and regulations established by the State of Alaska Department of Environmental Conservation.

''(2) EXCEPTION.—Paragraph (1) does not apply to undiluted aqueous film forming foam or to materials that meet the definition of hazardous waste pursuant to part 261 of title 40, Code of Federal Regulations, or successor regulations.''.

SA 2148. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 section 1083, add the following:

(d) DISTRIBUTION OF ESTIMATE.—As soon as practicable after submitting an estimate as described in paragraph (1) of subsection (a) and making the certification described in paragraph (2) of such subsection, the Secretary shall make such estimate available to any licensee operating under the order and authorization described in such subsection.

(e) AUTHORITY OF SECRETARY OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary of Defense may work directly with any licensee (or any future assignee, successor, or purchaser) affected by the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48) to seek recovery of costs incurred by the Department of Defense as a result of the effect of such order and authorization, as determined by the estimate as described in paragraph (1) of subsection (a) and certified in paragraph (2) of such subsection.

(f) REIMBURSEMENT.—

(1) IN GENERAL.—The Secretary shall establish and facilitate a process for any licensee

(or any future assignee, successor, or purchaser) subject to the authorization and order described in subsection (a) to provide reimbursement to the Department of Defense for the covered costs and eligible reimbursable costs submitted and certified to the congressional defense committees under such subsection.

(2) USE OF FUNDS.—The Secretary shall use any funds received under this subsection for covered costs described in subsection (b) and the range of eligible reimbursable costs identified under subsection (a)(1).

(3) REPORT.—Not later than 90 days after the date on which the Secretary establishes the process required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on such process.

(g) REQUIREMENT FOR DEPARTMENT OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary shall use all means available to recover costs, including negotiation, the filing of an administrative claim, and litigation for recovery of costs incurred by any licensee (or any future assignee, successor, or purchaser) operating under the order and authorization described in subsection (a) if the costs identified by the Secretary under this subsection are greater than those asserted by the licensee (or any future assignee, successor, or purchaser).

SA 2149. Mr. SCOTT of South Carolina submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

(a) INCREASE.—Funds authorized to be appropriated in Research, Development, Test, and Evaluation, Defense-wide, PE 0601228D8Z, section 4201, for Basic Research, Historically Black Colleges and Universities/Minority Institutions, Line 006, are hereby increased by $14,025,000.

(b) OFFSET.—Funding in section 4101 for Other Procurement, Army, for Automated Data Processing Equipment, Line 112, is hereby reduced by $14,025,000.

SA 2150. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. FACILITATING REVIEW BY THE SENATE OF CLASSIFIED DOCUMENTATION.

(a) FACILITATION REQUIRED.—

(1) IN GENERAL.—The Director of National Intelligence shall facilitate the review of classified documentation when requested to do so by any Senator.

(2) PERIOD OF FACILITATION.—The Director shall facilitate for a Senator a review under paragraph (1) not later than 15 days after the date on which the review is requested by the Senator.

(b) FAIR TREATMENT.—Notwithstanding any other provision of law, whenever the Director facilitates the review of classified documentation for one Senator, the Director shall facilitate the review of that documentation for any other Senator who requests such documentation.

SA 2151. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. AMENDMENTS TO TITLE 46.

(a) IN GENERAL.—Chapter 303 of title 46, United States Code, is amended—

(1) by redesignating section 30308 as section 30309; and

(2) by inserting after section 30307 the following:

"§ 30308. Death of a member of the Armed Forces from an accident on the high seas.

''(a) DEFINITION.—In this section, the term 'nonpecuniary damages' means damages for loss of care, comfort, or companionship.

''(b) MILITARY SERVICE MEMBERS.—In an action under this chapter, if the death of a member of the Armed Forces resulted from an accident occurring on the high seas beyond 12 nautical miles from the shore of the United States while the decedent was serving aboard a United States military vessel, the personal representative of the decedent may bring a civil action in admiralty or at law against the person or vessel responsible. The action shall be for the exclusive benefit of the decedent's spouse, parent, child, dependent relative, or estate. Compensation is recoverable for nonpecuniary and pecuniary damages.

''(c) JURY TRIAL.—A claim under this section may be tried with a jury.

''(d) GOVERNING LAW.—In an action under this section, the maritime law of the United States shall apply.

''(e) EFFECTIVE DATE.—This section shall apply to any death occurring after January 1, 2017.

''(f) GOVERNMENT IMMUNITY.—Nothing in this Act shall be construed to affect any existing laws or doctrines establishing governmental immunity from tort-based claims.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended—

(1) by redesignating the item relating to section 30308 as the item relating to section 30309; and

(2) by inserting after the item relating to section 30307 the following:

''30308. Death of a member of the Armed Forces from an accident on the high seas.''.

SA 2152. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 of division A, add the following:

SEC. 1085. REPEAL OF EXEMPTION TO CYBERSECURITY CERTIFICATION FOR RAIL ROLLING STOCK PURCHASED BY PUBLIC TRANSPORTATION AGENCIES.

Section 5323(u)(5) of title 49, United States Code, is amended—

(1) by striking ''(A) PARTIES TO EXECUTED CONTRACTS.—''; and

(2) by striking subparagraphs (B) and (C).

SA 2153. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS FOR PRODUCTION OF FILMS AND PROHIBITION ON USE OF SUCH FUNDS FOR FILMS SUBJECT TO CONDITIONS ON CONTENT OR ALTERED FOR SCREENING IN THE PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

(a) LIMITATION ON USE OF DEPARTMENT OF DEFENSE FUNDS.—The Secretary of Defense may only provide technical support or access to an asset controlled by the Department of Defense for, or enter into a contract relating to, the production or funding of a film by a United States company if the United States company, as a condition of receiving the support or access—

(1) provides a list of all films produced or funded by the United States company the content of which has been submitted, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, to an official of the Government of the People's Republic of China or the Chinese Communist Party for evaluation with respect to screening the film in the People's Republic of China, including, for each film—

(A) the title of the film; and

(B) the date on which the submittal occurred; and

(2) enters into a written agreement with the Secretary not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party.

(b) PROHIBITION WITH RESPECT TO FILMS SUBJECT TO CONDITIONS ON CONTENT OR ALTERED FOR SCREENING IN THE PEOPLE'S REPUBLIC OF CHINA.—Notwithstanding subsection (a), the Secretary may not provide technical support or access to any asset controlled by the Department for, or enter into any contract relating to, the production or funding of a film by a United States company if—

(1) the film is co-produced by an entity located in the People's Republic of China that is subject to conditions on content imposed by an official of the Government of the People's Republic of China or the Chinese Communist Party; or

(2) with respect to the most recent report submitted under subsection (c), the United States company is listed in the report under subparagraph (C) or (D) of paragraph (2) of that subsection.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report on films disclosed under subsection (a) that are associated with a United States company that has received technical support or access to an asset controlled by the Department for, or has entered into a contract with the Department relating to, the production or funding of a film.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) A description of each film listed pursuant to the requirement under subsection (a)(1) the content of which was submitted, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, by a United States company to an official of the Government of the People's Republic of China or the Chinese Communist Party for evaluation with respect to screening the film in the People's Republic of China, including—

(i) the United States company that submitted the contents of the film;

(ii) the title of the film; and

(iii) the date on which the submittal occurred.

(B) A description of each film with respect to which a United States company entered into a written agreement with the Secretary pursuant to the requirement under subsection (a)(2) not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, including—

(i) the United States company that entered into the agreement; and

(ii) the title of the film.

(C) The title of any film described under subparagraph (A), and the corresponding United States company described in clause (i) of that subparagraph—

(i) that was submitted to an official of the Government of the People's Republic of China or the Chinese Communist Party during the preceding 3-year period; and

(ii) for which the Secretary assesses that the content was altered in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party.

(D) The title of any film that is described in both subparagraph (A) and subparagraph (B), and the corresponding one or more United States companies described in clause (i) of each such subparagraph—

(i) that was submitted to an official of the Government of the People's Republic of China or the Chinese Communist Party during the preceding 10-year period; and

(ii) for which the Secretary assesses that the content was altered in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

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

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

(2) CONTENT.—The term ''content'' means any description of a film, including the script.

(3) UNITED STATES COMPANY.—The term ''United States company'' means a private entity incorporated in the United States.

SA 2154. Mr. CRUZ submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. LIMITATION ON USE OF FUNDS FOR PRODUCTION OF FILMS AND PROHIBITION ON USE OF SUCH FUNDS FOR FILMS SUBJECT TO CONDITIONS ON CONTENT OR ALTERED FOR SCREENING IN THE PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.

(a) LIMITATION ON USE OF FUNDS.—The President may only authorize the provision of technical support or access to an asset controlled by the Federal Government for, or authorize the head of a Federal agency to enter into a contract relating to, the production or funding of a film by a United States company if the United States company, as a condition of receiving the support or access—

(1) provides to the Secretary a list of all films produced or funded by the United States company the content of which has been submitted, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, to an official of the Government of the People's Republic of China or the Chinese Communist Party for evaluation with respect to screening the film in the People's Republic of China, including, for each film—

(A) the title of the film; and

(B) the date on which the submittal occurred;

(2) enters into a written agreement with the President, or the Federal agency providing the support or access, not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party; and

(3) submits such agreement to the Secretary.

(b) PROHIBITION WITH RESPECT TO FILMS SUBJECT TO CONDITIONS ON CONTENT OR ALTERED FOR SCREENING IN THE PEOPLE'S REPUBLIC OF CHINA.—Notwithstanding subsection (a), the President may not authorize the provision of technical support or access to any asset controlled by the Federal Government for, or authorize the head of a Federal agency to enter into any contract relating to, the production or funding of a film by a United States company if—

(1) the film is co-produced by an entity located in the People's Republic of China that is subject to conditions on content imposed by an official of the Government of the People's Republic of China or the Chinese Communist Party; or

(2) with respect to the most recent report submitted under subsection (c), the United States company is listed in the report under subparagraph (C) or (D) of paragraph (2) of that subsection.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to the appropriate committees of Congress a report on films disclosed under subsection (a) that are associated with a United States company that has received technical support or access to an asset controlled by the Federal Government for, or has entered into a contract with the Federal Government relating to, the production or funding of a film.

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) A description of each film listed pursuant to the requirement under subsection (a)(1) the content of which was submitted, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, by a United States company to an official of the Government of the People's Republic of China or the Chinese Communist Party for evaluation with respect to screening the film in the People's Republic of China, including—

(i) the United States company that submitted the contents of the film;

(ii) the title of the film; and

(iii) the date on which the submittal occurred.

(B) A description of each film with respect to which a United States company entered into a written agreement with the President or the Federal agency providing the support or access, as applicable, pursuant to the requirement under subsection (a)(2) not to alter the content of the film in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party, during the shorter of the preceding 10-year period or the period beginning on the date of the enactment of this Act, including—

(i) the United States company that entered into the agreement; and

(ii) the title of the film.

(C) The title of any film described under subparagraph (A), and the corresponding United States company described in clause (i) of that subparagraph—

(i) that was submitted to an official of the Government of the People's Republic of China or the Chinese Communist Party during the preceding 3-year period; and

(ii) for which the Secretary assesses that the content was altered in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party.

(D) The title of any film that is described in both subparagraph (A) and subparagraph (B), and the corresponding one or more United States companies described in clause (i) of each such subparagraph—

(i) that was submitted to an official of the Government of the People's Republic of China or the Chinese Communist Party during the preceding 10-year period; and

(ii) for which the Secretary assesses that the content was altered in response to, or in anticipation of, a request by an official of the Government of the People's Republic of China or the Chinese Communist Party.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Energy and Commerce of the House of Representatives.

(2) CONTENT.—The term ''content'' means any description of a film, including the script.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(4) UNITED STATES COMPANY.—The term ''United States company'' means a private entity incorporated in the United States.

SA 2155. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. REPORT ON THE EFFECT OF THE DEFENSE MANUFACTURING COMMUNITIES SUPPORT PROGRAM ON THE DEFENSE SUPPLY CHAIN.

Not later than September 30, 2021, the Secretary of Defense shall submit to Congress a report evaluating the effect of the Defense Manufacturing Communities Support Program on the defense supply chain. The evaluation should consider the program's effect on—

(1) the diversification of the supply chain;

(2) procurement costs; and

(3) efficient procurement processes.

SA 2156. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

Subtitle ____—INDUSTRIES OF THE FUTURE

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Industries of the Future Act of 2020''.

SEC. ___2. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments, infrastructure, and workforce development investments of the Federal Government that enable continued United States leadership in industries of the future.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A definition, for purposes of this Act, of the term ''industries of the future'' that includes emerging technologies.

(2) An assessment of the current baseline of investments in civilian research and development investments of the Federal Government in the industries of the future.

(3) A plan to double such baseline investments in artificial intelligence and quantum information science by fiscal year 2022.

(4) A detailed plan to increase investments described in paragraph (2) in industries of the future to $10,000,000,000 per year by fiscal year 2025.

(5) A plan to leverage investments described in paragraphs (2), (3), and (4) in industries of the future to elicit complimentary investments by non-Federal entities to the greatest extent practicable.

(6) Proposed legislation to implement such plans.

SEC. ___3. INDUSTRIES OF THE FUTURE COORDINATION COUNCIL.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The President shall establish or designate a council to advise the Director of the Office of Science and Technology Policy on matters relevant to the Director and the industries of the future.

(2) DESIGNATION.—The council established or designated under paragraph (1) shall be known as the ''Industries of the Future Coordination Council'' (in this section the ''Council'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of members from the Federal Government as follows:

(A) One member appointed by the Director.

(B) A chairperson of the Select Committee on Artificial Intelligence of the National Science and Technology Council.

(C) A chairperson of the Subcommittee on Advanced Manufacturing of the National Science and Technology Council.

(D) A chairperson of the Subcommittee on Quantum Information Science of the National Science and Technology Council.

(E) Such other members as the President considers appropriate.

(2) CHAIRPERSON.—The member appointed to the Council under paragraph (1)(A) shall serve as the chairperson of the Council.

(c) DUTIES.—The duties of the Council are as follows:

(1) To provide the Director with advice on ways in which in the Federal Government can ensure the United States continues to lead the world in developing emerging technologies that improve the quality of life of the people of the United States, increase economic competitiveness of the United States, and strengthen the national security of the United States, including identification of the following:

(A) Investments required in fundamental research and development, infrastructure, and workforce development of the United States workers who will support the industries of the future.

(B) Actions necessary to create and further develop the workforce that will support the industries of the future.

(C) Actions required to leverage the strength of the research and development ecosystem of the United States, which includes academia, industry, and nonprofit organizations.

(D) Ways that the Federal Government can consider leveraging existing partnerships and creating new partnerships and other multisector collaborations to advance the industries of the future.

(2) To provide the Director with advice on matters relevant to the report required by section ___2.

(d) COORDINATION.—The Council shall coordinate with and utilize relevant existing National Science and Technology Council committees to the maximum extent feasible in order to minimize duplication of effort.

(e) SUNSET.—The Council shall terminate on the date that is 6 years after the date of the enactment of this Act.

SA 2157. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

On page 812, line 18, insert ''the Secretary of State and'' before ''the Minister of Defense''.

SA 2158. Mr. THUNE (for himself and Mr. SCHATZ) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. AUTOMATIC ANNUAL INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) INDEXING TO SOCIAL SECURITY INCREASES.—Section 5312 of title 38, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d);

(2) by inserting after subsection (b) the following new subsection:

''(c)(1) Whenever there is an increase in benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) as a result of a determination made under section 215(i) of such Act (42 U.S.C. 415(i)), the Secretary shall, effective on the date of such increase in benefit amounts, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in paragraph (2), as such amounts were in effect immediately before the date of such increase in benefit amounts payable under title II of the Social Security Act, by the same percentage as the percentage by which such benefit amounts are increased.

''(2) The dollar amounts to be increased pursuant to paragraph (1) are the following:

''(A) DISABILITY COMPENSATION.—Each of the dollar amounts in effect under section 1114 of this title.

''(B) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under section 1115(1) of this title.

''(C) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of this title.

''(D) NEW DIC RATES.—Each of the dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of this title.

''(E) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of this title.

''(F) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of this title.

''(G) ADDITIONAL DIC FOR DISABILITY.—Each of the dollar amounts in effect under subsections (c) and (d) of section 1311 of this title.

''(H) DIC FOR DEPENDENT CHILDREN.—Each of the dollar amounts in effect under sections 1313(a) and 1314 of this title.''; and

(3) by adding at the end of subsection (d), as redesignated by paragraph (1), the following new paragraph:

''(3) Whenever there is an increase under subsection (c)(1) in amounts in effect for the payment of disability compensation and dependency and indemnity compensation, the Secretary shall publish such amounts, as increased pursuant to such subsection, in the Federal Register at the same time as the material required by section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) is published by reason of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).''.

(b) EFFECTIVE DATE.—Subsection (c) of section 5312 of title 38, United States Code, as added by subsection (a) of this section, shall take effect on the first day of the first calendar year that begins after the date of the enactment of this Act.

SA 2159. Mr. THUNE submitted an amendment intended to be proposed by

him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1052. TRANSFER OF EXCESS DEPARTMENT OF DEFENSE REMOTELY PILOTED AIRCRAFT AND RELATED EQUIPMENT TO DEPARTMENT OF HOMELAND SECURITY FOR U.S. CUSTOMS AND BORDER PATROL PURPOSES AND DEPARTMENT OF AGRICULTURE FOR U.S. FOREST SERVICE PURPOSES.

(a) OFFER OF FIRST REFUSAL OUTSIDE DOD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment specified in subsection (c) is also excess to the requirements of all components of the Department of Defense, the Secretary of Defense shall offer to the Secretary of Homeland Security to transfer such aircraft or equipment to the Secretary of Homeland Security for use by U.S. Customs and Border Patrol.

(2) TIMING OF OFFER.—Any offer under this subsection for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Department of Defense.

(b) OFFER OF SECOND REFUSAL OUTSIDE DOD.—

(1) IN GENERAL.—Upon a determination that aircraft or equipment offered to the Secretary of Homeland Security pursuant to subsection (a) will not be accepted by the Secretary of Homeland Security in accordance with that subsection, the Secretary of Defense shall offer to the Secretary of Agriculture to transfer such aircraft or equipment to the Secretary of Agriculture for use by the U.S. Forest Service for wildland fire management purposes

(2) TIMING OF OFFER.—Any offer under this subsection for aircraft or equipment shall be made before such aircraft or equipment is otherwise disposed of outside the Department of Defense.

(c) AIRCRAFT AND EQUIPMENT.—The aircraft and equipment specified in this subsection is the following:

(1) Retired MQ–1 Predator, MQ–9 Reaper, RQ–4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(2) Initial spare MQ–1 Predator, MQ–9 Reaper, RQ–4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(3) Ground support equipment of the military departments for MQ–1 Predator MQ–9 Reaper, RQ–4 Global Hawk, or other remotely piloted aircraft that are excess to the requirements of the military departments.

(d) TRANSFER.—If the Secretary of Homeland Security accepts an offer under subsection (a), or the Secretary of Agriculture accepts an offer under subsection (b), the Secretary of the military department of having jurisdiction the aircraft or equipment concerned shall transfer such aircraft or equipment to the Secretary of Homeland Security or the Secretary of Agriculture, as applicable. The cost of any aircraft or equipment so transferred, and the cost of transfer, shall be borne by the Secretary of Homeland Security or the Secretary of Agriculture, as applicable.

(e) DEMILITARIZATION.—Any aircraft or equipment transferred under this section shall be demilitarized before transfer. The cost of demilitarization shall be borne by the Department of Defense.

(f) USE OF TRANSFERRED AIRCRAFT AND EQUIPMENT.—

(1) DEPARTMENT OF HOMELAND SECURITY.—Any aircraft or equipment transferred to the Secretary of Homeland Security pursuant to this section shall be used by the Commissioner of U.S. Customs and Border Patrol for border security, enforcement of the immigration laws, and related purposes.

(2) DEPARTMENT OF AGRICULTURE.—Any aircraft or equipment transferred to the Secretary of Agriculture pursuant to this section shall be used by the Chief of the U.S. Forest Service for wildland fire management and related purposes.

SA 2160. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 382. AUTHORIZATION FOR MAINTENANCE FACILITY SPACE FOR HANGERS AT NORTHERN TIER BASES OF THE AIR NATIONAL GUARD.

(a) IN GENERAL.—In addition to any other authorization for aircraft maintenance space, including for corrosion control and fuel system maintenance, the Secretary of the Air Force may construct covered space for the maintenance of aircraft at Northern Tier bases for the Air National Guard to ensure that each such base has covered space for the maintenance of aircraft at a size of not less than 50,000 square feet.

(b) REQUIREMENTS.—Construction conducted under subsection (a) shall—

(1) prioritize efficiencies and cost savings with respect to conditions-influenced maintenance;

(2) prioritize efficiencies and cost savings with respect to mission readiness related to adverse weather; and

(3) be subject to the technical and operations standards for aircraft at the base at which the construction is conducted.

(c) FUNDING.—Construction conducted under subsection (a) shall be subject to the availability of funds for such purpose.

SA 2161. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 382. COST-SHARING AGREEMENT FOR STATE AND FEDERAL COSTS FOR RIFLE TRAINING RANGE FOR AIR FORCE SECURITY FORCES.

(a) AUTHORIZATION.—The Secretary may enter into a cost-sharing agreement with a State for the purposes of establishing a rifle training range for the Air Force Security Forces.

(b) REQUEST FOR PROPOSAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall issue to all States a request for proposal for a cost-sharing agreement under subsection (a).

(2) ELEMENTS OF PROPOSALS.—In reviewing proposals submitted by States under paragraph (1) the Secretary shall consider—

(A) training requirements of current and anticipated Air Force Security Forces;

(B) cost savings or cost avoidance concerning travel, accommodations, and other costs related to current training activities of the Air Force Security Forces;

(C) the benefits of the proposal to other requirements of the Department of Defense or another Federal agency;

(D) the benefits of the proposal to each State; and

(E) the cost-sharing arrangement proposed by the State.

(c) AUTHORIZATION OF FUNDS.—

(1) AUTHORIZATION OF LAND ACQUISITION.—There is authorized to be appropriated to the Secretary $10,000,000 to be used by the Secretary for the purposes of land acquisition to carry out this section.

(2) AUGMENTATION OF RIFLE TRAINING RANGE.—There is authorized to be appropriated to the Secretary such funds as may be necessary to augment the rifle training range authorized under subsection (a) as necessary to support training requirements of the Air Force Security Forces.

(3) SOLICITATION OF ADDITIONAL FUNDS.—The Secretary may solicit additional funds from another military department or Federal agency to defray acquisition and operational costs under this section.

(d) SECRETARY DEFINED.—In this section, the term ''Secretary'' means the Secretary of the Air Force.

SA 2162. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle C of title IX, add the following:

SEC. 944. STUDY ON CONTRIBUTION OF EXISTING FEDERAL SPACE-RELATED ASSETS TO SPACE FORCE MISSIONS.

(a) IN GENERAL.—The Secretary of the Air Force and the Chief of Space Operations shall, in consultation with the heads of other applicable departments and agencies of the Federal Government, jointly conduct a study on the feasibility and advisability of the contribution of existing space-related assets of other departments and agencies of the Federal Government to the discharge of Space Force missions.

(b) ELEMENTS.—The study conducted under subsection (a) shall review the following:

(1) The ability to co-locate Space Force assets at other facilities of the Federal Government that currently conduct space-related activities, including facilities operated by each of the following:

(A) The National Reconnaissance Office.

(B) The National Geospatial-Intelligence Agency.

(C) The National Security Agency.

(D) The National Aeronautics and Space Administration.

(E) The United States Geological Survey.

(F) The National Oceanic and Atmospheric Administration.

(G) Any other department or agency of the Federal Government considered appropriate by the Secretary and the Chief of Space Operations.

(2) The suitability of each Federal agency specified in paragraph (1) to host the following:

(A) Regular Space Force units, including detachments.

(B) Technological support for Space Force mission requirements, including data storage and communications.

(C) Any other mission or support considered appropriate by the Secretary and the Chief of Space Operations.

(c) SCOPE OF REVIEW.—In reviewing the facility of a Federal agency in connection with the study under subsection (a), the Secretary and the Chief of Space Operations shall take into account the following at or in connection with such facility:

(1) Available surplus real estate.

(2) Data storage capacity and data security.

(3) Communications connectivity.

(4) Available civilian workforce.

(5) Costs in the vicinity of such installation.

(6) Locality pay in the vicinity of such installation

(7) Potential for hosting additional Space Force activities in the future, including activities of a Space Force Reserve or Space National Guard.

(d) REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary and the Chief of Space Operations shall jointly submit to Congress a report setting forth the results of the study conducted under subsection (a).

SA 2163. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 403. EXCLUSION FROM ACTIVE-DUTY PERSONNEL END STRENGTH LIMITATIONS OF CERTAIN MILITARY PERSONNEL ASSIGNED FOR DUTY IN CONNECTION WITH THE FOREIGN MILITARY SALES PROGRAM.

(a) EXCLUSION.—Except as provided in subsection (c), members of the Armed Forces on active duty who are assigned to an entity specified in subsection (b) for duty in connection with the Foreign Military Sales (FMS) program shall not count toward any end strength limitation for active-duty personnel otherwise applicable to members of the Armed Forces on active duty.

(b) SPECIFIED ENTITIES.—The entities specified in this subsection are the following:

(1) The military departments.

(2) The Defense Security Cooperation Agency.

(3) The combatant commands.

(c) INAPPLICABILITY TO GENERAL AND FLAG OFFICERS.—Subsection (a) shall not apply with respect to any general or flag officer assigned as described in that subsection.

SA 2164. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. PROCUREMENT OF S-400 AIR DEFENSE MISSILE SYSTEM FROM REPUBLIC OF TURKEY.

(a) AUTHORITY.—Subject to subsection (b), such sums as may be necessary are authorized to be appropriated for the Army for ''Missile Procurement, Army'' for the purchase of an S-400 missile defense system.

(b) CERTIFICATION REQUIREMENT.—The authority to purchase an S-400 missile defense system under subsection (a) is subject to a certification by the Government of Turkey to the Secretary of Defense and the Secretary of State that the proceeds of such purchase will not be utilized to purchase or otherwise acquire military apparatus deemed by the United States to be incompatible with the North Atlantic Treaty Organization.

SA 2165. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. PROHIBITION ON USE OF FUNDS TO TRANSFER OR RELEASE INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION GUANTANAMO BAY, CUBA, IN CONNECTION WITH AGREEMENT FOR BRINGING PEACE TO AFGHANISTAN.

No amounts authorized to be appropriated by this Act may be used to transfer or release any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, from United States Naval Station, Guantanamo Bay, in connection with the Agreement for Bringing Peace to Afghanistan between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America, signed at Doha February 29, 2020.

SA 2166. Mr. INHOFE (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1_____. SUPPORT FOR RURAL WATER SYSTEMS.

Section 3.7(f) of the Farm Credit Act of 1971 (12 U.S.C. 2128(f)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) in the matter preceding subparagraph (A) (as so redesignated), by striking ''(f) The banks'' and inserting the following:

''(f) SUPPORT FOR RURAL WATER SYSTEMS.—

''(1) IN GENERAL.—The banks'';

(3) in the undesignated matter following paragraph (1)(B) (as so designated), by striking ''For purposes of'' and all that follows through ''means'' and inserting the following:

''(2) DEFINITION OF RURAL AREA.—In this subsection, the term 'rural area'—

''(A) means''; and

(4) in paragraph (2)(A) (as so designated), by striking the period at the end and inserting the following: ''; and

''(B) includes, only in the case of a loan made under paragraph (1) that is guaranteed by the Secretary of Agriculture under the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.), a rural area (as defined in section 343(a)(13) of that Act (7 U.S.C. 1991(a)(13))).''.

SA 2167. Mr. MENENDEZ (for himself and Mr. SULLIVAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. UNITED STATES SPECIAL REPRESENTATIVE FOR THE ARCTIC.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) by redesignating subsection (g) as subsection (h); and; and

(2) by inserting after subsection (f) the following:

''(g) SPECIAL REPRESENTATIVE FOR THE ARCTIC.—

''(1) DESIGNATION.—The Secretary of State shall designate a Special Representative for the Arctic—

''(A) to coordinate the United States Government response to international disputes and needs in the Arctic;

''(B) to represent the United States Government, as appropriate, in multilateral fora in discussions concerning access, cooperation, conservation, cultural relations, and transit in the Arctic; and

''(C) to formulate United States policy to assist in the resolution of international conflicts in the Arctic.

''(2) OTHER RESPONSIBILITIES.—The Special Representative for the Arctic may carry out other assigned responsibilities, in addition to the duties described in paragraph (1).''.

SA 2168. Mr. DURBIN (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDINATED ACTION TO ENSURE THE SECURITY OF BALTIC ALLIES.

It is the sense of Congress that—

(1) the continued security of the Baltic states of Estonia, Latvia, and Lithuania is

critical to achieving United States national security interests and defense objectives against the acute and formidable threat posed by Russia;

(2) the United States and the Baltic states are leaders in the mission of defending independence and democracy from aggression and in promoting stability and security within the North Atlantic Treaty Organization (NATO), with non-NATO partners, and with other international organizations such as the European Union;

(3) the Baltic states are model NATO allies in terms of burden sharing and capital investment in materiel critical to United States and allied security, investment of over 2 percent of their gross domestic product on defense expenditure, allocating over 20 percent of their defense budgets on capital modernization, matching security assistance from the United States, frequently deploying their forces around the world in support of allied and United States objectives, and sharing diplomatic, technical, military, and analytical expertise on defense and security matters;

(4) the United States should continue to strengthen bilateral and multilateral defense by, with, and through allied nations, particularly those that possess expertise and dexterity but do not enjoy the benefits of national economies of scale;

(5) the United States should pursue a dedicated initiative focused on defense and security assistance, coordination, and planning designed to ensure the continued security of the Baltic states and on deterring current and future challenges to the national sovereignty of United States allies and partners in the Baltic region; and

(6) such an initiative should include an innovative and comprehensive conflict deterrence strategy for the Baltic region encompassing the unique geography of the Baltic states, modern and diffuse threats to their land, sea, and air spaces, and necessary improvements to their defense posture, including command-and-control infrastructure, intelligence, surveillance, and reconnaissance capabilities, communications equipment and networks, and special forces.

SA 2169. Mr. DURBIN (for himself, Mr. MARKEY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1282. SENSE OF SENATE ON THE RUSSIAN FEDERATION'S ILLEGAL OCCUPATION OF CRIMEA AND DONBASS.

It is the sense of the Senate that—

(1) as precondition for readmission into a reconstituted G8, the Russian Federation must end its illegal occupation of Crimea and Donbass and cease its malign activities against democratic countries; and

(2) it should be the official policy of the United States to reject the readmission of the Russian Federation into a reconstituted G8 and the participation of the Russian Federation in any future G7 proceeding unless the Russian Federation has ended its illegal occupation of Crimea and Donbass and is fully implementing its commitments under the Minsk agreements.

SA 2170. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 593. IMPROVEMENTS TO FINANCIAL LITERACY TRAINING; PROVISION OF INFORMATION RELATING TO THE BLENDED RETIREMENT SYSTEM.

(a) IMPROVEMENTS TO FINANCIAL LITERACY TRAINING.—

(1) IN GENERAL.—Subsection (a) of section 992 of title 10, United States Code, is amended—

(A) in paragraph (2)(C), by striking ''grade E–4'' and inserting ''grade E–6'';

(B) by adding at the end the following new paragraph:

''(5) In carrying out the program to provide training under this subsection, the Secretary concerned shall—

''(A) require the development of a standard curriculum across all military departments for such training that—

''(i) focuses on ensuring that members of the armed forces who receive such training develop proficiency in financial literacy rather than focusing on completion of training modules;

''(ii) is based on best practices in the financial services industry, such as the use of a social learning approach and the incorporation of elements of behavioral economics or gamification; and

''(iii) is designed to address the needs of members and their families;

''(B) ensure that such training—

''(i) is conducted by a financial services counselor who is qualified as described in paragraph (3) of subsection (b) or by other means as described in paragraph (2)(A)(ii) of that subsection;

''(ii) is provided, to the extent practicable—

''(I) in a class held in person with fewer than 50 attendees; or

''(II) one-on-one between the member and a financial services counselor or a qualified representative described in subclause (III) or (IV) of subsection (b)(2)(A)(ii); and

''(iii) is provided using computer-based methods only if methods described in clause (ii) are impractical or unavailable;

''(C) ensure that—

''(i) an in-person class described in subparagraph (B)(i)(I) is available to the spouse of a member; and

''(ii) if a spouse of a member is unable to attend such a class in person—

''(I) training is available to the spouse through Military OneSource; and

''(II) the member is informed during the in-person training of the member under subparagraph (B)(i) with respect to how the member's spouse can access the training;

''(D) ensure that such training, and all documents and materials provided in relation to such training, are presented or written in manner that the Secretary determines can be understood by the average enlisted member.''.

(2) QUALIFIED REPRESENTATIVES FOR COUNSELING FOR MEMBERS AND SPOUSES.—Subsection (b)(2)(A)(ii) of such section is amended by adding at the end the following:

''(IV) Through qualified representatives of banks or credit unions operating on military installations pursuant to an operating agreement with the Department of Defense or a military department.''.

(3) PROVISION OF RETIREMENT INFORMATION.—Such section is further amended—

(A) by redesignating subsections (d) and (e) as subsections (e) and (g), respectively; and

(B) by inserting after subsection (c) the following new subsection (d):

''(d) PROVISION OF RETIREMENT INFORMATION.—In each training under subsection (a) and in each meeting to provide counseling under subsection (b), a member of the armed forces shall be provided with—

''(1) all forms relating to retirement that are relevant to the member, including with respect to the Thrift Savings Plan;

''(2) information with respect to how to find additional information; and

''(3) contact information for—

''(A) counselors provided through—

''(i) the Personal Financial Counselor program, the Personal Financial Management program, or Military OneSource; or

''(ii) nonprofit organizations or agencies that have in effect agreements with the Department of Defense to provide financial services counseling; or

''(B) qualified representatives of banks or credit unions operating on military installations pursuant to an operating agreement with the Department of Defense or a military department.''.

(4) ADVISORY COUNCIL ON FINANCIAL READINESS.—Such section is further amended by inserting after subsection (e), as redesignated by paragraph (3)(A), the following new subsection:

''(f) ADVISORY COUNCIL ON FINANCIAL READINESS.—

''(1) ESTABLISHMENT.—There is established an Advisory Council on Financial Readiness (in this section referred to as the 'Council').

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Council shall consist of 12 members appointed by the Secretary of Defense, as follows:

''(i) Three shall be representatives of military support organizations.

''(ii) Three shall be representatives of veterans service organizations.

''(iii) Three shall be representatives of private, nonprofit organizations with a vested interest in education and communication of financial education and financial services.

''(iv) Three shall be representatives of governmental entities with a vested interest in education and communication of financial education and financial services.

''(B) QUALIFICATIONS.—The Secretary shall appoint members to the Council from among individuals qualified to appraise military compensation, military retirement, and financial literacy training.

''(C) TERMS.—Members of the Council shall serve for terms of three years, except that, of the members first appointed—

''(i) five shall be appointed for terms of one year;

''(ii) five shall be appointed for terms of two years; and

''(iii) five shall be appointed for terms of three years.

''(D) REAPPOINTMENT.—A member of the Council may be reappointed for additional terms.

''(E) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term of office for which such member's predecessor was appointed shall be appointed only for the remainder of such term.

''(3) DUTIES AND FUNCTIONS.—The Council shall—

''(A) advise the Secretary with respect to matters relating to the financial literacy and financial readiness of members of the armed forces; and

''(B) submit to the Secretary recommendations with respect to those matters.

''(4) MEETINGS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Council shall meet not less frequently than twice each year and at such other times as the Secretary requests.

''(B) DURING ELECTION PERIOD FOR BLENDED RETIREMENT SYSTEM.—During the period beginning on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021 and ending at the end of the period provided for under section 1409(b)(4) and 12739(f) to elect to be enrolled in the Blended Retirement System, the Council shall meet not less frequently than every 90 days.

''(C) QUORUM.—A majority of members shall constitute a quorum and action shall be taken only by a majority vote of the members present and voting.

''(5) SUPPORT SERVICES.—The Secretary—

''(A) shall provide to the Council an executive secretary and such secretarial, clerical, and other support services as the Council considers necessary to carry out the duties of the Council; and

''(B) may request that other Federal agencies provide statistical data, reports, and other information that is reasonably accessible to assist the Council in the performance of the duties of the Council.

''(6) COMPENSATION.—While away from their homes or regular places of business in the performance of services for Council, members of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 of title 5.

''(7) ANNUAL REPORT.—Not less frequently than annually, the Secretary shall submit to Congress a report that—

''(A) describes each recommendation received from the Council during the preceding year; and

''(B) includes a statement, with respect to each such recommendation, of whether the Secretary has implemented the recommendation and, if not, a description of why the Secretary has not implemented the recommendation.

''(8) TERMINATION.—Section 14(a) of the Federal Advisory Committee Act (5 U.S.C. App.) (relating to termination) shall not apply to the Council.

''(9) DEFINITIONS.—In this subsection:

''(A) MILITARY SUPPORT ORGANIZATION.—The term 'military support organization' means an organization that provides support to members of the armed forces and their families with respect to education, finances, health care, employment, and overall well-being.

''(B) VETERANS SERVICE ORGANIZATION.—The term 'veterans service organization' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38.''.

(5) REPORT ON EFFECTIVENESS OF FINANCIAL SERVICES COUNSELING.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as defined in section 101 of title 10, United States Code) a report on financial literacy training and financial services counseling provided under section 992 of title 10, United States Code, as amended by this subsection, that assesses—

(A) the effectiveness of such training and counseling, which shall be determined using actual localized data similar to the Unit Risk Inventory Survey of the Army; and

(B) whether additional training or counseling is necessary for enlisted members of the Armed Forces or for officers.

(b) MODIFICATIONS TO LUMP SUM PAYMENTS OF CERTAIN RETIRED PAY.—

(1) SPOUSAL CONSENT TO LUMP SUM PAYMENT.—Subsection (b) of section 1415 of title 10, United States Code, is amended by adding at the end the following:

''(7) SPOUSAL CONSENT FOR ELECTION OF LUMP SUM PAYMENT.—An eligible person who is married may not elect to receive a lump sum payment under this subsection without the concurrence of the person's spouse, unless the eligible person establishes to the satisfaction of the Secretary concerned—

''(A) that the spouse's whereabouts cannot be determined; or

''(B) that, due to exceptional circumstances, requiring the person to seek the spouse's consent would otherwise be inappropriate.''.

(2) DISCLOSURES RELATING TO OFFER OF LUMP SUM PAYMENT.—Such section is further amended—

(A) by redesignating subsection (e) as subsection (g); and

(B) by inserting after subsection (d) the following new subsections:

''(e) DISCLOSURES RELATING TO OFFER OF LUMP SUM PAYMENT.—

''(1) IN GENERAL.—Not later than 90 days before offering an eligible person a partial or full lump sum payment under this section, the Secretary of Defense shall provide a notice to the person, and the person's spouse, if married, that includes the following:

''(A) A description of the available retirement benefit options, including—

''(i) the monthly covered retired pay that the person would receive after the person attains retirement age if the person is not already receiving such pay;

''(ii) the monthly covered retired pay that the person would receive if payments begin immediately; and

''(iii) the amount of the lump sum payment the person would receive if the person elects to receive the lump sum payment.

''(B) An explanation of how the amount of the lump sum payment was calculated, including the interest rate and mortality assumptions used in the calculation, and whether any additional benefits were included in the amount.

''(C) A description of how the option to take the lump sum payment compares to the value of the covered retired pay the person would receive if the person elected not to take the lump sum payment.

''(D) A statement of whether, by purchasing a commercially available annuity using the lump sum payment, it would be possible to replicate the stream of payments the person would receive if the person elected not to take the lump sum payment.

''(E) A description of the potential implications of accepting the lump sum payment, including possible benefits and reductions in such benefits, investment risks, longevity risks, and loss of protection from creditors.

''(F) A description of the tax implications of accepting the lump sum payment, including rollover options, early distribution penalties, and associated tax liabilities.

''(G) Instructions for how to accept or reject the offer of the lump sum payment and the date by which the person is required to accept or reject the offer.

''(H) Contact information for the person to obtain more information or ask questions about the option to accept the lump sum payment, including the opportunity for a one-on-one meeting with a counselor provided through the Personal Financial Counselor program or the Personal Financial Management program.

''(I) A statement that—

''(i) financial advisers (other than financial services counselors provided through the Personal Financial Counselor program or the Personal Financial Management program) may not be required to act in the best interests of the person or the person's beneficiaries with respect to determining whether to take the lump sum payment; and

''(ii) if the person or a beneficiary of the person is seeking financial advice from a financial adviser not affiliated with the armed forces, the person or beneficiary should obtain written confirmation that the adviser is acting as a fiduciary to the person or beneficiary.

''(J) Such other information as the Secretary considers to be necessary or relevant.

''(2) FORM.—The Secretary shall ensure that any notice provided to an eligible person under paragraph (1)—

''(A) is written in manner that the Secretary determines can be understood by the average enlisted member of the armed forces; and

''(B) is presented in a manner that is not biased for or against acceptance of the offer of the lump sum payment.

''(f) REPORT REQUIRED.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and annually thereafter, the Secretary shall submit to the congressional defense committees report that—

''(1) sets forth the number of members of the armed forces who take a partial or full lump sum payment under this section; and

''(2) describes the details of the arrangements relating to taking such a payment, including—

''(A) whether members have taken a partial lump sum payment in exchange for reduced future benefits;

''(B) whether members have taken a full lump sum payment; and

''(C) information relating to the members who have taken a partial or full lump sum payment, such as the age and rank of such members.''.

(c) ADDITIONAL ELECTION PERIOD FOR BLENDED RETIREMENT SYSTEM.—

(1) ADDITIONAL ELECTION PERIOD FOR MEMBERS OF UNIFORMED SERVICES.—Section 1409(b)(4) of title 10, United States Code, is amended—

(A) by striking subparagraph (A) and inserting the following new subparagraph (A):

''(A) REDUCED MULTIPLIER FOR FULL TSP MEMBERS.—

''(i) IN GENERAL.—Notwithstanding paragraphs (1), (2), and (3), in the case of a member described in clause (ii) (referred to as a 'full TSP member')—

''(I) paragraph (1)(A) shall be applied by substituting '2' for '2½';

''(II) clause (i) of paragraph (3)(B) shall be applied by substituting '60 percent' for '75 percent'; and

''(III) clause (ii)(I) of such paragraph shall be applied by substituting '2' for '2½'.

''(ii) FULL TSP MEMBERS.—A member described in this clause is—

''(I) a member who first becomes a member of the uniformed services on or after January 1, 2018;

''(II) a member described in subparagraph (B) who makes the election described in that subparagraph; or

''(III) a member who made the election described in subparagraph (B), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.'';

(B) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B) ELECTION TO PARTICIPATE IN MODERNIZED RETIREMENT SYSTEM.—Pursuant to subparagraph (C), a member of a uniformed service serving on December 31, 2017, who has served in the uniformed services for fewer than 12 years as of the date selected by the Secretary of Defense under subparagraph

(C)(i)(I), may elect, in exchange for the reduced multipliers described in subparagraph (A) for purposes of calculating the retired pay of the member, to receive Thrift Savings Plan contributions pursuant to section 8440e(e) of title 5.'';

(C) in subparagraph (C)(i), by striking ''the period'' and all that follows and inserting that following: ''the period that—

''(I) begins on a date selected by the Secretary of Defense, which—

''(aa) may be not earlier than the date that is one year after date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and not later than the date that is two years after such date of enactment; and

''(bb) shall be the same as the date selected under section 12739(f)(2)(B)(i)(I)(aa); and

''(II) ends on the date that is 180 days after the date selected under subclause (I).'';

(D) by redesignating subparagraph (E) as subparagraph (F); and

(E) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) SPECIAL RULES RELATING SECOND ELECTION PERIOD.—The Secretary concerned shall—

''(i) to the extent practicable, provide to each member described in subparagraph (B) (and the member's spouse, if married)—

''(I) a class, to be held in person and with fewer than 50 attendees, on the Blended Retirement System and the differences between that system and the predecessor retirement system; and

''(II) financial counseling described in section 992(b) focused on the suitability of the Blended Retirement System in the context of the member's personal circumstances;

''(ii) require each such member to make the election described in subparagraph (B) or decline to make that election;

''(iii) document the decision of the member under clause (ii) in a statement that describes the features of the Blended Retirement System and of the predecessor retirement system; and

''(iv) have the member (and the member's spouse, if married) sign the statement described in clause (iii) to acknowledge understanding of those features.''.

(2) ADDITIONAL ELECTION PERIOD FOR MEMBERS OF RESERVE COMPONENTS.—Section 12739(f) of title 10, United States Code, is amended—

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

''(1) REDUCED MULTIPLIER FOR FULL TSP MEMBERS.—

''(A) IN GENERAL.—Notwithstanding subsection (a) or (c), in the case of a person described in subparagraph (B) (referred to as a 'full TSP member')—

''(i) subsection (a)(2) shall be applied by substituting '2 percent' for '2½ percent';

''(ii) subparagraph (A) of subsection (c)(2) shall be applied by substituting '60 percent' for '75 percent'; and

''(iii) subparagraph (B)(ii) of such subsection shall be applied by substituting '2 percent' for '2½ percent'.

''(B) FULL TSP MEMBERS.—A person described in this subparagraph is—

''(i) a person who first performs reserve component service on or after January 1, 2018, after not having performed regular or reserve component service on or before that date;

''(ii) a person described in paragraph (2)(A) who makes the election described in that paragraph; or

''(iii) a person who made the election described in paragraph (2)(A), as in effect on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.'';

(B) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following new subparagraph (A):

''(A) IN GENERAL.—Pursuant to subparagraph (B), a person performing reserve component service on December 31, 2017, who has performed fewer than 12 years of service as of the date selected by the Secretary of Defense under subparagraph (B)(i)(I) (as computed in accordance with section 12733 of this title), may elect, in exchange for the reduced multipliers described in paragraph (1) for purposes of calculating the retired pay of the person, to receive Thrift Savings Plan contributions pursuant to section 8440e(e) of title 5.'';

(ii) in subparagraph (B)(i), by striking ''the period'' and all that follows and inserting that following: ''the period that—

''(I) begins on a date selected by the Secretary of Defense, which—

''(aa) may be not earlier than the date that is one year after date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and not later than the date that is two years after such date of enactment; and

''(bb) shall be the same as the date selected under section 1409(b)(4)(C)(i)(I)(aa); and

''(II) ends on the date that is 180 days after the date selected under subclause (I).'';

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following new paragraph (3):

''(3) SPECIAL RULES RELATING SECOND ELECTION PERIOD.—The Secretary concerned shall—

''(A) to the extent practicable, provide to each person described in paragraph (2)(A) (and the person's spouse, if married)—

''(i) a class, to be held in person and with fewer than 50 attendees, on the Blended Retirement System and the differences between that system and the predecessor retirement system; and

''(ii) financial counseling described in section 992(b) focused on the suitability of the Blended Retirement System in the context of the person's personal circumstances;

''(B) require each such person to make the election described in paragraph (2)(A) or decline to make that election;

''(C) document the decision of the member under subparagraph (B) in a statement that describes the features of the Blended Retirement System and of the predecessor retirement system; and

''(D) have the member (and the member's spouse, if married) sign the statement described in subparagraph (C) to acknowledge understanding of those features.''.

(3) CONFORMING AMENDMENT.—Section 8440(e)(1) of title 5, United States Code, is amended—

(A) in subparagraph (A), by striking ''; or'' and inserting a semicolon;

(B) in subparagraph (B)—

(i) in clause (ii), by striking ''has'' and inserting ''had'';

(ii) by striking clause (iii) and inserting the following new clause (iii):

''(iii) made the election described in section 1409(b)(4)(B) or 12729(f)(2) of title 10, as in effect before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, to receive Thrift Savings Plan contributions under this subsection in exchange for the reduced multipliers described in section 1409(b)(4)(A) or 12739(f)(1) of title 10, as applicable and so in effect, for purposes of calculating the retired pay of the member; or''; and

(C) by adding at the end the following:

''(C) who—

''(i) first entered a uniformed service before January 1, 2018;

''(ii) has completed fewer than 12 years of service in the uniformed services as of the date selected by the Secretary of Defense under sections 1409(b)(4)(C)(i)(I)(aa) and 12739(f)(2)(B)(i)(I)(aa); and

''(iii) makes the election described in section 1409(b)(4)(B) or 12729(f)(2) of title 10 to receive Thrift Savings Plan contributions under this subsection in exchange for the reduced multipliers described in section 1409(b)(4)(A) or 12739(f)(1) of title 10, as applicable, for purposes of calculating the retired pay of the member.''.

(4) TRAINING OF CERTAIN OFFICERS.—The Secretary of Defense shall ensure that each member of the armed forces in pay grade E–9 or below or in pay grade O–6 or below receives training with respect to the features of the Blended Retirement System, without regard to whether the members is eligible to make an election between the Blended Retirement System and the predecessor retirement system, so that member is able to answer the questions of other members if necessary.

(d) REPORT ON IMPROVED ACCESS TO THRIFT SAVINGS PLAN.—Not later than 18 months after the date of the enactment of this Act, the Federal Retirement Thrift Investment Board shall submit to Congress a plan for improving the access of members of the Armed Forces to information about the Thrift Savings Plan that—

(1) takes into account the time likely to pass between the mailing of account information to a member of the Armed Forces and the time the member is likely to receive the information; and

(2) makes recommendations for statutory changes necessary to improve such access.

(e) REGULATIONS.—The Secretary of Defense may prescribe such regulations as are necessary to carry out the amendments made by this section.

SA 2171. Mr. CARPER (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. IMPROVING THE DETECTION, PREVENTION, AND RECOVERY OF IMPROPER PAYMENTS TO DECEASED INDIVIDUALS.

(a) DISTRIBUTION OF DEATH INFORMATION FURNISHED TO OR MAINTAINED BY THE SOCIAL SECURITY ADMINISTRATION.—

(1) IN GENERAL.—

(A) IN GENERAL.—Section 205(r) of the Social Security Act (42 U.S.C. 405(r)) is amended—

(i) in paragraph (2)—

(I) by striking ''may'' and inserting ''shall''; and

(II) by inserting '', and to ensure the completeness, timeliness, and accuracy of,'' after ''transmitting'';

(ii) by striking paragraphs (3), (4), and (5) and inserting the following:

''(3)(A) In the case of individuals with respect to whom federally funded benefits are provided by (or through) a Federal or State agency, the Commissioner of Social Security shall, to the extent feasible, provide such information through a cooperative arrangement with such agency for ensuring proper payment of those benefits with respect to such individuals if—

''(i) under such arrangement the agency agrees to such safeguards as the Commissioner determines are necessary or appropriate to protect the information from unauthorized use or disclosure;

''(ii) under such arrangement the agency provides reimbursement to the Commissioner of Social Security for the reasonable cost of carrying out such arrangement, including the reasonable costs associated with the collection and maintenance of information regarding deceased individuals furnished to the Commissioner pursuant to paragraph (1); and

''(iii) such arrangement does not conflict with the duties of the Commissioner of Social Security under paragraph (1).

''(B) The Commissioner of Social Security shall, to the extent feasible, provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection, through a cooperative arrangement in order for a Federal agency to carry out any of the following purposes, if the requirements of clauses (i), (ii), and (iii) of subparagraph (A) are met:

''(i) Under such arrangement, the agency operating the Do Not Pay working system established under section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 may compare death information disclosed by the Commissioner with personally identifiable information reviewed through the working system, and may redisclose such comparison of information, as appropriate, to any Federal or State agency authorized to use the working system.

''(ii) The tax administration duties of the agency.

''(iii) Oversight activities of the Inspector General of an agency that is provided information regarding all deceased individuals pursuant to this subsection.

''(iv) Civil or criminal enforcement activities that are authorized by law.

''(C) With respect to the reimbursement to the Commissioner of Social Security for the reasonable cost of carrying out a cooperative arrangement described in subparagraph (A) between the Commissioner of Social Security and an agency, the Commissioner shall—

''(i) establish a defined calculation method for purposes of calculating the reasonable cost of carrying out the arrangement that does not take into account any services, information, or unrelated payments provided by the agency to the Commissioner; and

''(ii) reimbursement payments shall be accounted for and recorded separately from other transactions.

''(4) The Commissioner of Social Security may enter into similar arrangements with States to provide information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection for use by States in programs wholly funded by the States, or for use in the administration of a benefit pension plan or retirement system for employees of a State or a political subdivision thereof, if the requirements of clauses (i), (ii), and (iii) of paragraph (3)(A) are met. For purposes of this paragraph, the terms retirement system and political subdivision have the meanings given such terms in section 218(b).

''(5) The Commissioner of Social Security may use or provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection for statistical purposes and research activities by Federal and State agencies (including research activities conducted under a contract or a cooperative arrangement (as such terms are defined for purposes of sections 6303 and 6305, respectively, of title 31, United States Code) with such an agency) if the requirements of clauses (i) and (ii) of paragraph (3)(A) are met.''; and

(iii) in paragraph (8)(A)(i), by striking ''subparagraphs (A) and (B) of paragraph (3)'' and inserting ''clauses (i), (ii), and (iii) of paragraph (3)(A)''.

(B) REPEAL.—Effective on the date that is 5 years after the date of enactment of this Act, the amendments made by this paragraph to paragraphs (3), (4), (5), and (8) of section 205(r) of the Social Security Act (42 U.S.C. 405(r)) are repealed, and the provisions of section 205(r) of the Social Security Act (42 U.S.C. 405(r)) so amended are restored and revived as if such amendments had not been enacted.

(2) AMENDMENTS TO INTERNAL REVENUE CODE.—

(A) IN GENERAL.—Section 6103(d)(4) of the Internal Revenue Code of 1986 is amended—

(i) in subparagraphs (A) and (B), by striking ''Secretary of Health and Human Services'' each place it appears and inserting ''Commissioner of Social Security''; and

(ii) in subparagraph (B)(ii), by striking ''such Secretary'' and all that follows through ''deceased individuals.'' and inserting ''such Commissioner pursuant to such contract, except that such contract may provide that such information is only to be used by the Social Security Administration (or any other Federal agency) for purposes authorized in the Social Security Act or this title.''.

(B) EFFECTIVE DATE.—The amendments made by this paragraph take effect 180 days after the date of enactment of this Act.

(3) REPORT TO CONGRESS ON ALTERNATIVE SOURCES OF DEATH DATA.—

(A) REQUIREMENTS.—The Commissioner of Social Security, in coordination with the Secretary of the Treasury, shall conduct a review of potential alternative sources of death data maintained by the non-Federal sources, including sources maintained by State agencies or associations of State agencies, for use by Federal agencies and programs. The review shall include analyses of—

(i) the accuracy and completeness of such data;

(ii) interoperability of such data;

(iii) the extent to which there is efficient accessibility of such data by Federal agencies;

(iv) the cost to Federal agencies of accessing and maintaining such data;

(v) the security of such data;

(vi) the reliability of such data; and

(vii) a comparison of the potential alternate sources of death data to the death data distributed by the Commissioner of Social Security.

(B) REPORT.—Not later than 4 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress on the results of the review and analyses required under subparagraph (A). The report shall include a recommendation by the Director of the Office of Management and Budget regarding whether to extend the agency access to death data distributed by the Commissioner of Social Security provided under the amendments made by paragraph (1)(A) beyond the date on which such amendments are to be repealed under paragraph (1)(B).

(b) IMPROVING THE USE OF DATA BY GOVERNMENT AGENCIES TO CURB IMPROPER PAYMENTS.—The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended by adding at the end the following:

''SEC. 8. IMPROVING THE USE OF DEATH DATA BY GOVERNMENT AGENCIES.

''(a) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—

''(1) GUIDANCE TO AGENCIES.—Not later than 1 year after the date of enactment of this section, and in consultation with the Council of Inspectors General on Integrity and Efficiency and the heads of other relevant Federal, State, and local agencies, and Indian tribes and tribal organizations, the Director of the Office of Management and Budget shall issue guidance for each agency or component of an agency that operates or maintains a database of information relating to beneficiaries, annuity recipients, or any purpose described in section 205(r)(3)(B) of the Social Security Act (42 U.S.C. 405(r)(3)(B)) for which improved data matching with databases relating to the death of an individual (in this section referred to as death databases) would be relevant and necessary regarding implementation of this section to provide such agencies or components access to the death databases no later than 1 year after such date of enactment.

''(2) PLAN TO ASSIST STATES AND LOCAL AGENCIES AND INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary of Health and Human Services and the Secretary of the Treasury shall jointly develop a plan to assist States and local agencies, and Indian tribes and tribal organizations, in providing electronically to the Federal Government records relating to the death of individuals, which may include recommendations to Congress for any statutory changes or financial assistance to States and local agencies and Indian tribes and tribal organizations that are necessary to ensure States and local agencies and Indian tribes and tribal organizations can provide such records electronically. The plan may include recommendations for the authorization of appropriations or other funding to carry out the plan.

''(b) REPORTS.—

''(1) REPORT TO CONGRESS ON IMPROVING DATA MATCHING REGARDING PAYMENTS TO DECEASED INDIVIDUALS.—Not later than 1 year after the date of enactment of this section, the Secretary of the Treasury, in consultation with the heads of other relevant Federal agencies, and in consultation with States and local agencies, Indian tribes and tribal organizations, shall submit to Congress a plan to improve how States and local agencies and Indian tribes and tribal organizations that provide benefits under a federally funded program will improve data matching with the Federal Government with respect to the death of individuals who are recipients of such benefits.

''(2) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and for each of the 4 succeeding years, the Secretary of the Treasury shall submit to Congress a report regarding the implementation of this section. The first report submitted under this paragraph shall include the recommendations of the Secretary required under subsection (a)(2).

''(c) DEFINITIONS.—In this section, the terms Indian tribe and tribal organization have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).''.

(c) PLAN FOR ENSURING THE ACCURACY AND COMPLETENESS OF DEATH DATA MAINTAINED AND DISTRIBUTED BY THE SOCIAL SECURITY ADMINISTRATION.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Social Security shall submit to Congress a plan, which shall include an estimate of the cost of implementing the policies and procedures described in such plan, to improve the accuracy and completeness of the death data (including, where feasible and cost-effective, data regarding individuals who are not eligible for or receiving benefits

under titles II or XVI of the Social Security Act) maintained and distributed by the Social Security Administration.

(2) CONTENT OF PLAN.—In developing the plan required under paragraph (1), the Commissioner of Social Security shall consider whether to include the following elements:

(A) Procedures for—

(i) identifying individuals who are extremely elderly, as determined by the Commissioner, but for whom no record of death exists in the records of the Social Security Administration;

(ii) verifying the information contained in the records of the Social Security Administration with respect to individuals described in clause (i) and correcting any inaccuracies; and

(iii) where appropriate, disclosing corrections made to the records of the Social Security Administration.

(B) Improved policies and procedures for identifying and correcting erroneous death records, including policies and procedures for—

(i) identifying individuals listed as dead who are actually alive;

(ii) identifying individuals listed as alive who are actually dead; and

(iii) allowing individuals or survivors of deceased individuals to notify the Social Security Administration of potential errors.

(C) Improved policies and procedures to identify and correct discrepancies in the records of the Social Security Administration, including social security number records.

(D) A process for employing statistical analysis of the death data maintained and distributed by the Social Security Administration to determine an estimate of the number of erroneous records.

(E) Recommendations for legislation, as necessary.

(d) REPORT ON INFORMATION SECURITY.—Not later than 90 days after the date of the enactment of this Act, the Commissioner of Social Security shall submit a report to the Committees on Ways and Means, Oversight and Reform, and Homeland Security of the House of Representatives, and the Committees on Finance and Homeland Security and Governmental Affairs of the Senate that—

(1) identifies all information systems of the Social Security Administration containing sensitive information; and

(2) describes the measures the Commissioner is taking to secure and protect such information systems.

SA 2172. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. GAO STUDY ON THE SCHOOL-TO-PRISON PIPELINE.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the school to prison pipeline in order to—

(1) highlight this issue;

(2) offer proof of concept to States that evidence-based interventions, such as restorative practices, are—

(A) more effective than punitive, exclusionary measures;

(B) improve student achievement; and

(C) enhance public safety and student-well-being; and

(3) determine the long-term benefits of replacing a punitive approach to discipline with restorative practices in schools, by analyzing the potential savings generated by helping children stay in school and out of the criminal justice system.

(b) COST-BENEFIT ANALYSIS.—The study conducted under subsection (a) shall include a cost-benefit analysis to determine the effectiveness and impact of school resource officers and local law enforcement personnel on school climate and student discipline.

(c) REPORT.—Upon the conclusion of the study under subsection (a), the Comptroller General of the United States shall prepare and submit to Congress a report regarding the study and the conclusions and recommendations generated from the study.

SA 2173. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1610. EVALUATION AND REPORT ON OPERATIONAL CENTERS FOR COMMANDING, CONTROLLING, AND DISSEMINATING DATA FOR SMALL SATELLITES.

(a) EVALUATION.—

(1) IN GENERAL.—The Secretary of Defense shall evaluate readily available operational centers for commanding, controlling, and disseminating data for small satellites.

(2) ELEMENTS.—The evaluation required by paragraph (1) shall include an assessment of—

(A) the cost, schedule, and deployment of rapid prototyping and testing of new space technologies for small satellite programs; and

(B) the potential effects of the finite number of operational centers described in paragraph (1) that are agile, maintainable, accredited at the correct classification, and located within reasonable proximity to manufacturer and researcher facilities.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the results of the evaluation conducted under subsection (a).

SA 2174. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE.

(a) IN GENERAL.—An individual, including a veteran (as defined in section 101 of title 38, United States Code), or the legal representative of such an individual, who resided, worked, or was otherwise exposed (including in utero exposure) for not less than 30 days during the period beginning on August 1, 1953 and ending on December 31, 1987 to water at Camp Lejeune that was supplied by, or on behalf of, the United States may bring an action in the United States District Court for the Eastern District of North Carolina to obtain appropriate relief for harm—

(1) which was caused by exposure to the water;

(2) which was associated with exposure to the water; or

(3) which was linked to exposure to the water.

(b) PRIOR CLAIMS NOT A BAR.—An individual described in subsection (a) may bring an action under this section regardless of any prior claim or action dismissed or otherwise terminated for any reason related to the harm described in subsection (a).

(c) USE OF STUDIES.—A study conducted on humans or animals, or from an epidemiological study, which ruled out chance and bias with reasonable confidence and which concluded, with sufficient evidence, that exposure to the water described in subsection (a) is one possible cause of the harm, shall be sufficient to satisfy the plaintiff's burden of proof in an action under this section.

(d) EXCLUSIVE JURISDICTION AND VENUE.—The United States District Court for the Eastern District of North Carolina shall have exclusive jurisdiction over any action under this section, and shall be the exclusive venue for such an action, including any multi-district claims. Nothing in this subsection shall impair any party's right to a trial by jury.

(e) EXCLUSIVE REMEDY.—

(1) IN GENERAL.—An individual who brings an action under this section for any harm, including a latent disease, may not thereafter bring a tort action pursuant to any other law against the United States for such harm.

(2) NO EFFECT ON DISABILITY BENEFITS.—Any award under this section shall not impede or limit the continued or future entitlement of an individual to disability awards, payments, or benefits under any program of the Department of Veterans Affairs.

(f) IMMUNITY WAIVER.—The United States may not assert any claim to immunity in an action under this section which would otherwise be available, including any otherwise applicable statute of limitation, statute of repose, discretionary function defense, or similar limitation or defense.

(g) NO PUNITIVE DAMAGES.—Punitive damages may not be awarded in any action under this section.

(h) DISPOSITION BY FEDERAL AGENCY REQUIRED.—An individual may not bring an action under this section prior to complying with section 2675 of title 28, United States Code.

(i) PERIOD FOR FILING.—

(1) IN GENERAL.—Except as provided in paragraph (2), an action under this section may not be commenced after the later of—

(A) the date that is 2 years after the later of the date on which the harm occurred or the date on which the harm was discovered; or

(B) the date that is 180 days after the date on which the claim is denied under section 2675 of title 28, United States Code.

(2) SPECIAL RULE.—In the case of harm which was discovered before the date of the enactment of this Act, an action under this section may not be commenced after the later of—

(A) the date that is 2 years after the date of the enactment of this Act; or

(B) the date that is 180 days after the date on which the claim is denied under section 2675 of title 28, United States Code.

(j) JUDGMENT FUND.—Awards made pursuant to any action under this section shall be paid from amounts made available under section 1304 of title 31, United States Code.

(k) EXCEPTION FOR COMBATANT ACTIVITIES.—This section does not apply to any

claim or action arising out of the combatant activities of the Armed Forces.

(l) AMORITIZATION.—An award of money damages under this section may include an order that the award is to be amortized over a period of up to 20 years. The Government may agree to amortize a payment made pursuant to a settlement agreement of up to 20 years.

SA 2175. Mr. CRAMER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2803. MODIFICATION TO AUTHORITY FOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS AT MILITARY INSTALLATIONS.

Section 2809(b) of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(1) in paragraph (1), by inserting ''and annually thereafter,'' after ''this Act,''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''the report'' and inserting ''a report''; and

(B) in subparagraph (B), by inserting ''in which the project is included'' before the period at the end.

SA 2176. Mr. LANKFORD (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—PREVENTING GOVERNMENT SHUTDOWNS

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Prevent Government Shutdowns Act of 2020''.

SEC. 1702. AUTOMATIC CONTINUING APPROPRIATIONS.

(a) IN GENERAL.—Chapter 13 of title 31, United States Code, is amended by adding at the end the following:

''§ 1311. Automatic continuing appropriations

''(a)(1)(A) On and after the first day of each fiscal year, if an appropriation Act for such fiscal year with respect to the account for a program, project, or activity has not been enacted and continuing appropriations are not in effect with respect to the program, project, or activity, there are appropriated such sums as may be necessary to continue, at the rate for operations specified in subparagraph (B), the program, project, or activity if funds were provided for the program, project, or activity during the preceding fiscal year.

''(B)(i) Except as provided in clause (ii), the rate for operations specified in this subparagraph with respect to a program, project, or activity is the rate for operations for the preceding fiscal year for the program, project, or activity—

''(I) provided in the corresponding appropriation Act for such preceding fiscal year;

''(II) if the corresponding appropriation bill for such preceding fiscal year was not enacted, provided in the law providing continuing appropriations for such preceding fiscal year; or

''(III) if the corresponding appropriation bill and a law providing continuing appropriations for such preceding fiscal year were not enacted, provided under this section for such preceding fiscal year.

''(ii) For entitlements and other mandatory payments whose budget authority was provided for the previous fiscal year in appropriations Acts, under a law other than this section providing continuing appropriations for such previous year, or under this section, and for activities under the Food and Nutrition Act of 2008, appropriations and funds made available during a fiscal year under this section shall be at the rate necessary to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act.

''(2) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of any lapse in appropriations during such fiscal year and ending with the date on which the applicable regular appropriation bill for such fiscal year is enacted (whether or not such law provides appropriations for such program, project, or activity) or a law making continuing appropriations for the program, project, or activity is enacted, as the case may be.

''(3) Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(1)) and the timetable in section 254(a) of such Act (2 U.S.C. 904(a)), for any fiscal year for which appropriations and funds are made available under this section, the final sequestration report for such fiscal year pursuant to section 254(f)(1) of such Act (2 U.S.C. 904(f)(1)) and any order for such fiscal year pursuant to section 254(f)(5) of such Act (2 U.S.C. 901(f)(5)) shall be issued—

''(A) for the Congressional Budget Office, 10 days after the date on which all regular appropriation Acts for such fiscal year or continuing appropriations through the end of such fiscal year have been enacted; and

''(B) for the Office of Management and Budget, 15 days after the date on which all regular appropriation Acts for such fiscal year or continuing appropriations through the end of such fiscal year have been enacted.

''(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

''(c) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation Act, or a law making continuing appropriations until the end of such fiscal year, for such program, project, or activity is enacted.

''(d) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

''(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

''(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 13 of title 31, United States Code, is amended by adding at the end the following:

''1311. Automatic continuing appropriations.''.

SEC. 1703. TIMELY ENACTMENT OF APPROPRIATION ACTS.

(a) DEFINITIONS.—In this section—

(1) the term ''covered officer or employee'' means—

(A) an officer or employee of the Office of Management and Budget;

(B) a Member of Congress; or

(C) an employee of the personal office of a Member of Congress, a committee of either House of Congress, or a joint committee of Congress;

(2) the term ''covered period'' means any period on and after the first day of a fiscal year, if all general appropriations Acts have not been passed in identical form by both Houses and transmitted to Secretary of the Senate or Clerk of the House for enrollment and presentment to the President for his signature;

(3) the term ''Member of Congress'' has the meaning given that term in section 2106 of title 5, United States Code; and

(4) the term ''National Capital Region'' has the meaning given that term in section 8702 of title 40, United States Code.

(b) LIMITS ON TRAVEL EXPENDITURES.—

(1) LIMITS ON OFFICIAL TRAVEL.—

(A) LIMITATION.—Except as provided in subparagraph (B), during a covered period no amounts may be obligated or expended for official travel by a covered officer or employee.

(B) EXCEPTIONS.—

(i) RETURN TO DC.—If a covered officer or employee is away from the seat of Government on the date on which a covered period begins, funds may be obligated and expended for official travel for a single return trip to the seat of Government by the covered officer or employee.

(ii) TRAVEL IN NATIONAL CAPITAL REGION.—During a covered period, amounts may be obligated and expended for official travel by a covered officer or employee from one location in the National Capital Region to another location in the National Capital Region.

(iii) NATIONAL SECURITY EVENTS.—During a covered period, if a national security event that triggers a continuity of operations or continuity of Government protocol occurs, amounts may be obligated and expended for official travel by a covered officer or employee for any official travel relating to responding to the national security event or implementing the continuity of operations or continuity of Government protocol.

(2) RESTRICTION ON USE OF CAMPAIGN FUNDS.—Section 313 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30114) is amended—

(A) in subsection (a)(2), by striking ''for ordinary'' and inserting ''except as provided in subsection (d), for ordinary''; and

(B) by adding at the end the following:

''(d) RESTRICTION ON USE OF CAMPAIGN FUNDS FOR OFFICIAL TRAVEL DURING LAPSE IN APPROPRIATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), during a covered period (as defined in section 1703 of the Prevent Government Shutdowns Act of 2020), a contribution or donation described in subsection (a) may not be obligated or expended for travel in connection with duties of the individual as a holder of Federal office.

''(2) RETURN TO DC.—If the individual is away from the seat of Government on the date on which a covered period (as so defined) begins, a contribution or donation described in subsection (a) may be obligated and expended for travel by the individual to return to the seat of Government.''.

(c) PROCEDURES IN THE SENATE AND HOUSE OF REPRESENTATIVES.—

(1) IN GENERAL.—During a covered period, in the Senate and the House of Representatives—

(A) it shall not be in order to move to proceed to any matter except for—

(i) a measure making appropriations for the fiscal year during which the covered period begins;

(ii) a motion relating to determining or obtaining the presence of a quorum; or

(iii) on and after the 30th calendar day after the first day of a fiscal year—

(I) the nomination of an individual—

(aa) to a position at level I of the Executive Schedule under section 5312 of title 5 of the United States Code; or

(bb) to serve as Chief Justice of the United States or an Associate Justice of the Supreme Court of the United States; or

(II) a measure extending the period during which a program, project, or activity is authorized to be carried out (without substantive change to the program, project, or activity or any other program, project, or activity) if—

(aa) an appropriation Act for such fiscal year with respect to the program, project, or activity has not been passed in identical form by both Houses and transmitted to Secretary of the Senate or Clerk of the House for enrollment and presentment to the President for his signature; and

(bb) the program, project, or activity has expired since the beginning of such fiscal year or will expire during the 30-day period beginning on the date of the motion;

(B) it shall not be in order to move to recess or adjourn for a period of more than 23 hours; and

(C) at noon each day, or immediately following any constructive convening of the Senate under rule IV, paragraph 2 of the Standing Rules of the Senate, the Presiding Officer shall direct the clerk to determine whether a quorum is present.

(2) WAIVER.—

(A) LIMITATION ON PERIOD.—It shall not be in order in the Senate or the House of Representatives to move to waive any provision of paragraph (1) for a period that is longer than 7 days.

(B) SUPERMAJORITY VOTE.—A provision of paragraph (1) may only be waived or suspended upon an affirmative vote of two-thirds of the Members of the applicable House of Congress, duly chosen and sworn.

(d) MOTION TO PROCEED TO APPROPRIATIONS.—

(1) IN GENERAL.—On and after the 30th calendar day after the first day of each fiscal year, if an appropriation Act for such fiscal year with respect to a program, project, or activity has not been passed in identical form by both Houses and transmitted to Secretary of the Senate or Clerk of the House for enrollment and presentment to the President for his signature, it shall be in order in the Senate, notwithstanding rule XXII or any pending executive measure or matter, to move to proceed to any appropriations bill or joint resolution for the program, project, or activity that has been sponsored and cosponsored by not less than 3 Senators who are members of or caucus with the party in the majority in the Senate and not less than 3 Senators who are members of or caucus with the party in the minority in the Senate.

(2) CONSIDERATION.—For a bill or joint resolution described in paragraph (1)—

(A) the bill or joint resolution may be considered the same day as it is introduced and shall not have to lie over 1 day; and

(B) the motion to proceed to the bill or joint resolution shall be debatable for not to exceed 6 hours, equally divided between the proponents and opponents of the motion, and upon the use or yielding back of time, the Senate shall vote on the motion to proceed.

SEC. 1704. BUDGETARY EFFECTS.

(a) CLASSIFICATION OF BUDGETARY EFFECTS.—The budgetary effects of this title and the amendments made by this title shall be estimated as if this title and the amendments made by this title are discretionary appropriations Acts for purposes of section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(b) BASELINE.—For purposes of calculating the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907), the provision of budgetary resources under section 1311 of title 31, United States Code, as added by this title, for an account shall be considered to be a continuing appropriation in effect for such account for less than the entire current year.

(c) ENFORCEMENT OF DISCRETIONARY SPENDING LIMITS.—For purposes of enforcing the discretionary spending limits under section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)), the budgetary resources made available under section 1311 of title 31, United States Code, as added by this title, shall be considered part-year appropriations for purposes of section 251(a)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(a)(4)).

SEC. 1705. EFFECTIVE DATE.

This title and the amendments made by this title shall take effect on September 30, 2021.

SA 2177. Ms. ERNST (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. _____. PROHIBITION ON THE PURCHASE OF DOGS AND CATS FROM WET MARKETS IN CHINA USING FEDERAL FUNDS.

(a) DEFINITION OF WET MARKET.—In this section, the term ''wet market'' means a marketplace—

(1) where fresh meat, fish, and live animals are bought, sold, and slaughtered; and

(2) that is not regulated under any standardized sanitary or health inspection processes that meet applicable standards required for similar establishments in the United States, as determined by the Secretary of Agriculture.

(b) PROHIBITION.—Notwithstanding any other provision of law, no Federal funds made available by any law may be used by the Federal Government, or any recipient of the Federal funds under a contract, grant, subgrant, or other assistance, to purchase from a wet market in China—

(1) a live cat, dog, or other animal;

(2) a carcass, any part, or any item containing any part of a cat, dog, or other animal; or

(3) any other animal product.

SA 2178. Mr. WICKER (for himself, Ms. CANTWELL, and Ms. ROSEN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—CYBER WORKFORCE MATTERS

SEC. ___. IMPROVING NATIONAL INITIATIVE FOR CYBERSECURITY EDUCATION.

(a) PROGRAM IMPROVEMENTS GENERALLY.—Subsection (a) of section 401 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7451) is amended—

(1) in paragraph (5), by striking ''; and'' and inserting a semicolon;

(2) by redesignating paragraph (6) as paragraph (10); and

(3) by inserting after paragraph (5) the following:

''(6) supporting efforts to identify cybersecurity workforce skill gaps in public and private sectors;

''(7) facilitating Federal programs to advance cybersecurity education, training, and workforce;

''(8) in coordination with the Department of Defense and the Department of Homeland Security, considering any specific needs of the cybersecurity workforce of critical infrastructure, to include cyber physical systems and control systems;

''(9) advising the Director of the Office of Management and Budget, as needed in, developing metrics to measure the effectiveness and effect of programs and initiatives to advance the cybersecurity workforce; and''.

(b) STRATEGIC PLAN.—Subsection (c) of such section is amended—

(1) by striking ''The Director'' and inserting the following:

''(1) IN GENERAL.—The Director''; and

(2) by adding at the end the following:

''(2) REQUIREMENT.—The strategic plan developed and implemented under paragraph (1) shall include an indication of how the Director will carry out this section.''.

(c) CYBERSECURITY CAREER PATHWAYS.—

(1) IDENTIFICATION OF MULTIPLE CYBERSECURITY CAREER PATHWAYS.—In carrying out subsection (a) of such section and not later than 540 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall, in coordination with the Secretary of Defense, the Secretary of Homeland Security, and the Director of the Office of Personnel Management, use a consultative process with other Federal agencies, academia, and industry to identify multiple career pathways for cybersecurity work roles that can be used in the private and public sectors.

(2) REQUIREMENTS.—The Director shall ensure that the multiple cybersecurity career pathways identified under paragraph (1) indicate the knowledge, skills, and abilities, including relevant education, training, apprenticeships, certifications, and other experiences, that—

(A) align with employers' cybersecurity skill needs, including proficiency level requirements, for its workforce; and

(B) prepare an individual to be successful in entering or advancing in a cybersecurity career.

(3) EXCHANGE PROGRAM.—Consistent with requirements under chapter 37 of title 5, United States Code, the Director of the National Institute of Standards and Technology, in coordination with the Director of the Office of Personnel Management, may establish a voluntary program for the exchange of employees engaged in one of the cybersecurity work roles identified in the National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework (NIST Special Publication 800–181), or successor framework, between the National Institute of Standards and Technology and private sector institutions, including a nonpublic or commercial business, a research institution, or an institution of higher education, as the Director of the National Institute of Standards and Technology considers feasible.

(d) PROFICIENCY TO PERFORM CYBERSECURITY TASKS.—Not later than 540 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall, in coordination with the Secretary of Defense and the Secretary of Homeland Security—

(1) in carrying out subsection (a) of such section, assess the scope and sufficiency of efforts to measure a learner's capability to perform specific tasks found in the National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework (NIST Special Publication 800–181) at all proficiency levels; and

(2) submit to Congress a report—

(A) on the findings of the Director with respect to the assessment carried out under paragraph (1); and

(B) with recommendations for effective methods for measuring the cybersecurity proficiency of learners.

(e) CYBERSECURITY METRICS.—Such section is further amended by adding at the end the following:

''(e) CYBERSECURITY METRICS.—In carrying out subsection (a), the Director of the Office of Management and Budget may seek input from the Director of the National Institute of Standards and Technology, in coordination with the Department of Homeland Security, the Office of Personnel Management, and such agencies as the Director of the National Institute of Standards and Technology considers relevant, shall develop repeatable measures and reliable metrics for measuring and evaluating Federally funded cybersecurity workforce programs and initiatives based on the outcomes of such programs and initiatives.''.

(f) REGIONAL ALLIANCES AND MULTISTAKEHOLDER PARTNERSHIPS.—Such section is further amended by adding at the end the following:

''(f) REGIONAL ALLIANCES AND MULTISTAKEHOLDER PARTNERSHIPS.—

''(1) IN GENERAL.—Pursuant to section 2(b)(4) of the National Institute of Standards and Technology Act (15 U.S.C. 272(b)(4)), the Director shall establish cooperative agreements between the National Initiative for Cybersecurity Education (NICE) of the Institute and regional alliances or partnerships for cybersecurity education and workforce.

''(2) AGREEMENTS.—The cooperative agreements established under paragraph (1) shall advance the goals of the National Initiative for Cybersecurity Education Cybersecurity Workforce Framework (NIST Special Publication 800–181), or successor framework, by facilitating local and regional partnerships—

''(A) to identify the workforce needs of the local economy and classify such workforce in accordance with such framework;

''(B) to identify the education, training, apprenticeship, and other opportunities available in the local economy; and

''(C) to support opportunities to meet the needs of the local economy.

''(3) FINANCIAL ASSISTANCE.—

''(A) FINANCIAL ASSISTANCE AUTHORIZED.—The Director may award financial assistance to a regional alliance or partnership with whom the Director enters into a cooperative agreement under paragraph (1) in order to assist the regional alliance or partnership in carrying out the term of the cooperative agreement.

''(B) AMOUNT OF ASSISTANCE.—The aggregate amount of financial assistance awarded under subparagraph (A) per cooperative agreement shall not exceed $200,000.

''(C) MATCHING REQUIREMENT.—The Director may not award financial assistance to a regional alliance or partnership under subparagraph (A) unless the regional alliance or partnership agrees that, with respect to the costs to be incurred by the regional alliance or partnership in carrying out the cooperative agreement for which the assistance was awarded, the regional alliance or partnership will make available (directly or through donations from public or private entities) non-Federal contributions in an amount equal to 50 percent of Federal funds provided under the award.

''(4) APPLICATION.—

''(A) IN GENERAL.—A regional alliance or partnership seeking to enter into a cooperative agreement under paragraph (1) and receive financial assistance under paragraph (3) shall submit to the Director an application therefor at such time, in such manner, and containing such information as the Director may require.

''(B) REQUIREMENTS.—Each application submitted under subparagraph (A) shall include the following:

''(i)(I) A plan to establish (or identification of, if it already exists) a multistakeholder workforce partnership that includes—

''(aa) at least one institution of higher education or nonprofit training organization; and

''(bb) at least one local employer or owner or operator of critical infrastructure.

''(II) Participation from Federal Cyber Scholarships for Service organizations, advanced technological education programs, elementary and secondary schools, training and certification providers, State and local governments, economic development organizations, or other community organizations is encouraged.

''(ii) A description of how the workforce partnership would identify the workforce needs of the local economy.

''(iii) A description of how the multistakeholder workforce partnership would leverage the programs and objectives of the National Initiative for Cybersecurity Education, such as the Cybersecurity Workforce Framework and the strategic plan of such initiative.

''(iv) A description of how employers in the community will be recruited to support internships, externships, apprenticeships, or cooperative education programs in conjunction with providers of education and training. Inclusion of programs that seek to include women, minorities, or veterans is encouraged.

''(v) A definition of the metrics that will be used to measure the success of the efforts of the regional alliance or partnership under the agreement.

''(C) PRIORITY CONSIDERATION.—In awarding financial assistance under paragraph (3)(A), the Director shall give priority consideration to a regional alliance or partnership that includes an institution of higher education which receives an award under the Federal Cyber Scholarship for Service program located in the State or region of the regional alliance or partnership.

''(5) AUDITS.—Each cooperative agreement for which financial assistance is awarded under paragraph (3) shall be subject to audit requirements under part 200 of title 2, Code of Federal Regulations (relating to uniform administrative requirements, cost principles, and audit requirements for Federal awards), or successor regulation.

''(6) REPORTS.—

''(A) IN GENERAL.—Upon completion of a cooperative agreement under paragraph (1), the regional alliance or partnership that participated in the agreement shall submit to the Director a report on the activities of the regional alliance or partnership under the agreement, which may include training and education outcomes.

''(B) CONTENTS.—Each report submitted under subparagraph (A) by a regional alliance or partnership shall include the following:

''(i) An assessment of efforts made by the regional alliance or partnership to carry out paragraph (2).

''(ii) The metrics used by the regional alliance or partnership to measure the success of the efforts of the regional alliance or partnership under the cooperative agreement.''.

(g) TRANSFER OF SECTION.—

(1) TRANSFER.—Such section is transferred to the end of title III of such Act and redesignated as section 303.

(2) REPEAL.—Title IV of such Act is repealed.

(3) CLERICAL.—The table of contents in section 1(b) of such Act is amended—

(A) by striking the items relating to title IV and section 401; and

(B) by inserting after the item relating to section 302 the following:

''Sec. 303. National cybersecurity awareness and education program.''.

(4) CONFORMING AMENDMENTS.—

(A) Section 302(3) of the Federal Cybersecurity Workforce Assessment Act of 2015 (Public Law 114–113) is amended by striking ''under section 401 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7451)'' and inserting ''under section 303 of the Cybersecurity Enhancement Act of 2014 (Public Law 113–274)''.

(B) Section 2(c)(3) of the NIST Small Business Cybersecurity Act (Public Law 115–236) is amended by striking ''under section 401 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7451)'' and inserting ''under section 303 of the Cybersecurity Enhancement Act of 2014 (Public Law 113–274)''.

(C) Section 302(f) of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442(f)) is amended by striking ''under section 401'' and inserting ''under section 303''.

SEC. ___. DEVELOPMENT OF STANDARDS AND GUIDELINES FOR IMPROVING CYBERSECURITY WORKFORCE OF FEDERAL AGENCIES.

(a) IN GENERAL.—Section 20(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3(a)) is amended—

(1) in paragraph (3), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) identify and develop standards and guidelines for improving the cybersecurity workforce for an agency as part of the National Initiative for Cybersecurity Education (NICE) Cybersecurity Workforce Framework (NIST Special Publication 800–181), or successor framework.''.

(b) PUBLICATION OF STANDARDS AND GUIDELINES ON CYBERSECURITY AWARENESS.—Not later than 3 years after the date of the enactment of this Act and pursuant to section 20 of the National Institute of Standards and Technology Act (15 U.S.C. 278g–3), the Director of the National Institute of Standards and Technology shall publish standards and guidelines for improving cybersecurity

awareness of employees and contractors of Federal agencies.

SEC. ___. MODIFICATIONS TO FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking ''information technology'' and inserting ''information technology and cybersecurity'';

(B) by amending paragraph (3) to read as follows:

''(3) prioritize the placement of scholarship recipients fulfilling the post-award employment obligation under this section to ensure that—

''(A) not less than 70 percent of such recipients are placed in an executive agency (as defined in section 105 of title 5, United States Code);

''(B) not more than 10 percent of such recipients are placed as educators in the field of cybersecurity at qualified institutions of higher education that provide scholarships under this section; and

''(C) not more than 20 percent of such recipients are placed in positions described in paragraphs (2) through (5) of subsection (d); and''; and

(C) in paragraph (4), in the matter preceding subparagraph (A), by inserting '', including by seeking to provide awards in coordination with other relevant agencies for summer cybersecurity camp or other experiences, including teacher training, in each of the 50 States,'' after ''cybersecurity education'';

(2) in subsection (d)—

(A) in paragraph (4), by striking ''or'' at the end;

(B) in paragraph (5), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(6) as provided by subsection (b)(3)(B), a qualified institution of higher education.''; and

(3) in subsection (m)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''cyber'' and inserting ''cybersecurity''; and

(B) in paragraph (2), by striking ''cyber'' and inserting ''cybersecurity''.

SEC. ___. MODIFICATIONS TO FEDERAL CYBER SCHOLARSHIP-FOR-SERVICE PROGRAM.

Section 302 of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7442) is amended—

(1) in subsection (f)—

(A) in paragraph (4), by striking ''; and'' and inserting a semicolon; and

(B) by striking paragraph (5) and inserting the following:

''(5) enter into an agreement accepting and acknowledging the post award employment obligations, pursuant to section (d);

''(6) accept and acknowledge the conditions of support under section (g); and

''(7) accept all terms and conditions of a scholarship under this section.'';

(2) in subsection (g)—

(A) in paragraph (1), by inserting ''the Office of Personnel Management, in coordination with the National Science Foundation, and'' before ''the qualified institution'';

(B) in paragraph (2)—

(i) in subparagraph (D), by striking ''; or'' and inserting a semicolon; and

(ii) by striking subparagraph (E) and inserting the following:

''(E) fails to maintain or fulfill any of the post-graduation or post-award obligations or requirements of the individual; or

''(F) fails to fulfill the requirements of paragraph (1).'';

(3) in subsection (h)(2), by inserting ''and the Director of the Office of Personnel Management'' after ''Foundation'';

(4) in subsection (k)(1)(A), by striking ''and the Director'' and all that follows and inserting '', the Director of the National Science Foundation, and the Director of the Office of Personnel Management of the amounts owed; and''; and

(5) in subsection (m)(2), by striking ''once every 3 years'' and all that follows and inserting ''once every 2 years, to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Science, Space, and Technology and the Committee on Oversight and Reform of the House of Representatives a report, including—''

(A) ''the results of the evaluation under paragraph (1);''

(B) ''the disparity in any reporting between scholarship recipients and their respective institutions of higher education; and''

(C) ''any recent statistics regarding the size, composition, and educational requirements of the Federal cyber workforce.''

SEC. ___. CYBERSECURITY IN PROGRAMS OF THE NATIONAL SCIENCE FOUNDATION.

(a) COMPUTER SCIENCE AND CYBERSECURITY EDUCATION RESEARCH.—Section 310 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''and cybersecurity'' after ''computer science''; and

(B) in paragraph (2)—

(i) in subparagraph (C), by striking ''; and'' and inserting a semicolon;

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

(iii) by adding at the end the following:

''(E) tools and models for the integration of cybersecurity and other interdisciplinary efforts into computer science education and computational thinking at secondary and postsecondary levels of education.''; and

(2) in subsection (c), by inserting '', cybersecurity,'' after ''computing''.

(b) SCIENTIFIC AND TECHNICAL EDUCATION.—Section 3(j)(9) of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i(j)(9)) is amended by inserting ''and cybersecurity'' after ''computer science''.

(c) LOW-INCOME SCHOLARSHIP PROGRAM.—Section 414(d) of the American Competitiveness and Workforce Improvement Act of 1998 (42 U.S.C. 1869c) is amended—

(1) in paragraph (1), by striking ''or computer science'' and inserting ''computer science, or cybersecurity''; and

(2) in paragraph (2)(A)(iii), by inserting ''cybersecurity,'' after ''computer science,''.

(d) SCHOLARSHIPS AND GRADUATE FELLOWSHIPS.—The Director of the National Science Foundation shall ensure that students pursuing master's degrees and doctoral degrees in fields relating to cybersecurity are considered as applicants for scholarships and graduate fellowships under the Graduate Research Fellowship Program under section 10 of the National Science Foundation Act of 1950 (42 U.S.C. 1869).

(e) PRESIDENTIAL AWARDS FOR TEACHING EXCELLENCE.—The Director of the National Science Foundation shall ensure that educators and mentors in fields relating to cybersecurity can be considered for—

(1) Presidential Awards for Excellence in Mathematics and Science Teaching made under section 117 of the National Science Foundation Authorization Act of 1988 (42 U.S.C. 1881b); and

(2) Presidential Awards for Excellence in STEM Mentoring administered under section 307 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s–6).

SEC. ___. CYBERSECURITY IN STEM PROGRAMS OF THE NATIONAL AERONAUTICS AND SPACE ADMINISTRATION.

In carrying out any STEM education program of the National Aeronautics and Space Administration (referred to in this section as ''NASA''), including a program of the Office of STEM Engagement, the Administrator of NASA shall, to the maximum extent practicable, encourage the inclusion of cybersecurity education opportunities in such program.

SEC. ___. CYBERSECURITY IN DEPARTMENT OF TRANSPORTATION PROGRAMS.

(a) UNIVERSITY TRANSPORTATION CENTERS PROGRAM.—Section 5505 of title 49, United States Code, is amended—

(1) in subsection (a)(2)(C), by inserting ''in the matters described in subparagraphs (A) through (G) of section 6503(c)(1)'' after ''transportation leaders''; and

(2) in subsection (c)(3)(E)—

(A) by inserting '', including the cybersecurity implications of technologies relating to connected vehicles, connected infrastructure, and autonomous vehicles'' after ''autonomous vehicles''; and

(B) by striking ''The Secretary'' and inserting the following:

''(i) IN GENERAL.—A regional university transportation center receiving a grant under this paragraph shall carry out research focusing on 1 or more of the matters described in subparagraphs (A) through (G) of section 6503(c)(1).

''(ii) FOCUSED OBJECTIVES.—The Secretary''.

(b) TRANSPORTATION RESEARCH AND DEVELOPMENT 5-YEAR STRATEGIC PLAN.—Section 6503(c)(1) of title 49, United States Code, is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by inserting ''and'' after the semicolon at the end; and

(3) by adding at the end the following:

''(G) reducing transportation cybersecurity risks;''.

SEC. ___. NATIONAL CYBERSECURITY CHALLENGES.

(a) IN GENERAL.—Title II of the Cybersecurity Enhancement Act of 2014 (15 U.S.C. 7431 et seq.) is amended by adding at the end the following:

''SEC. 205. NATIONAL CYBERSECURITY CHALLENGES.

''(a) ESTABLISHMENT OF NATIONAL CYBERSECURITY CHALLENGES.—

''(1) IN GENERAL.—To achieve high-priority breakthroughs in cybersecurity by 2028, the Secretary of Commerce shall establish the following national cybersecurity challenges:

''(A) ECONOMICS OF A CYBER ATTACK.—Building more resilient systems that measurably and exponentially raise adversary costs of carrying out common cyber attacks.

''(B) CYBER TRAINING.—

''(i) Empowering the people of the United States with an appropriate and measurably sufficient level of digital literacy to make safe and secure decisions online.

''(ii) Developing a cybersecurity workforce with measurable skills to protect and maintain information systems.

''(C) EMERGING TECHNOLOGY.—Advancing cybersecurity efforts in response to emerging technology, such as artificial intelligence, quantum science, and next generation communications technologies.

''(D) REIMAGINING DIGITAL IDENTITY.—Maintaining a high sense of usability while improving the security and safety of online activity of individuals in the United States.

''(E) FEDERAL AGENCY RESILIENCE.—Reducing cybersecurity risks to Federal networks and systems, and improving the response of Federal agencies to cybersecurity incidents on such networks and systems.

''(2) COORDINATION.—In establishing the challenges under paragraph (1), the Secretary shall coordinate with the Secretary of Homeland Security on the challenges under subparagraphs (B) and (E) of such paragraph.

''(b) PURSUIT OF NATIONAL CYBERSECURITY CHALLENGES.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Secretary, acting through the Under Secretary of Commerce for Standards and Technology, shall commence efforts to pursue the national cybersecurity challenges established under subsection (a).

''(2) COMPETITIONS.—The efforts required by paragraph (1) shall include carrying out programs to award prizes, including cash and noncash prizes, competitively pursuant to the authorities and processes established under section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719) or any other applicable provision of law.

''(3) ADDITIONAL AUTHORITIES.—In carrying out paragraph (1), the Secretary may enter into and perform such other transactions as the Secretary considers necessary and on such terms as the Secretary considers appropriate.

''(4) COORDINATION.—In pursuing national cybersecurity challenges under paragraph (1), the Secretary shall coordinate with the following:

''(A) The Director of the National Science Foundation.

''(B) The Secretary of Homeland Security.

''(C) The Director of the Defense Advanced Research Projects Agency.

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

''(E) The Director of the Office of Management and Budget.

''(F) The Administrator of the General Services Administration.

''(G) The Federal Trade Commission.

''(H) The heads of such other Federal agencies as the Secretary of Commerce considers appropriate for purposes of this section.

''(5) SOLICITATION OF ACCEPTANCE OF FUNDS.—

''(A) IN GENERAL.—Pursuant to section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719), the Secretary shall request and accept funds from other Federal agencies, State, United States territory, local, or tribal government agencies, private sector for-profit entities, and nonprofit entities to support efforts to pursue a national cybersecurity challenge under this section.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to require any person or entity to provide funds or otherwise participate in an effort or competition under this section.

''(c) RECOMMENDATIONS.—

''(1) IN GENERAL.—In carrying out this section, the Secretary of Commerce shall designate an advisory council to seek recommendations.

''(2) ELEMENTS.—The recommendations required by paragraph (1) shall include the following:

''(A) A scope for efforts carried out under subsection (b).

''(B) Metrics to assess submissions for prizes under competitions carried out under subsection (b) as the submissions pertain to the national cybersecurity challenges established under subsection (a).

''(3) NO ADDITIONAL COMPENSATION.—The Secretary may not provide any additional compensation, except for travel expenses, to a member of the advisory council designated under paragraph (1) for participation in the advisory council.''.

(b) CONFORMING AMENDMENTS.—Section 201(a)(1) of such Act is amended—

(1) in subparagraph (J), by striking ''; and'' and inserting a semicolon;

(2) by redesignating subparagraph (K) as subparagraph (L); and

(3) by inserting after subparagraph (J) the following:

''(K) implementation of section 205 through research and development on the topics identified under subsection (a) of such section; and''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by inserting after the item relating to section 204 the following:

''Sec. 205. National Cybersecurity Challenges.''.

SA 2179. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. STOPPING WASTEFUL ADVERTISING BY THE GOVERNMENT.

(a) DEFINITIONS.—In this section—

(1) the term ''advertising'' means the placement of messages in media that are intended to inform or persuade an audience, including placement in television, radio, a magazine, a newspaper, digital media, direct mail, a tangible product, an exhibit, or a billboard;

(2) the term ''agency'' has the meaning given the term in section 551 of title 5, United States Code;

(3) the term ''mascot''—

(A) means an individual, animal, or object adopted by an agency as a symbolic figure to represent the agency or the mission of the agency; and

(B) includes a costumed character;

(4) the term ''public relations'' means communications by an agency that are directed to the public, including activities dedicated to maintaining the image of the governmental unit or maintaining or promoting understanding and favorable relations with the community or the public;

(5) the term ''return on investment'' means, with respect to the public relations and advertising spending by an agency, a positive return in achieving agency or program goals relative to the investment in advertising and marketing materials; and

(6) the term ''swag''—

(A) means a tangible product or merchandise distributed at no cost with the sole purpose of advertising or promoting an agency, organization, or program;

(B) includes blankets, buttons, candy, clothing, coloring books, cups, fidget spinners, hats, holiday ornaments, jar grip openers, keychains, koozies, magnets, neckties, snuggies, stickers, stress balls, stuffed animals, thermoses, tote bags, trading cards, and writing utensils; and

(C) does not include—

(i) an item presented as an honorary or informal recognition award related to the Armed Forces of the United States, such as a challenge coin or medal issued for sacrifice or meritorious service;

(ii) a brochure or pamphlet purchased or distributed for informational purposes; or

(iii) an item distributed for diplomatic purposes, including a gift for a foreign leader.

(b) PROHIBITIONS; PUBLIC RELATIONS AND ADVERTISING SPENDING.—

(1) PROHIBITIONS.—Except as provided in paragraph (3), and unless otherwise expressly authorized by law—

(A) an agency or other entity of the Federal Government may not use Federal funds to purchase or otherwise acquire or distribute swag; and

(B) an agency or other entity of the Federal Government may not use Federal funds to manufacture or use a mascot to promote an agency, organization, program, or agenda.

(2) PUBLIC RELATIONS AND ADVERTISING SPENDING.—Each agency shall, as part of the annual budget justification submitted to Congress, report on the public relations and advertising spending of the agency for the preceding fiscal year, which may include an estimate of the return on investment for the agency.

(3) EXCEPTIONS.—

(A) SWAG.—Paragraph (1)(A) shall not apply with respect to—

(i) an agency program that supports the mission and objectives of the agency that is initiating the public relations or advertising spending, provided that the spending generates a positive return on investment for the agency;

(ii) recruitment relating to—

(I) enlistment or employment with the Armed Forces; or

(II) employment with the Federal Government; or

(iii) an item distributed by the Bureau of the Census to assist the Bureau in conducting a census of the population of the United States.

(B) MASCOTS.—Paragraph (1)(B) shall not apply with respect to—

(i) a mascot that is declared the property of the United States under a provision of law, including under section 2 of Public Law 93–318 (16 U.S.C. 580p–1); or

(ii) a mascot relating to the Armed Forces of the United States.

(4) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall issue regulations to carry out this section.

SA 2180. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 114. LONG-TERM INVESTMENT AND SUSTAINMENT PLAN FOR CANNON TUBE PROCUREMENT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall develop a long-term investment and sustainment plan for cannon tube procurement and submit to the congressional defense committees a report on the Army's plan to mitigate risk to the industrial base.

SA 2181. Mr. LEAHY (for himself, Mrs. MURRAY, and Ms. BALDWIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 382. PILOT PROGRAM ON REDUCTION OF EFFECTS OF MILITARY AVIATION NOISE ON PRIVATE RESIDENCES AND SCHOOLS.

(a) IN GENERAL.—Commencing not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program to provide funds for the installation of noise insulation at private residences and schools impacted by military aviation noise in connection with a covered military installation selected for participation in the pilot program.

(b) ELIGIBILITY.—

(1) IN GENERAL.—A private residence or school is eligible for the installation of noise insulation under the pilot program if the residence or school—

(A) is located within a noise contour between a 65 decibel day-night average sound level and a 75 decibel day-night average sound level as validated during the three-year period preceding the receipt of funds under the pilot program by an assessment compliant with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) has been measured by the commander of the appropriate covered military installation to have a 45 decibel day-night average sound level.

(2) AGREEMENT.—To be eligible to receive funds under the pilot program, a recipient shall enter into an agreement with the commander of the appropriate covered military installation under which the recipient agrees to—

(A) provide not less than ten percent of the funds required to carry out the noise insulation; and

(B) ensure that the noise at the private residence or school where insulation is installed is reduced by not less than five decibels.

(c) SELECTION OF LOCATIONS.—

(1) IN GENERAL.—The Secretary shall select not fewer than four covered military installations at which to carry out the pilot program.

(2) CRITERIA.—The Secretary shall ensure that the installations selected under paragraph (1)—

(A) are in areas that are geographically diverse;

(B) include installations that serve members of the Armed Forced on active duty and installations that serve members of the reserve components of the Armed Forces;

(C) focus on areas with private residences and schools newly impacted by increased noise levels from such installations; and

(D) include at least one site co-located with a civilian international airport.

(d) DURATION.—The Secretary shall carry out the pilot program for a five-year period beginning on the commencement of the pilot program.

(e) USE OF FUNDS TO MEET MATCHING FUND REQUIREMENTS OF OTHER PROGRAMS.—Funds provided under the pilot program may be used to meet a matching funds requirement for any other noise mitigation program run by another Federal agency.

(f) INAPPLICABILITY OF REPORTING REQUIREMENTS.—The reporting requirements under section 2886 of this Act shall not apply to noise mitigation measures under the pilot program.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense $20,000,000 to carry out the pilot program.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to invalidate the eligibility of a recipient of funds under the pilot program for any other noise mitigation program run by another Federal agency.

(i) COVERED MILITARY INSTALLATION.—In this section, the term ''covered military installation'' means a military installation that has changed or expanded missions during the five-year period preceding the date of the enactment of this Act.

SA 2182. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1242. SENSE OF CONGRESS ON UNITED STATES ARMED FORCES PRESENCE IN GERMANY.

It is the sense of Congress that—

(1) United States troop presence in Germany has a remarkable, longstanding post-World War II and post-Cold War legacy and is essential to defending United States national security interests in Europe and beyond;

(2) Germany supports United States national security objectives by paying to host the largest number of members of the United States Armed Forces in Europe and five of the seven United States Army garrisons in Europe;

(3) to maintain the United States presence, Germany contributes approximately $1,000,000,000 of annual costs, including through the rent-free provision of bases and facilities, tax exemptions, reduced-cost services, provision of security, and other benefits;

(4) The support described in paragraph (3) is underwritten by a German public that is traditionally very supportive of the United States military presence in Germany;

(5) United States Armed Forces facilities in Germany include—

(A) Ramstein Air Base, a critical hub for operations in the Middle East and Africa and headquarters to the United States Air Force in Europe and Africa;

(B) the Landstuhl Regional Medical Center, which has saved the lives of countless members of the Armed Forces wounded in Iraq and Afghanistan;

(C) the Stuttgart headquarters of both the United States European Command and the United States Africa Command;

(D) the Wiesbaden headquarters of United States Army Europe;

(E) the Kaiserslautern area, which is home to the 21st Theater Support Command, responsible for all United States Army logistics in Europe;

(F) the Spangdahlem F–16 fighter base; and

(G) the Grafenwoehr Training Area, the largest and most sophisticated training facility of the North Atlantic Treaty Organization in Europe;

(6) nearly all United States Armed Forces flights to Iraq and Afghanistan pass through Ramstein in southwestern Germany, the largest United States airbase outside the United States;

(7) the United States military hospital in Landstuhl treats soldiers wounded in combat in Iraq and Afghanistan and other United States citizens, including hostages returning to the United States after their captivity, and to assist additional United States citizens, the United States is constructing a new $1,000,000,000 military hospital in Weilerbach, Germany, which will be the largest military hospital outside the United States;

(8) the North Atlantic Treaty Organization continues to play a critical role in the national security of the United States;

(9) the approximately 35,000 members of the United States Armed Forces stationed in Germany, and the ability to increase that level to over 50,000 members of the United States Armed Forces, is essential to supporting North Atlantic Treaty Organization operations and its collective deterrence against threats;

(10) United States troop levels in Germany have already decreased significantly since the end of the Cold War, when there were as many as 200,000 members of the United States Armed Forces in Germany;

(11) since 1995, the withdrawal of the bulk of forward-deployed United States troops in the European theater and the closure of bases left the United States and the North Atlantic Treaty Organization unprepared for the Russian Federation's revanchist maneuvers in Ukraine, Georgia, and the Middle East;

(12) in response to the Russian Federation's illegal annexation of Crimea and instigation of a proxy war in Eastern Ukraine, increased military activities in the High North region of Europe, particularly through reportedly adding nuclear-capable missiles to Kaliningrad, and enhanced naval presence in the Baltic Sea, the Arctic Ocean, and the North Sea, the United States and North Atlantic Treaty Organization allies have bolstered their rotational military presence throughout Europe;

(13) the United States troop presence in Germany is critical to—

(A) maintaining such rotational military presence;

(B) United States participation in additional exercises and trainings with allies and partners;

(C) the enhanced pre-positioning of United States equipment in European countries on the front lines of the Russia Federation's aggression; and

(D) intensified efforts to build partner capacity for newer North Atlantic Treaty Organization members and other non-North Atlantic Treaty Organization countries;

(14) the United States presence in Germany—

(A) supports United States European Command operations;

(B) provides significant support to the United States Central Command;

(C) serves as the headquarters for the United States Africa Command; and

(D) affords the United States an important transit and jumping-off point for operations worldwide;

(15) strategic experts, transatlantic leaders, and current and former military personnel have warned that any step to withdraw the already limited United States troop presence in Germany, let alone reduce the United States presence by 28 percent, can only benefit the Russian Federation and weaken the North Atlantic Treaty Organization and United States security as a whole; and

(16) reducing the United States troop presence in Germany during a time of growing threats in Europe and beyond is a dangerous strategic misstep that will undermine United States national security interests and weaken the North Atlantic Treaty Organization and the transatlantic alliance.

SA 2183. Ms. SINEMA (for herself and Mr. CRAMER) submitted an amendment intended to be proposed by her to the

bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2803. MODIFICATION TO AUTHORITY FOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS AT MILITARY INSTALLATIONS.

Section 2809(b) of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(1) in paragraph (1), by inserting ''and annually thereafter,'' after ''this Act,''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''the report'' and inserting ''a report''; and

(B) in subparagraph (B), by inserting ''in which the project is included'' before the period at the end.

SA 2184. Ms. SINEMA (for herself and Mr. COTTON) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 752. PILOT PROGRAM ON PRE-PROGRAMMING OF SUICIDE PREVENTION RESOURCES INTO SMART DEVICES ISSUED TO MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which the Secretary—

(1) pre-downloads the Virtual Hope Box application of the Defense Health Agency, or successor application, on smart devices individually issued to members of the Armed Forces;

(2) pre-programs the National Suicide Hotline number and Veterans Crisis Line number into the contacts for such devices; and

(3) provides training, as part of training on suicide awareness and prevention conducted throughout the Department of Defense, on the preventative resources described in paragraphs (1) and (2).

(b) DURATION.—The Secretary shall carry out the pilot program under this section for a two-year period.

(c) SCOPE.—The Secretary shall determine the appropriate scope of individuals participating in the pilot program under this section to best represent each Armed Force and to ensure a relevant sample size.

(d) IDENTIFICATION OF OTHER RESOURCES.—In carrying out the pilot program under this section, the Secretary shall coordinate with the Director of the Defense Health Agency and the Secretary of Veterans Affairs to identify other useful technology-related resources for use in the pilot program.

(e) REPORT.—Not later than 30 days after completing the pilot program under this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot program.

(f) VETERANS CRISIS LINE DEFINED.—In this section, the term ''Veterans Crisis Line'' means the toll-free hotline for veterans established under section 1720F(h) of title 38, United States Code.

SA 2185. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION

SEC. 5101. SHORT TITLE.

This division may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2020''.

SEC. 5102. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the status of a responsible Federal official under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2021 through 2031''.

SEC. 5104. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including education-related stipends, college housing assistance, and other education-related assistance for low-income college students,'' after ''self-sufficiency and other services,''.

SEC. 5105. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 5106. PROGRAM REQUIREMENTS.

Section 203(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)) (as amended by section 5) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

''(2) APPLICATION OF TRIBAL POLICIES.—Paragraph (3) shall not apply if—

''(A) the recipient has a written policy governing rents and homebuyer payments charged for dwelling units; and

''(B) that policy includes a provision governing maximum rents or homebuyer payments, *including tenant protections*.''; and

(4) in paragraph (3) (as so redesignated), by striking ''In the case of'' and inserting ''In the absence of a written policy governing rents and homebuyer payments, in the case of''.

SEC. 5107. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$10,000''.

SEC. 5108. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 5109. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 5110. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 5111. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 5112. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 5113. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 5114. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2021 through 2031.''.

SEC. 5115. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 5116. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITIONS.—In this subsection, the terms 'Indian tribe' and 'tribally designated housing entity' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—Notwithstanding any other provision of law, an Indian tribe or a tribally designated housing entity shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a).''.

SEC. 5117. INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING COUNSELING GRANTS.

Section 106(a)(4) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking ''and'' and inserting a comma; and

(B) by inserting before the period at the end the following: '', Indian tribes, and tribally designated housing entities'';

(2) in subparagraph (B), by inserting '', Indian tribes, and tribally designated housing entities'' after ''organizations)'';

(3) by redesignating subparagraph (F) as subparagraph (G); and

(4) by inserting after subparagraph (E) the following:

''(F) DEFINITIONS.—In this paragraph, the terms 'Indian tribe' and 'tribally designated housing entity' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

SEC. 5118. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184(b)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(b)(4)) is amended by—

(1) redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(2) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(3) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(4) by adding at the end the following:

''(B) DIRECT GUARANTEE PROCESS.—

''(i) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this subparagraph was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(C) REVIEW OF MORTGAGEES.—

''(i) IN GENERAL.—The Secretary may periodically review the mortgagees originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;

''(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(iii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

''(I) may terminate the approval of a mortgagee to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2021 through 2031.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2021 through 2031''.

SEC. 5119. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A(j)(5)(B) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b(j)(5)) is amended by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2021 through 2031.''

SEC. 5120. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES IN CONTINUUM OF CARE PROGRAM.

(a) IN GENERAL.—Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is amended—

(1) in section 401(8) (42 U.S.C. 11360(8)), by inserting ''Indian reservations and trust land,'' after ''nonentitlement area,''; and

(2) in subtitle C (42 U.S.C. 11381 et seq.), by adding at the end the following:

''SEC. 435. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES.

''Notwithstanding any other provision of this title, for purposes of this subtitle, an Indian tribe or tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) may—

''(1) be a collaborative applicant or eligible entity; or

''(2) receive grant amounts from another entity that receives a grant directly from the Secretary, and use the amounts in accordance with this subtitle.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (Public Law 100–77; 101 Stat. 482) is amended by inserting after the item relating to section 434 the following:

''Sec. 435. Participation of Indian tribes and tribally designated housing entities.''.

SEC. 5121. ASSISTANT SECRETARY FOR INDIAN HOUSING.

The Department of Housing and Urban Development Act (42 U.S.C. 3531 et seq.) is amended—

(1) in section 4 (42 U.S.C. 3533)—

(A) in subsection (a)(1), by striking ''7'' and inserting ''8''; and

(B) in subsection (e)—

(i) by redesignating paragraph (2) as paragraph (4); and

(ii) by striking ''(e)(1)(A) There'' and all that follows through the end of paragraph (1) and inserting the following:

''(e)(1) There is established within the Department the Office of Native American Programs (in this subsection referred to as the 'Office') to be headed by an Assistant Secretary for Native American Programs (in this subsection referred to as the 'Assistant Secretary'), who shall be 1 of the Assistant Secretaries in subsection (a)(1).

''(2) The Assistant Secretary shall be responsible for—

''(A) administering, in coordination with the relevant office in the Department, the provision of housing assistance to Indian tribes or Indian housing authorities under each program of the Department that provides for such assistance;

''(B) administering the community development block grant program for Indian tribes under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and the provision of assistance to Indian tribes under such Act;

''(C) directing, coordinating, and assisting in managing any regional offices of the Department that administer Indian programs to the extent of such programs; and

''(D) coordinating all programs of the Department relating to Indian and Alaska Native housing and community development.

''(3) The Secretary shall include in the annual report under section 8 a description of the extent of the housing needs for Indian families and community development needs of Indian tribes in the United States and the activities of the Department, and extent of such activities, in meeting such needs.''; and

(2) in section 8 (42 U.S.C. 3536), by striking ''section 4(e)(2)'' and inserting ''section 4(e)(4)''.

SEC. 5122. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing projects funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents; and

(8) sports programs and sports activities that serve primarily youths from housing projects funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those projects.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute

funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section among public housing agencies, including provisions used to provide for renewals of ongoing programs funded under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall cause to be published in the Federal Register not less frequently than annually a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, which may include the use of on-site monitoring, independent public audit requirements, certification by tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2), entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section, and any applicable enforcement authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2021 through 2031 to carry out this section.

SEC. 5123. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SEC. 5124. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program, provided that such

grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 2186. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. REPORT ON BILLING PRACTICES FOR HEALTH CARE FROM DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) Through the TRICARE program, the Department of Defense provides health care benefits and services to approximately 9,500,000 beneficiaries.

(2) The Department of Defense is not structured as a typical health care provider, which can lead to complicated billing practices and strict deadlines for members of the Armed Forces, former members of the Armed Forces, and their dependents, as well as for providers.

(3) Numerous findings issued by the Inspector General of the Department of Defense between 2014 and 2019 describe the third-party collection program of the Department as inadequately managed, resulting in substantial uncollected funds that could be used to improve the quality of health care at military medical treatment facilities.

(4) Numerous press reports have found that the Federal Government aggressively collects unpaid debts from uninsured or low-income civilian patients who happen to receive treatment at a military medical treatment facility, even though providing that treatment often benefits military readiness by providing experience to military medical professionals.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national interest of the United States to ensure members of the Armed Forces, former members of the Armed Forces, and their dependents receive high-quality health care, and that Federal agencies prioritize fairness and accessibility when administering health care.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report assessing the billing practices of the Department of Defense for care received under the TRICARE program or at military medical treatment facilities.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the extent to which data is being collected and maintained on whether beneficiaries under the TRICARE program have other forms of health insurance.

(B) A description of the extent to which the Secretary of Defense has implemented the recommendations of the Inspector General of the Department of Defense to improve collections of third-party payments for care at military medical treatment facilities and a description of the impact such implementation has had on such beneficiaries.

(C) A description of the extent to which the process used by managed care support contractors under the TRICARE program to adjudicate third-party liability claims is efficient and effective, including with respect to communication with such beneficiaries.

(d) TRICARE PROGRAM DEFINED.—In this section, the term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SA 2187. Ms. CORTEZ MASTO (for herself and Ms. ROSEN) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28___. ESTABLISHMENT OF INTERAGENCY COMMITTEES ON JOINT USE OF CERTAIN LAND WITHDRAWN FROM APPROPRIATION UNDER PUBLIC LAND LAWS.

(a) INTERAGENCY EXECUTIVE COMMITTEE ON JOINT USE BY DEPARTMENT OF THE NAVY AND DEPARTMENT OF THE INTERIOR OF NAVAL AIR STATION FALLON RANGES.—Section 3011(a) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 885) is amended by adding at the end the following new paragraph:

''(5) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—

''(A) ESTABLISHMENT.—The Secretary of the Navy and the Secretary of the Interior shall jointly establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this paragraph as the 'executive committee'), for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land described in paragraph (2).

''(B) MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding entered into under subparagraph (A) shall include—

''(i) a description of the officials and other individuals to be invited to participate as members in the executive committee under subparagraph (C);

''(ii) a description of the duties of the Chairperson and Vice Chairperson of the executive committee; and

''(iii) subject to subparagraphs (D) and (E), a procedure for—

''(I) creating a forum to carry out the purpose described in subparagraph (A);

''(II) rotating the Chairperson of the executive committee; and

''(III) scheduling regular meetings of the executive committee.

''(C) MEMBERSHIP.—The executive committee shall be comprised of—

''(i) 1 representative of the Nevada Department of Wildlife;

''(ii) 1 representative of the Nevada Department of Conservation and Natural Resources;

''(iii) 1 county commissioner from each of Churchill, Lyon, Nye, Mineral, and Pershing Counties, Nevada;

''(iv) 1 representative of each Indian tribe in the vicinity of the land described in paragraph (2); and

''(v) not more than 3 members that the Secretary of the Navy and the Secretary of the Interior jointly determine would advance the goals and objectives of the executive committee.

''(D) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the executive committee shall elect from among the members—

''(i) 1 member to serve as Chairperson of the executive committee; and

''(ii) 1 member to serve as Vice Chairperson of the executive committee.

''(E) MEETINGS.—

''(i) FREQUENCY.—The executive committee shall meet not less frequently than 3 times each calendar year.

''(ii) LOCATION.—The location of the meetings of the executive committee shall rotate to facilitate ease of access for all members of the executive committee.

''(iii) PUBLIC ACCESSIBILITY.—The meetings of the executive committee shall—

''(I) be open to the public; and

''(II) serve as a forum for the public to provide comments regarding the natural and cultural resources of the land described in paragraph (2).

''(F) CONDITIONS AND TERMS.—

''(i) IN GENERAL.—Each member of the executive committee shall serve voluntarily and without compensation.

''(ii) TERM OF APPOINTMENT.—

''(I) IN GENERAL.—Except as provided in subclause (II)(bb), each member of the executive committee shall be appointed for a term of 4 years.

''(II) ORIGINAL MEMBERS.—Of the members initially appointed to the executive committee, the Secretary of the Navy and the Secretary of the Interior shall select—

''(aa) ½ to serve for a term of 4 years; and

''(bb) ½ to serve for a term of 2 years.

''(iii) REAPPOINTMENT AND REPLACEMENT.—The Secretary of the Navy and the Secretary of the Interior may reappoint or replace, as appropriate, a member of the executive committee if—

''(I) the term of the member has expired;

''(II) the member has resigned; or

''(III) the position held by the member has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

''(G) LIAISONS.—The Secretary of the Navy and the Secretary of the Interior shall each appoint appropriate operational and land management personnel of the Department of the Navy and the Department of the Interior, respectively, to serve as liaisons to the executive committee.''.

(b) JOINT ACCESS AND USE BY DEPARTMENT OF THE AIR FORCE AND DEPARTMENT OF THE INTERIOR OF NEVADA TEST AND TRAINING RANGE AND DESERT NATIONAL WILDLIFE REFUGE.—

(1) UNITED STATES FISH AND WILDLIFE SERVICE AND DEPARTMENT OF THE AIR FORCE COORDINATION.—Section 3011(b)(5) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 887) is amended by adding at the end the following new subparagraph:

''(G) INTERAGENCY COMMITTEE.—

''(i) IN GENERAL.—The Secretary of the Interior and the Secretary of the Air Force shall jointly establish an interagency committee (referred to in this subparagraph as the 'interagency committee') to facilitate coordination, manage public access needs and requirements, and minimize potential conflict between the Department of the Interior and the Department of the Air Force with respect to joint operating areas within the Desert National Wildlife Refuge.

''(ii) MEMBERSHIP.—The interagency committee shall include only the following members:

''(I) Representatives from the United States Fish and Wildlife Service.

''(II) Representatives from the Department of the Air Force.

''(III) The Project Leader of the Desert National Wildlife Refuge Complex.

''(IV) The Commander of the Nevada Test and Training Range, Nellis Air Force Base.

''(iii) REPORT TO CONGRESS.—The interagency committee shall biannually submit to the Committees on Armed Services, Environment and Public Works, and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives, and make available publicly online, a report on the activities of the interagency committee.''.

(2) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—Such section is further amended by adding at the end the following new subparagraph:

''(H) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—

''(i) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of the Air Force shall jointly establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this subparagraph as the 'executive committee') in accordance with this subparagraph.

''(ii) PURPOSE.—The executive committee shall be established for the purposes of—

''(I) exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this section; and

''(II) discussing and making recommendations to the interagency committee established under subparagraph (G) with respect to public access needs and requirements.

''(iii) COMPOSITION.—The executive committee shall comprise the following members:

''(I) FEDERAL AGENCIES.—The Secretary of the Interior and the Secretary of the Air Force shall each appoint 1 representative from an interested Federal agency.

''(II) STATE GOVERNMENT.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite 1 representative of the Nevada Department of Wildlife.

''(III) LOCAL GOVERNMENTS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite 1 county commissioner of each of Clark, Nye, and Lincoln Counties, Nevada.

''(IV) TRIBAL GOVERNMENTS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite 1 representative of each Indian tribe in the vicinity of the portions of the joint use area of the Desert National Wildlife Refuge where the Secretary of the Interior exercises primary jurisdiction.

''(V) PUBLIC.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite not more than 3 private individuals who the Secretary of the Interior and the Secretary of the Air Force jointly determine would further the goals and objectives of the executive committee.

''(VI) ADDITIONAL MEMBERS.—The Secretary of the Interior and the Secretary of the Air Force may designate such additional members as the Secretary of the Interior and the Secretary of the Air Force jointly determine to be appropriate.

''(iv) OPERATION.—The executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under clause (i), which shall specify the officials or other individuals to be invited to participate in the executive committee in accordance with clause (iii).

''(v) PROCEDURES.—Subject to clauses (vi) and (vii), the memorandum of understanding under clause (i) shall establish procedures for—

''(I) creating a forum for carrying out the purpose described in clause (ii);

''(II) rotating the Chairperson of the executive committee; and

''(III) scheduling regular meetings.

''(vi) CHAIRPERSON AND VICE CHAIRPERSON.—

''(I) IN GENERAL.—The members of the executive committee shall elect from among the members—

''(aa) 1 member to serve as the Chairperson of the executive committee; and

''(bb) 1 member to serve as the Vice Chairperson of the executive committee.

''(II) DUTIES.—The duties of each of the Chairperson and the Vice Chairperson shall be included in the memorandum of understanding under clause (i).

''(vii) MEETINGS.—

''(I) FREQUENCY.—The executive committee shall meet not less frequently than 3 times each calendar year.

''(II) MEETING LOCATIONS.—Locations of meetings of the executive committee shall rotate to facilitate ease of access for all executive committee members.

''(III) PUBLIC ACCESSIBILITY.—Meetings of the executive committee shall—

''(aa) be open to the public; and

''(bb) provide a forum for the public to provide comment regarding the management of, and public access to, the Nevada Test and Training Range and the Desert National Wildlife Refuge.

''(viii) CONDITIONS AND TERMS OF APPOINTMENT.—

''(I) IN GENERAL.—Each member of the executive committee shall serve voluntarily and without compensation.

''(II) TERM OF APPOINTMENT.—

''(aa) IN GENERAL.—Each member of the executive committee shall be appointed for a term of 4 years.

''(bb) ORIGINAL MEMBERS.—Notwithstanding item (aa), the Secretary of the Interior and the Secretary of the Air Force shall select—

''(AA) ½ of the original members of the executive committee to serve for a term of 4 years; and

''(BB) ½ of the original members of the executive committee to serve for a term of 2 years.

''(III) REAPPOINTMENT AND REPLACEMENT.—The Secretary of the Interior and the Secretary of the Air Force may reappoint or replace a member of the executive committee if—

''(aa) the term of the member has expired;

''(bb) the member has resigned; or

''(cc) the position held by the member has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

''(ix) LIAISONS.—The Secretary of the Air Force and the Secretary of the Interior shall each appoint appropriate operational and land management personnel of the Department of the Air Force and the Department of the Interior, respectively, to participate in, and serve as liaisons to, the executive committee.''.

SA 2188. Ms. CORTEZ MASTO submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 28____. DESERT NATIONAL WILDLIFE REFUGE.

(a) UNITED STATES FISH AND WILDLIFE SERVICE ACCESS.—Section 3011(b)(5)(D) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 888) is amended—

(1) in the matter preceding clause (i), by striking ''effect'' and inserting ''affect any of''; and

(2) by adding at the end the following:

''(iv) The ability of the Secretary of the Interior to ensure access by nonmilitary personnel for a minimum of 15 percent of annual calendar days, which shall be enumerated in an annual access schedule jointly prepared by the Secretary of the Interior and the Secretary of the Air Force, to the portions of the joint use area of the Desert National Wildlife Refuge where the Secretary of the Interior exercises primary jurisdiction to carry out the management responsibilities of the Secretary of the Interior for the Desert National Wildlife Refuge, including—

''(I) desert bighorn sheep surveys;

''(II) water catchment (guzzler) project maintenance;

''(III) annual desert bighorn sheep hunts;

''(IV) biological surveys;

''(V) surveys and treatment of invasive plants;

''(VI) research on desert bighorn sheep and other wildlife species;

''(VII) access for members of affected Indian tribes to visit culturally important sites;

''(VIII) cultural resource monitoring and surveys;

''(IX) vegetation, soil, springs, and groundwater contaminant surveys;

''(X) groundwater well monitoring; and

''(XI) other scientific research.''.

(b) ACCESS TO THE REFUGE GENERALLY.—Section 3011(b)(5) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 887) is amended by adding at the end the following:

''(G) ACCESS TO THE REFUGE GENERALLY.—

''(i) PUBLIC ACCESS.—The Secretary of the Interior shall facilitate timely public access in portions of the joint use area of the Desert National Wildlife Refuge that are not closed in accordance with subparagraph (C) for military purposes for Tribal, recreational (including hunting), educational, and research purposes—

''(I) in accordance with the laws (including regulations) generally applicable to the Desert National Wildlife Refuge and the National Wildlife Refuge System; and

''(II) consistent with the annual access schedules required under subparagraph (D)(iv).

''(ii) ACCESS FOR STATE OF NEVADA AND INDIAN TRIBES.—The Secretary of the Interior shall facilitate timely access, as determined by the Secretary of the Interior, to the portions of the joint use area of the Desert National Wildlife Refuge where the Secretary of the Interior exercises primary jurisdiction, consistent with the annual access schedules required under subparagraph (D)(iv) and subject to such terms and conditions as to which the Secretary of the Interior and Secretary of the Air Force may mutually agree, to—

''(I) representatives from the Nevada Department of Wildlife to carry out related management responsibilities to care for wildlife and wildlife habitat; and

''(II) Indian tribes in the vicinity of those portions of the joint use area to carry out cultural and religious activities.''.

SA 2189. Ms. CORTEZ MASTO (for herself and Mr. YOUNG) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. INNOVATION VOUCHER GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

(B) a nonprofit research lab, institution, or other similar organization in the United States associated with educational or research activities, including a federally funded research and development center.

(3) HUBZONE.—The term ''HUBZone'' has the meaning given the term in section 31(b) of the Small Business Act (15 U.S.C. 657a(b)).

(4) PROGRAM.—The term ''Program'' means the Innovation Voucher Grant Program established under subsection (b).

(5) RESERVIST.—The term ''Reservist'' means a member of a reserve component of the Armed Forces named in section 10101 of title 10, United States Code.

(6) RURAL AREA.—The term ''rural area'' means any county that the Bureau of the Census has defined as mostly rural or completely rural in the most recent decennial census.

(7) SERVICE-CONNECTED.—The term ''service-connected'' has the meaning given the term in section 101 of title 38, United States Code.

(8) SMALL BUSINESS CONCERN; SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY VETERANS; SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY WOMEN.—The terms ''small business concern'', ''small business concern owned and controlled by veterans'', and ''small business concern owned and controlled by women'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632).

(9) SMALL BUSINESS CONCERN IN AN UNDERSERVED MARKET.—The term ''small business concern in an underserved market'' means a small business concern—

(A) that is located in—

(i) a low- to moderate-income community;

(ii) a HUBZone;

(iii) a community that has been designated as an empowerment zone or an enterprise community under section 1391 of the Internal Revenue Code of 1986;

(iv) a community that has been designated as a Promise Zone by the Secretary of Housing and Urban Development;

(v) a community that has been designated as a qualified opportunity zone under section 1400Z–1 of the Internal Revenue Code of 1986; or

(vi) a rural area;

(B) for which more than 50 percent of the employees reside in a low- to moderate-income community;

(C) that has been in existence for not more than 2 years;

(D) owned and controlled by socially and economically disadvantaged individuals, including minorities;

(E) owned and controlled by women;

(F) owned and controlled by veterans;

(G) owned and controlled by service-disabled veterans; or

(H) not less than 51 percent owned and controlled by 1 or more—

(i) members of the Armed Forces participating in the Transition Assistance Program of the Department of Defense;

(ii) Reservists;

(iii) spouses of veterans, members of the Armed Forces, or Reservists; or

(iv) surviving spouses of veterans who died on active duty or as a result of a service-connected disability.

(10) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ''small business concern owned and controlled by socially and economically disadvantaged individuals'' has the meaning given the term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

(b) INNOVATION VOUCHER GRANT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a program to be known as the ''Innovation Voucher Grant Program'' under which the Administrator shall, on a competitive basis and in accordance with paragraph (7), award to small business concerns grants for the Federal share of the cost of purchasing from eligible entities technical assistance and services necessary to carry out projects to advance research, development, or commercialization of new or innovative products and services.

(2) PURPOSES OF PROGRAM.—The purposes of the Program are—

(A) to foster collaboration between small business concerns and research institutions or other similar organizations;

(B) to facilitate access by small business concerns to capital-intensive infrastructure and advanced research capabilities;

(C) to enable small business concerns to access technical expertise and capabilities that will lead to the development of innovative products;

(D) to promote business dynamism and competition;

(E) to stimulate United States leadership in advanced research, innovation, and technology;

(F) to accelerate the development of an advanced workforce; and

(G) to preserve and create new jobs.

(3) APPLICATION.—

(A) IN GENERAL.—A small business concern desiring a grant under the Program shall submit to the Administrator an application with the eligible entity from which the small business concern will purchase technical assistance and services using funds awarded under the grant.

(B) SELECTION.—Not later than 180 days after the deadline established by the Administrator to submit applications under subparagraph (A), the Administrator shall select the recipients of the grants under the Program.

(4) EVALUATION.—In evaluating an application for a grant under the Program, the Administrator shall take into consideration—

(A) the likelihood that funds awarded under the grant will be used to create or advance a novel product or service;

(B) the feasibility of creating or advancing a novel product or service proposed to be created or advanced using funds awarded under the grant; and

(C) whether creating or advancing a product or service proposed to be created or advanced using funds awarded under the grant could be accomplished without a grant awarded under the Program.

(5) AMOUNT.—A grant made under the Program shall be made in an amount of not less than $15,000 and not more than $75,000, which shall remain available to the grantee until expended.

(6) AMOUNTS FOR SMALL BUSINESS CONCERNS.—

(A) IN GENERAL.—Except to the extent that the Administrator determines otherwise, not less than 40 percent of the amounts made available for the Program in a fiscal year shall be set aside and expended through—

(i) a small business concern in an underserved market; or

(ii) a small business concern in a region or State that has historically been underserved by Federal research and development funds.

(B) REMAINING AMOUNT.—Any amount that is set aside under subparagraph (A) in a fiscal year that is not expended by the end of the fiscal year shall be—

(i) except as provided in clause (ii), available in the following fiscal year to make grants to small business concerns described in clauses (i) and (ii) of subparagraph (A); and

(ii) on and after October 1, 2024, available to make grants to all small business concerns under the Program.

(7) FEDERAL SHARE.—The Federal share of the cost of purchasing technical assistance and services described in paragraph (1) using funds awarded under a grant made under the Program shall be—

(A) not more than 75 percent, if the amount of the grant is less than $50,000; and

(B) not more than 50 percent, if the amount of the grant is not less than $50,000.

(8) REPORTS.—

(A) REPORTS FROM GRANT RECIPIENTS.—Not later than 180 days after the date on which a project carried out under a grant awarded under the Program is completed, the recipient of the grant shall submit to the Administrator a report on the project, including—

(i) whether and how the project met the original expectations for the project;

(ii) how the results of the project were incorporated in the business of the grant recipient; and

(iii) whether and how the project improved innovation practices of the grant recipient.

(B) REPORT OF THE ADMINISTRATOR.—Not later than 2 years after the date on which the Administrator establishes the Program, and every 2 years thereafter until the date on which the amounts appropriated for the Program are expended, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on grants awarded under the Program, including—

(i) a description of the grants awarded;

(ii) the estimated number of products or services created or advanced under grants awarded under the Program that could have been created or advanced without grants awarded under the Program; and

(iii) a description of the impact of the Program on knowledge transfer and commercialization.

(C) FINAL REPORT OF THE ADMINISTRATOR.—Not later than 180 days after the date on which amounts appropriated for the Program are expended, the Administrator shall submit to the committees described in subparagraph (B) a final report containing the information described in clauses (i), (ii), and (iii) of that paragraph.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator to carry out the Program $10,000,000 for each of fiscal years 2021 through 2025, to remain available until expended.

SA 2190. Mr. COTTON (for himself, Mr. SCHUMER, Mr. REED, Mr. RISCH, Ms. COLLINS, Mr. KING, Mr. HAWLEY, Mr. JONES, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal

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

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

SEC. _____. GRANTS FOR CONSTRUCTION OF MICROELECTRONICS MANUFACTURING AND RESEARCH AND DEVELOPMENT FACILITIES, AND WORKFORCE DEVELOPMENT.

(a) GRANTS FOR STATES WITH DEMONSTRATED INTEREST IN CONSTRUCTING MICROELECTRONICS MANUFACTURING AND ADVANCED RESEARCH AND DEVELOPMENT FACILITIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Defense, shall commence carrying out a program on the award of grants to States described in paragraph (2) to assist in financing the construction, expansion, or modernization (including acquisition of equipment and intellectual property) of microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facilities.

(2) STATES DESCRIBED.—A State described in this paragraph is a State that demonstrates to the Secretary of Commerce the following:

(A) Documented interest from a microelectronics company, that has a demonstrated ability to build and operate microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facilities, in constructing, expanding, or modernizing a commercial microelectronics fabrication, assembly, test, advanced packaging, or advanced research and develop facility, or documented interest from a public-private consortium that has a demonstrated ability to build and operate an advanced research and development facility in the State.

(B) Documented interest from a private entity to provide funding to support the construction, expansion, or modernization of the facility that is the subject of the interest documented under subparagraph (A).

(C) Commitments from such microelectronics company or consortia to worker and community investment, including—

(i) training and education benefits paid for by the company; and

(ii) programs to expand employment opportunity for economically disadvantaged individuals.

(D) Commitments from regional educational and training entities and institutions of higher education to develop curriculum or engage in workforce training, including programming for training and job placement of economically disadvantaged individuals.

(E) Guaranteed State-level economic incentives for the construction, expansion, or modernization of the facility described in subparagraph (B), such as site development, tax incentives, job-training programs and State-level funding for microelectronics research and development.

(3) LIMITATION ON GRANT AMOUNT.—A State may not be awarded more than $3,000,000,000 under paragraph (1).

(4) USE OF FUNDS .—

(A) IN GENERAL.—A State receiving a grant under paragraph (1) may only use the amount of the grant to finance—

(i) the construction, expansion, or modernization of a state-of-the-art microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facility with respect to which the State demonstrated to the Secretary documented interest under paragraph (2), or for similar uses in state of practice and legacy facilities as deemed necessary by the Secretary for national security and economic competitiveness;

(ii) to support workforce development for such facility; or

(iii) to support site development for such facility.

(B) RETURN OF FUNDS.—A State awarded a grant under paragraph (1) shall return any unused funds to the Treasury of the United States on an agreed-upon timeframe determined by the Secretary prior to issuing the funds.

(C) RECOVERY OF CERTAIN FUNDS.—If a microelectronics entity receiving grant funds under this subsection engages in increased levels of joint research and development, technology licensing or transfer, or investment involving sensitive technologies with entities under the foreign ownership, control, or influence (FOCI) of the Government of the People's Republic of China or other foreign adversary during the period of the grant, as determined by the Secretary as part of a periodic review of whether a microelectronics entity participating in the program specified in this subsection is under foreign ownership, control, or influence, the Secretary shall recover the amounts provided by the Secretary under this subsection.

(5) PROHIBITION.—If pursuant to the periodic review of foreign ownership, control, or influence specified in paragraph (4)(C), the Secretary determines that a microelectronics entity is under the foreign ownership, control or influence of the Government of the People's Republic of China or other foreign adversary during the period of the grant, such entity shall be prohibited from participating in the program specified in this subsection.

(6) NONRELOCATION BETWEEN STATES.—

(A) PROHIBITION.—A State may not use any amount of a grant awarded under this subsection to induce the relocation or the movement of existing jobs from one State to another State in competition for those jobs.

(B) REMEDIES.—In the event that the Secretary determines an amount of a grant awarded to a State under this subsection was used in violation of subparagraph (A), the Secretary may pursue appropriate enforcement actions, including—

(i) suspension of disbursements of the grant awarded; and

(ii) termination of the grant awarded, which may include the establishment of a debt requiring the recipient of the grant to reimburse the amount of the grant.

(7) IMPLEMENTATION.—The Secretary shall carry out this section acting through the Director of the National Institute of Standards and Technology.

(8) REPORTS AND NOTICES.—

(A) SECRETARY OF COMMERCE.—

(i) REPORT ON IMPLEMENTATION PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the plans of the Secretary to carry out the program required by paragraph (1).

(ii) NOTICE OF PENDING AWARD.—

(I) IN GENERAL.—Not later than 30 days before awarding a grant to a State under this subsection, the Secretary shall submit to Congress a notice of the intended award.

(II) CONTENTS.—Each notice submitted under subclause (I) shall include a description of the State to which the Secretary intends to award a grant under this subsection, the project or projects for which the amount of the grant is intended to be used, specifics on the planned use of the amounts of the grant for that project, and the rationale of the Secretary for awarding the grant.

(B) COMPTROLLER GENERAL OF THE UNITED STATES.—

(i) BIENNIAL REPORT.—Not later than 1 year after the date on which the Secretary of Commerce submits the report under subparagraph (A)(i) and not less frequently than once every 2 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the activities carried out under this subsection during the previous year.

(ii) CONTENTS.—Each report submitted under clause (i) shall include, at a minimum, assessments of the following:

(I) How the program is being carried out and how recipients of grants are being selected under the program.

(II) How other Federal programs are leveraged for manufacturing, research, and training to complement the grants awarded to States under this subsection.

(III) Outcomes of projects supported by grants under this subsection, including the construction, expansion, or modernization of a microelectronics fabrication, assembly, test, advanced packaging, or advanced research and development facilities, research and development, workforce training, employment, wages, and hiring of economically disadvantaged populations.

(9) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $15,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.

(b) CREATION, EXPANSION, OR MODERNIZATION OF MICROELECTRONICS MANUFACTURING FACILITIES AND CAPABILITIES FOR NATIONAL SECURITY NEEDS.—

(1) INCENTIVES AUTHORIZED.—The Secretary of Defense and the Director of National Intelligence, in consultation with the Secretary of Commerce, may jointly enter into arrangements with private sector entities or consortia thereof to provide incentives for the creation, expansion, or modernization of one or more commercially competitive and sustainable microelectronics manufacturing or advanced research and development facilities capable of producing measurably secure and specialized microelectronics for use by the Department of Defense, the intelligence community, critical infrastructure sectors of the United States economy, and other national security applications.

(2) COMMERCIAL MANUFACTURING.—A facility constructed, expanded, or modernized with an incentive provided under paragraph (1) may—

(A) be principally oriented toward commercial manufacturing; or

(B) devote surplus manufacturing capacity to the production of commercial microelectronics.

(3) RISK MITIGATION REQUIREMENTS.—A facility constructed, expanded, or modernized with an incentive provided under paragraph (1), or the components thereof, shall—

(A) have the potential to perform fabrication, assembly, package, test, or advanced research and development functions for classified and export-controlled microelectronics;

(B) include management processes to identify and mitigate supply chain security risks; and

(C) be able to produce microelectronics consistent with applicable trusted supply chain and operational security standards established under section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(4) NATIONAL SECURITY REQUIREMENTS.—In the provision of incentives under paragraph (1), the Secretary of Defense and the Director of National Intelligence shall jointly give preference to private sector entities and consortia that—

(A) have participated in previous programs and projects of the Department of Defense or the Office of the Director of National Intelligence, including—

(i) the Trusted Integrated Circuit program of the Intelligence Advanced Research Projects Activity;

(ii) trusted and assured microelectronics projects, as administered by the Department of Defense; or

(iii) the Electronics Resurgence Initiative (ERI) program of the Defense Advanced Research Projects Agency;

(B) have demonstrated an ongoing commitment to performing contracts for the Department of Defense and the intelligence community;

(C) are approved by the Defense Counterintelligence and Security Agency or the Office of the Director of National Intelligence as presenting an acceptable security risk, taking into account supply chain assurance vulnerabilities, counterintelligence risks, and any risks presented by companies whose owners are located outside the United States; and

(D) are evaluated periodically for foreign ownership, control, or influence, consistent with the determinations in paragraphs (4)(C) and (5) of subsection (a).

(5) USE OF INCENTIVES.—Incentives may be provided under paragraph (1) for the construction, expansion, or modernization of a facility that was constructed, expanded, or modernized with funds from a grant awarded under subsection (a).

(6) NONTRADITIONAL DEFENSE CONTRACTORS AND COMMERCIAL ENTITIES.—The arrangements entered into under paragraph (1) shall be in the form the Secretary of Defense and the Director of National Intelligence determine to be appropriate to encourage industry participation of nontraditional defense contractors or commercial entities and may include a contract, a grant, a cooperative agreement, a commercial agreement, the use of other transaction authority under section 2371 of title 10, United States Code, or another such arrangement.

(7) REPORTS.—

(A) REPORT BY SECRETARY OF DEFENSE AND DIRECTOR OF NATIONAL INTELLIGENCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly submit to Congress a report on the plans of the Secretary and the Director to provide incentives under paragraph (1).

(B) BIENNIAL REPORTS BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 1 year after the date on which the Secretary submits the report required by subparagraph (A) and not less frequently than once every 2 years thereafter, the Comptroller General of the United States shall submit to Congress a report on the activities carried out under this subsection.

(8) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.

(c) ADDITIONAL AMOUNTS FOR ENSURING THE FUTURE OF UNITED STATES LEADERSHIP IN MICROELECTRONICS.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000,000 for fiscal year 2021, with such amount to remain available until September 30, 2031, to expand the Electronics Resurgence Initiative of the Defense Advanced Research Projects Agency to develop advanced disruptive microelectronics technology, including research and development to enable production at a volume required to sustain a robust domestic microelectronics industry and mitigate parts obsolescence.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out microelectronics research at the National Science Foundation $1,500,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out microelectronics research at the Department of Energy $1,250,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out microelectronics research at the National Institute of Standards and Technology $250,000,000 for fiscal year 2021, with such amount to remain available for such purpose until September 30, 2031.

(5) SUPPLEMENT, NOT SUPPLANT.—The amounts authorized to be appropriated under paragraphs (1) through (4) shall supplement and not supplant amounts already appropriated to carry out the purposes described in such paragraphs.

(6) DOMESTIC PRODUCTION REQUIREMENTS.—The heads of executive agencies receiving funding under this section shall develop policies to require domestic production, to the extent possible, for any intellectual property resulting from microelectronics research and development conducted as a result of these funds and domestic control requirements to protect any such intellectual property from foreign adversaries.

(7) SENSE OF CONGRESS.—Congress supports and encourages efforts by the heads of executive agencies receiving funding under this subsection to co-invest in industry-led microelectronics investment consortiums to increase private capital investment in the domestic microelectronics industry.

(d) NATIONAL MICROELECTRONICS RESEARCH AND DEVELOPMENT PLAN.—

(1) IN GENERAL.—The President shall establish a standing subcommittee of the President's Office of Science and Technology's National Science and Technology Council for interagency efforts relating to microelectronics policy.

(2) NATIONAL MICROELECTRONICS RESEARCH PLAN.—

(A) IN GENERAL.—The subcommittee established under paragraph (1) shall develop a national microelectronics research and development plan to guide and coordinate funding for breakthroughs in next-generation microelectronics research and technology, strengthen the domestic microelectronics workforce, and encourage collaboration between government, industry, and academia.

(B) UPDATES.—Not less frequently than once each year, the subcommittee established under paragraph (1) shall update the plan developed under subparagraph (A) of this paragraph.

(e) INDUSTRY ADVISORY COMMITTEE.—The President shall establish a standing subcommittee of the President's Council of Advisors on Science and Technology to advise the United States Government on matters relating to microelectronics policy.

(f) MULTILATERAL EXPORT CONTROL PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce, in consultation with the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Secretary of Energy, shall jointly develop and submit to Congress a plan to coordinate with foreign government partners on establishing common microelectronics export control and foreign direct investment screening measures to align with national and multilateral security priorities.

(g) PROHIBITION RELATING TO FOREIGN ADVERSARIES.—None of the funds appropriated pursuant to an authorization in this section may be provided to an entity—

(1) under the foreign ownership, control, or influence of the Government of the People's Republic of China or the Chinese Communist Party, or other foreign adversary; or

(2) determined to have beneficial ownership from foreign individuals subject to the jurisdiction, direction, or influence of foreign adversaries.

(h) REQUIREMENTS FOR SOURCING FROM DOMESTIC MICROELECTRONICS DESIGN AND FOUNDRY SERVICES.—

(1) REQUIREMENTS REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense shall establish requirements, and a timeline for enforcement of such requirements, to the extent possible, for domestic sourcing for microelectronics design and foundry services by programs, contractors, subcontractors, and other recipients of funding from the Department of Defense.

(2) PROCESSES FOR WAIVERS.—The requirements established under paragraph (1) shall include processes to permit waivers for specific contracts or transactions for domestic sourcing requirements based on cost, availability, severity of technical and mission requirements, emergency requirements and operational needs, other legal or international treaty obligations, or other factors.

(3) UPDATES.—Not less frequently than once each year, the Secretary shall—

(A) update the requirements and timelines established under paragraph (1) and the processes under paragraph (2); and

(B) submit to Congress a report on the updates made under subparagraph (A).

(i) DEFINITIONS.—In this section:

(1) BENEFICIAL OWNER; BENEFICIAL OWNERSHIP.—The terms ''beneficial owner'' and ''beneficial ownership'' have the meanings given such terms in section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(2) ENTITY; COMPANY.—The terms ''entity'' and ''company'' mean any corporation, company, limited liability company, limited partnership, business trust, business association, or other similar entity.

(3) FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE.—The term ''foreign ownership, control, or influence'' has the meaning given such term in section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(4) INTELLIGENCE COMMUNITY.—In this section, the term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SA 2191. Mr. CRUZ (for himself, Mr. ENZI, Mrs. BLACKBURN, and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. MODIFICATION OF PROHIBITION ON ACQUISITION OF CERTAIN SENSITIVE MATERIALS.

(a) EXTENSION OF PROHIBITION TO MINED, REFINED, AND SEPARATED MATERIALS.—Subsection (a)(1) of section 2533c of title 10, United States Code, is amended by striking ''melted or produced'' and inserting ''mined, refined, separated, melted, or produced''.

(b) COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEM EXCEPTION.—Subsection (c)(3)(A)(i) of such section is amended by striking ''50 percent or more tungsten'' and inserting ''50 percent or more covered material''.

SA 2192. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 IX, insert the following:

SEC. _____. OFFICE OF NET ASSESSMENT.

(a) LIMITATION ON FUNDS AVAILABLE.—The amount available for programs, projects, and activities of the Office of Net Assessment (ONA) in any fiscal year after fiscal year 2020 may not exceed $10,000,000.

(b) LIMITATION ON RESEARCH CONTRACTS.—Any contract for research entered into by the Office of Net Assessment after the date of the enactment of this Act may only be for research for purposes of the development and coordination of net assessments as described in section 904 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 113 note).

(c) STRATEGY ON ELIMINATION OF WASTE BY ONA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a comprehensive strategy to provide for the following:

(1) Proper contract oversight mechanisms are in place at the Office of Net Assessment in order to ensure that—

(A) financial waste is kept to a minimum;

(B) research contracts comport with the purpose of a net assessment under section 113 of title 10, United States Code; and

(C) all contract documents are collected and recorded as required by section 113 of title 10, United States Code, and applicable regulations.

(2) A formal cost analysis by the Secretary of Defense on an annual basis of actual cost of the performance of net assessments by the Office of Net Assessment.

(d) INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE REPORT.—Not later than one year after the date of the enactment of this Act, the Inspector General of the Department of Defense shall submit to the Secretary of Defense and the congressional defense committees a report setting forth the following:

(1) A description and assessment of the extent to which the Office of Net Assessment has failed to comply with law and regulations in contracting for research projects during the five-year period ending on September 30, 2020.

(2) A description and assessment of the extent to which the Secretary of Defense has developed and implemented the comprehensive strategy required by subsection (c).

(3) An assessment the effectiveness of the comprehensive strategy required by subsection (c) in meeting each required purpose of the strategy as specified in paragraphs (1) and (2) of that subsection.

(4) An analysis of the actual cost of net assessments to assess whether the determination of the Secretary on the actual cost of performance of annual net assessments by the Office of Net Assessment is supported by the facts, and an assessment whether annual net assessments can be performed by the Office at a cost less than $10,000,000.

(5) Such recommendations as the Inspector General considers appropriate to address failures or shortfalls in the performance of annual net assessments by the Office of Net Assessment.

(e) COMPTROLLER GENERAL OF THE UNITED STATES REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Secretary of Defense and the congressional defense committees a report setting forth the following:

(1) The results of a comprehensive audit, conducted for purposes of the report, of the effectiveness of the comprehensive strategy required by subsection (c).

(2) The results of an analysis, conducted for purposes of the report, of the actual cost of performance of annual net assessments by the Office of Net Assessment.

(3) Such recommendations as the Comptroller General considers appropriate to improve the oversight of the Office of Net Assessment by the Department of Defense, and to ensure compliance by the Office with applicable law and regulations on contracting.

SA 2193. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, add the following:

SEC. 894. CLARIFICATION OF PROHIBITION ON CONTRACTING WITH ENTITIES THAT USE CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT.

Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (41 U.S.C. 3901 note prec.; Public Law 115–232) is amended—

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

''(3) DEFINITION.—For purposes of this subsection:

''(A) IN FULFILLMENT OF THE CONTRACT.—Equipment, systems, or services are used 'in fulfillment of the contract' if the contract requires—

''(i) their use; or

''(ii) to a significant extent, their use in the performance of a service or the furnishing of a product.

''(B) SYSTEM.—The term 'system' means a system used in fulfillment of the contract.

''(C) USE.—The term 'use' means use that is in fulfillment of the contract.'';

(2) in subsection (c), by striking ''two years'' and inserting ''three years''; and

(3) in subsection (d)(1)—

(A) in the matter preceding subparagraph (A)—

(i) by inserting after ''The waiver may be provided'' the following: ''as a class waiver''; and

(ii) by striking ''two'' and inserting ''four''; and

(B) in subparagraph (A), by striking ''; and'' and inserting the following: '', and a justification for the possible risk to the executive agency's desired security capabilities that uses the Risk Management Framework in the National Institute of Standards and Technology Special Publication 800-37, Revision 2, titled 'Risk Management Framework for Information Systems and Organizations: A System Life Cycle Approach for Security and Privacy', published in December 2018; or''.

SA 2194. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XLVIII—AMENDMENTS TO THE SOAR ACT

SEC. 4801. AMENDMENTS TO THE SOAR ACT.

The Scholarships for Opportunity and Results Act (division C of Public Law 112-10) is amended—

(1) in section 3004(a)(2) (sec. 38-1853.04(a)(2) D.C. Official Code), by inserting '', and may renew such grants for an additional period of not more than 5 years, without a competitive process, when appropriate and desirable to maintain continuity in the program'' after ''5 years'';

(2) in section 3005(b)(1)(C) (sec. 38-1853.05(b)(1)(C) D.C. Official Code), by inserting ''if such a process will not interfere with the school's regular admission standards or procedures'';

(3) in section 3007 (sec. 38-1853.07 D.C. Official Code)—

(A) in subsection (a)—

(i) in paragraph (3)(B)(i)(I), by striking ''kindergarten'' and inserting ''prekindergarten''; and

(ii) in paragraph (5)—

(I) in subparagraph (A)—

(aa) in clause (i), by striking subclause (I) and inserting the following:

''(I) is fully accredited by an accrediting body with jurisdiction in the District of Columbia or that is recognized by the Student and Visitor Exchange English Language Program administered by U.S. Immigration and Customs Enforcement; or''; and

(bb) in clause (i)(II)(bb), by striking ''5 years'' and inserting ''6 years''; and

(cc) by striking clause (ii) and inserting the following:

''(ii) in the case of a school that is not a participating school as of the date of enactment of the SOAR Reauthorization Act, the school will be fully accredited by such an accrediting body not later than 5 years after the date on which that school began the process of pursuing participation under this division.''; and

(II) in subparagraph (B), by striking ''5 years'' and inserting ''6 years'';

(B) by striking subsection (c) and redesignating subsection (d) as subsection (c);

(C) in subsection (b)—

(i) in the subsection heading, by striking ''AND PARENTAL ASSISTANCE'' and inserting '', PARENTAL ASSISTANCE, AND STUDENT ACADEMIC ASSISTANCE'';

(ii) in the matter preceding paragraph (1), by striking ''$2,000,000'' and inserting ''$2,200,000''; and

(iii) by adding at the end the following:

''(3) The expenses of providing tutoring service to participating eligible students that need additional academic assistance. If there are insufficient funds to provide tutoring services to all such students in a year, the eligible entity shall give priority in such year to students who previously attended an elementary school or secondary school identified as one of the lowest-performing schools under the District of Columbia's accountability system.''; and

(D) in subsection (c), as redesignated by subparagraph (B)—

(i) in paragraph (2)(B), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)''; and

(ii) in paragraph (3), by striking ''subsections (b) and (c)'' and inserting ''subsection (b)'';

(4) in section 3008(h) (sec. 38-1853.08(h) D.C. Official Code)—

(A) in paragraph (1), by striking ''section 3009(a)(2)(A)(i)'' and inserting ''section 3009(a)'';

(B) by striking paragraph (2) and inserting the following:

''(2) ADMINISTRATION OF TESTS.—The Institute of Education Sciences may administer assessments to students participating in the evaluation under section 3009(a) for the purpose of conducting the evaluation under such section.''; and

(C) in paragraph (3), by striking ''the nationally norm-referenced standardized test described in paragraph (2)'' and inserting ''a nationally norm-referenced standardized test'';

(5) in section 3009(a) (sec. 38-1853.09(a) D.C. Official Code)—

(A) in paragraph (1)(A), by striking ''annually'' and inserting ''regularly'';

(B) in paragraph (2)—

(i) in subparagraph (A), by striking clause (i) and inserting the following:

''(i) is rigorous; and''; and

(ii) in subparagraph (B), by striking ''impact of the program'' and all that follows through the end of the subparagraph and inserting ''impact of the program on academic progress and educational attainment.'';

(C) in paragraph (3)—

(i) in the paragraph heading, by striking ''ON EDUCATION'' and inserting ''OF EDUCATION'';

(ii) in subparagraph (A)—

(I) by inserting ''the academic progress of'' after ''assess''; and

(II) by striking ''in each of grades 3'' and all that follows through the end of the subparagraph and inserting ''; and'';

(iii) by striking subparagraph (B); and

(iv) by redesignating subparagraph (C) as subparagraph (B); and

(D) in paragraph (4)—

(i) in subparagraph (A)—

(I) by striking ''A comparison of the academic achievement of participating eligible students who use an opportunity scholarship on the measurements described in paragraph (3)(B) to the academic achievement'' and inserting ''The academic progress of participating eligible students who use an opportunity scholarship compared to the academic progress''; and

(II) by inserting '', which may include students'' after ''students with similar backgrounds'';

(ii) in subparagraph (B), by striking ''increasing the satisfaction of such parents and students with their choice'' and inserting ''those parents' and students' satisfaction with the program'';

(iii) by striking subparagraph (D) through (F) and inserting the following:

''(D) The high school graduation rates, college enrollment rates, college persistence rates, and college graduation rates of participating eligible students who use an opportunity scholarship compared with the rates of public school students described in subparagraph (A), to the extent practicable.

''(E) The college enrollment rates, college persistence rates, and college graduation rates of students who participated in the program as the result of winning the Opportunity Scholarship Program lottery compared to the enrollment, persistence, and graduation rates for students who entered but did not win such lottery and who, as a result, served as the control group for previous evaluations of the program under this division. Nothing in this subparagraph may be construed to waive section 3004(a)(3)(A)(iii) with respect to any such student.

''(F) The safety of the schools attended by participating eligible students who use an opportunity scholarship compared with the schools attended by public school students described in subparagraph (A), to the extent practicable.''; and

(iv) in subparagraph (G), by striking ''achievement'' and inserting ''progress''; and

(6) in section 3010 (sec. 38-1853.10 D.C. Official Code)—

(A) in subsection (b)(1)—

(i) by striking subparagraph (A); and

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) subsection (c)(1) —

(i) in subparagraph (A), by striking '', and the aggregate academic achievement of the student's peers at the student's school in the same grade or level, as appropriate''; and

(ii) in subparagraph (B), by inserting '', as appropriate'' after ''expulsions''.

SA 2195. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. SUBPOENA AUTHORITY.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

''(6) the term 'security vulnerability' has the meaning given that term in section 102(17) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501(17)); and'';

(2) in subsection (c)—

(A) in paragraph (10), by striking ''and'' at the end;

(B) in paragraph (11), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(12) detecting, identifying, and receiving information about security vulnerabilities relating to critical infrastructure in the information systems and devices for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).''; and

(3) by adding at the end the following:

''(o) SUBPOENA AUTHORITY.—

''(1) DEFINITION.—In this subsection, the term 'covered device or system'—

''(A) means a device or system commonly used to perform industrial, commercial, scientific, or governmental functions or processes that relate to critical infrastructure, including operational and industrial control systems, distributed control systems, and programmable logic controllers; and

''(B) does not include personal devices and systems, such as consumer mobile devices, home computers, residential wireless routers, or residential internet enabled consumer devices.

''(2) AUTHORITY.—

''(A) IN GENERAL.—If the Director identifies a system connected to the internet with a specific security vulnerability and has reason to believe that the security vulnerability relates to critical infrastructure and affects a covered device or system, and the Director is unable to identify the entity at risk that owns or operates the covered device or system, the Director may issue a subpoena for the production of information necessary to identify and notify the entity at risk, in order to carry out a function authorized under subsection (c)(12).

''(B) LIMIT ON INFORMATION.—A subpoena issued under the authority under subparagraph (A) may seek information—

''(i) only in the categories set forth in subparagraphs (A), (B), (D), and (E) of section 2703(c)(2) of title 18, United States Code; and

''(ii) for not more than 20 covered devices or systems.

''(C) LIABILITY PROTECTIONS FOR DISCLOSING PROVIDERS.—The provisions of section 2703(e) of title 18, United States Code, shall apply to any subpoena issued under the authority under subparagraph (A).

''(3) COORDINATION.—

''(A) IN GENERAL.—If the Director decides to exercise the subpoena authority under this subsection, and in the interest of avoiding interference with ongoing law enforcement investigations, the Director shall coordinate the issuance of any such subpoena with the Department of Justice, including the Federal Bureau of Investigation, pursuant to inter-agency procedures which the Director, in coordination with the Attorney General, shall develop not later than 60 days after the date of enactment of this subsection.

''(B) CONTENTS.—The inter-agency procedures developed under this paragraph shall provide that a subpoena issued by the Director under this subsection shall be—

''(i) issued in order to carry out a function described in subsection (c)(12); and

''(ii) subject to the limitations under this subsection.

''(4) NONCOMPLIANCE.—If any person, partnership, corporation, association, or entity fails to comply with any duly served subpoena issued under this subsection, the Director may request that the Attorney General seek enforcement of the subpoena in any judicial district in which such person, partnership, corporation, association, or entity resides, is found, or transacts business.

''(5) NOTICE.—Not later than 7 days after the date on which the Director receives information obtained through a subpoena issued under this subsection, the Director shall notify any entity identified by information obtained under the subpoena regarding the subpoena and the identified vulnerability.

''(6) AUTHENTICATION.—

''(A) IN GENERAL.—Any subpoena issued by the Director under this subsection shall be authenticated with a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor technology, that allows the Agency to demonstrate that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.

''(B) INVALID IF NOT AUTHENTICATED.—Any subpoena issued by the Director under this subsection that is not authenticated in accordance with subparagraph (A) shall not be considered to be valid by the recipient of the subpoena.

''(7) PROCEDURES.—Not later than 90 days after the date of enactment of this subsection, the Director shall establish internal

procedures and associated training, applicable to employees and operations of the Agency, regarding subpoenas issued under this subsection, which shall address—

''(A) the protection of and restriction on dissemination of nonpublic information obtained through a subpoena issued under this subsection, including a requirement that the Agency shall not disseminate nonpublic information obtained through a subpoena issued under this subsection that identifies the party that is subject to the subpoena or the entity at risk identified by information obtained, except that the Agency may share the nonpublic information of the entity at risk with another the Department of Justice for the purpose of enforcing the subpoena in accordance with paragraph (4) or with a Federal agency if—

''(i) the Agency identifies or is notified of a cybersecurity incident involving the entity, which relates to the vulnerability which led to the issuance of the subpoena;

''(ii) the Director determines that sharing the nonpublic information with another Federal agency is necessary to allow that Federal agency to take a law enforcement or national security action, subject to the interagency procedures under paragraph (3)(A), or actions related to mitigating or otherwise resolving such incident;

''(iii) the entity to which the information pertains is notified of the Director's determination, to the extent practicable consistent with national security or law enforcement interests, subject to the interagency procedures under paragraph (3)(A); and

''(iv) the entity consents, except that the entity's consent shall not be required if another Federal agency identifies the entity to the Agency in connection with a suspected cybersecurity incident;

''(B) the restriction on the use of information obtained through the subpoena for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501);

''(C) the retention and destruction of nonpublic information obtained through a subpoena issued under this subsection, including—

''(i) destruction of information obtained through the subpoena that the Director determines is unrelated to critical infrastructure immediately upon providing notice to the entity pursuant to paragraph (5); and

''(ii) destruction of any personally identifiable information not later than 6 months after the date on which the Director receives information obtained through the subpoena, unless otherwise agreed to by the individual identified by the subpoena respondent;

''(D) the processes for providing notice to each party that is subject to the subpoena and each entity identified by information obtained under a subpoena issued under this subsection;

''(E) the processes and criteria for conducting critical infrastructure security risk assessments to determine whether a subpoena is necessary prior to being issued under this subsection; and

''(F) the information to be provided to an entity at risk at the time of the notice of the vulnerability, which shall include—

''(i) a discussion or statement that responding to, or subsequent engagement with, the Agency, is voluntary; and

''(ii) to the extent practicable, information regarding the process through which the Director identifies security vulnerabilities.

''(8) LIMITATION ON PROCEDURES.—The internal procedures established under paragraph (7) may not require an owner or operator of critical infrastructure to take any action as a result of a notice of vulnerability made pursuant to this Act.

''(9) REVIEW OF PROCEDURES.—Not later than 1 year after the date of enactment of this subsection, the Privacy Officer of the Agency shall—

''(A) review the procedures developed by the Director under paragraph (7) to ensure that—

''(i) the procedures are consistent with fair information practices; and

''(ii) the operations of the Agency comply with the procedures; and

''(B) notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of the results of the review.

''(10) PUBLICATION OF INFORMATION.—Not later than 120 days after establishing the internal procedures under paragraph (7), the Director shall publish information on the website of the Agency regarding the subpoena process under this subsection, including regarding—

''(A) the purpose for subpoenas issued under this subsection;

''(B) the subpoena process;

''(C) the criteria for the critical infrastructure security risk assessment conducted prior to issuing a subpoena;

''(D) policies and procedures on retention and sharing of data obtained by subpoena;

''(E) guidelines on how entities contacted by the Director may respond to notice of a subpoena; and

''(F) the procedures and policies of the Agency developed under paragraph (7).

''(11) ANNUAL REPORTS.—The Director shall annually submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report (which may include a classified annex but with the presumption of declassification) on the use of subpoenas under this subsection by the Director, which shall include—

''(A) a discussion of—

''(i) the effectiveness of the use of subpoenas to mitigate critical infrastructure security vulnerabilities;

''(ii) the critical infrastructure security risk assessment process conducted for subpoenas issued under this subsection;

''(iii) the number of subpoenas issued under this subsection by the Director during the preceding year;

''(iv) to the extent practicable, the number of vulnerable covered devices or systems mitigated under this subsection by the Agency during the preceding year; and

''(v) the number of entities notified by the Director under this subsection, and their response, during the previous year; and

''(B) for each subpoena issued under this subsection—

''(i) the source of the security vulnerability detected, identified, or received by the Director;

''(ii) the steps taken to identify the entity at risk prior to issuing the subpoena; and

''(iii) a description of the outcome of the subpoena, including discussion on the resolution or mitigation of the critical infrastructure security vulnerability.

''(12) PUBLICATION OF THE ANNUAL REPORTS.—The Director shall publish a version of the annual report required by paragraph (11) on the website of the Agency, which shall, at a minimum, include the findings described in clauses (iii), (iv) and (v) of paragraph (11)(A).

''(13) PROHIBITION ON USE OF INFORMATION FOR UNAUTHORIZED PURPOSES.—Any information obtained pursuant to a subpoena issued under this subsection shall not be provided to any other Federal agency for any purpose other than a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501) or for the purpose of enforcing a subpoena under paragraph (4).''.

(b) RULES OF CONSTRUCTION.—

(1) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this section or the amendments made by this section shall be construed to grant the Secretary of Homeland Security (in this subsection referred to as the ''Secretary''), or another Federal agency, any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

(2) PRIVATE ENTITIES.—Nothing in this section or the amendments made by this section shall be construed to require any private entity—

(A) toto request assistance from the Secretary; or

(B) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

SA 2196. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. CONGRESSIONAL NOTIFICATION OF CHANGES TO NATIONAL RESPONSE FRAMEWORK.

Section 504 of the Homeland Security Act of 2002 (6 U.S.C. 314) is amended by adding at the end the following:

''(c) NATIONAL RESPONSE FRAMEWORK REPORTING.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall submit a report to Congress on all changes that have been made to any part of the National Response Framework, including any change to an Emergency Support Function Annex, Support Annex, or Incident Annex, during the 5-year period ending on the date of enactment of this subsection.

''(2) QUARTERLY REPORTS.—On January 1, 2021, and on the first day of each quarter thereafter, the Administrator shall submit a report to the appropriate congressional committees detailing all changes made to any part of the National Response Framework, including any change to an Emergency Support Function Annex, Support Annex, or Incident Annex during the 3-month period preceding the report.''.

SA 2197. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Use of Spectrum Auction Proceeds to Support Supply Chain Innovation and Multilateral Security

SEC. 1091. DEFINITIONS.

In this subtitle:

(1) 3GPP.—The term ''3GPP'' means the Third Generation Partnership Project.

(2) 5G NETWORK.—The term ''5G network'' means a radio network as described by 3GPP Release 15 or higher.

(3) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(4) NTIA ADMINISTRATOR.—The term ''NTIA Administrator'' means the Assistant Secretary of Commerce for Communications and Information.

(5) O-RAN.—The term ''O-RAN'' means the Open Radio Access Network approach to standardization adopted by the O-RAN Alliance, Telecom Infra Project, or 3GPP, or any similar set of open standards for multi-vendor network equipment interoperability.

(6) RELEVANT COMMITTEES OF CONGRESS.—The term ''relevant committees of Congress'' means—

(A) the Select Committee on Intelligence of the Senate;

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

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

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

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

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

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

SEC. 1092. COMMUNICATIONS TECHNOLOGY SECURITY FUNDS.

(a) USE OF SPECTRUM AUCTION PROCEEDS.—Notwithstanding section 309(j)(8)(A) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(A)) or any other provision of law, with respect to any proceeds from the use of a competitive bidding system by the Commission to grant a license, permit, or other rights for the use of electromagnetic spectrum during the 5-year period beginning on the date of this Act that would otherwise be deposited in the Treasury, the Commission shall deposit—

(1) 5 percent of the proceeds or $750,000,000, whichever is greater, in the Public Wireless Supply Chain Innovation Fund established under subsection (b) of this section; and

(2) $500,000,000 in the Multilateral Telecommunications Security Fund established under subsection (c) of this section.

(b) PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Public Wireless Supply Chain Innovation Fund'' (referred to in this subsection as the ''R&D Fund'').

(B) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the R&D Fund shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act.

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the R&D Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(2) BORROWING AUTHORITY.—

(A) IN GENERAL.—The NTIA Administrator may borrow from the Treasury of the United States an amount not to exceed $750,000,000 to use for grants under this subsection.

(B) DEPOSIT OF FUNDS.—Any amounts borrowed under subparagraph (A) shall be deposited in the R&D Fund.

(3) USE OF FUND.—

(A) GRANTS.—

(i) IN GENERAL.—Except as provided in subparagraph (B), amounts deposited in the R&D Fund shall be available to the NTIA Administrator to make grants under this subsection in such amounts as the NTIA Administrator determines appropriate, subject to clause (ii) of this subparagraph.

(ii) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this subsection to a recipient for a specific research focus area may not exceed $100,000,000.

(B) REIMBURSEMENT OF TREASURY.—As proceeds are deposited in the R&D Fund under subsection (a)(1), the Commission shall first use those proceeds to reimburse the general fund of the Treasury for any amounts borrowed under paragraph (2)(A) of this subsection.

(4) ADMINISTRATION OF FUND.—The NTIA Administrator, in consultation with the Commission, the Director of the National Institute of Standards and Technology, the Secretary of Homeland Security, the Director of the Defense Advanced Research Projects Agency (commonly known as ''DARPA''), and the Director of the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence, shall establish criteria for grants awarded under this subsection, and administer the R&D Fund, to support research and the commercial application of that research, including in the following areas:

(A) Promoting the development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in the fifth-generation (commonly known as ''5G'') and successor wireless technology supply chains.

(B) Accelerating development and deployment of open interface standards-based compatible, interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, 3GPP, the O-RAN Software Community, or any successor organizations.

(C) Promoting compatibility of new 5G equipment with future open standards-based, interoperable equipment.

(D) Managing integration of multi-vendor network environments.

(E) Objective criteria to define equipment as compliant with open standards for multi-vendor network equipment interoperability.

(F) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multi-vendor networks.

(G) Promoting the application of network function virtualization to facilitate multi-vendor interoperability and a more diverse vendor market.

(5) TIMING.—Not later than 1 year after the date of enactment of this Act, the NTIA Administrator shall begin awarding grants under this subsection.

(6) FEDERAL ADVISORY BODY.—

(A) ESTABLISHMENT.—The NTIA Administrator shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the NTIA Administrator on the administration of the R&D Fund.

(B) COMPOSITION.—The advisory committee established under subparagraph (A) shall be composed of—

(i) representatives from—

(I) the Commission;

(II) the Defense Advanced Research Projects Administration;

(III) the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence;

(IV) the National Institute of Standards and Technology;

(V) the Department of State;

(VI) the National Science Foundation; and

(VII) the Department of Homeland Security; and

(ii) other representatives from the private and public sectors, at the discretion of the NTIA Administrator.

(C) DUTIES.—The advisory committee established under subparagraph (A) shall advise the NTIA Administrator on technology developments to help inform—

(i) the strategic direction of the R&D Fund; and

(ii) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.

(7) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the NTIA Administrator shall submit to the relevant committees of Congress a report with—

(i) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and

(ii) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of designated funds.

(B) ANNUAL REPORT.—For each fiscal year for which amounts in the R&D Fund are available under this subsection, the NTIA Administrator shall submit to Congress a report that—

(i) describes how, and to whom, amounts in the R&D Fund have been deployed;

(ii) details the progress of the NTIA Administrator in meeting the objectives described in paragraph (4); and

(iii) includes any additional information that the NTIA Administrator determines appropriate.

(c) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Multilateral Telecommunications Security Fund''.

(B) USE OF FUND.—Amounts deposited in the Multilateral Telecommunications Security Fund shall be available to the Secretary of State to make expenditures under this subsection in such amounts as the Secretary of State determines appropriate.

(C) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the Multilateral Telecommunications Security Fund—

(I) shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act; and

(II) may only be allocated upon the Secretary of State reaching an agreement with foreign government partners to participate in the common funding mechanism described in paragraph (2).

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the Multilateral Telecommunications Security Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(2) ADMINISTRATION OF FUND.—The Secretary of State, in consultation with the NTIA Administrator, the Secretary of Homeland Security, the Secretary of the Treasury, the Director of National Intelligence, and

the Commission, shall establish a common funding mechanism, in coordination with foreign partners, that uses amounts from the Multilateral Telecommunications Security Fund to support the development and adoption of secure and trusted telecommunications technologies.

(3) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Multilateral Telecommunications Security Fund are available, the Secretary of State shall submit to the relevant committees of Congress a report on the status and progress of the funding mechanism established under paragraph (2), including—

(A) any funding commitments from foreign partners, including each specific amount committed;

(B) governing criteria for use of the Multilateral Telecommunications Security Fund;

(C) an account of—

(i) how, and to whom, funds have been deployed;

(ii) amounts remaining in the Multilateral Telecommunications Security Fund; and

(iii) the progress of the Secretary of State in meeting the objective described in paragraph (2); and

(D) additional authorities needed to enhance the effectiveness of the Multilateral Telecommunications Security Fund in achieving the security goals of the United States.

SEC. 1093. PROMOTING UNITED STATES LEADERSHIP IN INTERNATIONAL ORGANIZATIONS AND COMMUNICATIONS STANDARDS-SETTING BODIES.

(a) IN GENERAL.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission, or their designees, shall prioritize the use of Federal funds to enhance representation of the United States at international forums that set standards for 5G networks and for future generations of wireless communications networks, including—

(1) the International Telecommunication Union (commonly known as ''ITU'');

(2) the International Organization for Standardization (commonly known as ''ISO'');

(3) the Inter-American Telecommunications Commission (commonly known as ''CITEL''); and

(4) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3GPP and the Institute of Electrical and Electronics Engineers (commonly known as ''IEEE'').

(b) ANNUAL REPORT.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission shall jointly submit to the relevant committees of Congress an annual report on the progress made under subsection (a).

SA 2198. Mr. CRAPO (for himself, Mr. BROWN, Mr. COTTON, Mr. WARNER, Mr. ROUNDS, Mr. JONES, Mr. MORAN, Mr. MENENDEZ, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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:

DIVISION E—ANTI-MONEY LAUNDERING

SEC. 5001. SHORT TITLE.

This division may be cited as the ''Anti-Money Laundering Act of 2020''.

SEC. 5002. PURPOSES.

The purposes of this division are—

(1) to improve coordination among the agencies tasked with administering anti-money laundering and countering the financing of terrorism requirements, the agencies that examine financial institutions for compliance with those requirements, Federal law enforcement agencies, the intelligence community, and financial institutions;

(2) to modernize anti-money laundering and countering the financing of terrorism laws to adapt the government and private sector response to new and emerging threats;

(3) to encourage technological innovation and the adoption of new technology by financial institutions to more effectively counter money laundering and the financing of terrorism;

(4) to reinforce that the anti-money laundering and countering the financing of terrorism policies, procedures, and controls of financial institutions shall be risk based;

(5) to establish uniform beneficial ownership information reporting requirements to—

(A) improve transparency for national security, intelligence, and law enforcement agencies concerning corporate structures and insight into the flow of illicit funds through those structures;

(B) discourage the use of shell corporations as a tool to disguise illicit funds;

(C) assist national security, intelligence, and law enforcement agencies with the pursuit of crimes; and

(D) protect the national security of the United States; and

(6) to establish a secure, nonpublic database at FinCEN for beneficial ownership information.

SEC. 5003. DEFINITIONS.

In this division:

(1) BANK SECRECY ACT.—The term ''Bank Secrecy Act'' means—

(A) section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b);

(B) chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.); and

(C) subchapter II of chapter 53 of title 31, United States Code.

(2) ELECTRONIC FUND TRANSFER.—The term ''electronic fund transfer'' has the meaning given the term in section 903 of the Electronic Fund Transfer Act (15 U.S.C. 1693a).

(3) FEDERAL FUNCTIONAL REGULATOR.—The term ''Federal functional regulator''—

(A) has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809); and

(B) includes any Federal regulator that examines a financial institution for compliance with the Bank Secrecy Act.

(4) FINANCIAL AGENCY.—The term ''financial agency'' has the meaning given the term in section 5312(a) of title 31, United States Code, as amended by section 5102 of this division.

(5) FINANCIAL INSTITUTION.—The term ''financial institution''—

(A) has the meaning given the term in section 5312 of title 31, United States Code; and

(B) includes—

(i) an electronic fund transfer network;

(ii) a clearing and settlement system;

(iii) a Federal Reserve bank—

(I) operating as an administrator of a clearing and settlement system; and

(II) acting as a financial agency.

(6) FINCEN.—The term ''FinCEN'' means the Financial Crimes Enforcement Network of the Department of the Treasury.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(8) STATE BANK SUPERVISOR.—The term ''State bank supervisor'' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

(9) STATE CREDIT UNION SUPERVISOR.—The term ''State credit union supervisor'' means a State official described in section 107A(e) of the Federal Credit Union Act (12 U.S.C. 1757a(e)).

TITLE LI—STRENGTHENING TREASURY FINANCIAL INTELLIGENCE, ANTI-MONEY LAUNDERING, AND COUNTERING THE FINANCING OF TERRORISM PROGRAMS

SEC. 5101. ESTABLISHMENT OF NATIONAL EXAM AND SUPERVISION PRIORITIES.

(a) DECLARATION OF PURPOSE.—Subchapter II of chapter 53 of title 31, United States Code, is amended by striking section 5311 and inserting the following:

''§ 5311. Declaration of purpose

''It is the purpose of this subchapter (except section 5315) to—

''(1) require certain reports or records that are highly useful in—

''(A) criminal, tax, or regulatory investigations, risk assessments, or proceedings; or

''(B) intelligence or counterintelligence activities, including analysis, to protect against terrorism;

''(2) prevent the laundering of money and the financing of terrorism through the establishment by financial institutions of reasonably designed risk-based programs to combat money laundering and the financing of terrorism;

''(3) facilitate the tracking of money that has been sourced through criminal activity or is intended to promote criminal or terrorist activity;

''(4) assess the money laundering, terrorism finance, tax evasion, and fraud risks to financial institutions, products, or services to—

''(A) protect the financial system of the United States from criminal abuse; and

''(B) safeguard the national security of the United States; and

''(5) establish appropriate frameworks for information sharing among financial institutions, their agents and service providers, their regulatory authorities, associations of financial institutions, the Department of the Treasury, and law enforcement authorities to identify, stop, and apprehend money launderers and those who finance terrorists.''.

(b) ANTI-MONEY LAUNDERING PROGRAMS.—Section 5318 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by striking ''subsection (b)(2)'' and inserting ''subsections (b)(2) and (h)(4)''; and

(2) in subsection (h)—

(A) in paragraph (1), in the matter preceding subparagraph (A)—

(i) by inserting ''and the financing of terrorism'' after ''money laundering''; and

(ii) by inserting ''and countering the financing of terrorism'' after ''anti-money laundering'';

(B) in paragraph (2)—

(i) by striking ''The Secretary'' and inserting the following:

''(A) IN GENERAL.—The Secretary''; and

(ii) by adding at the end the following:

''(B) FACTORS.—In prescribing the minimum standards under subparagraph (A), and in supervising and examining compliance with those standards, the Secretary of the Treasury, and the appropriate Federal functional regulator (as defined in section 509 of the Gramm-Leach-Bliley Act (12 U.S.C. 6809)) shall take into account the following:

''(i) Financial institutions are spending private compliance funds for a public and private benefit, including protecting the

United States financial system from illicit finance risks.

''(ii) The extension of financial services to the underbanked and remittances coming from the United States and abroad in ways that simultaneously prevent criminal underbanked persons from abusing formal or informal financial services networks are key policy goals of the United States.

''(iii) Effective anti-money laundering and countering the financing of terrorism programs safeguard national security and generate significant public benefits by preventing the flow of illicit funds in the financial system and by assisting law enforcement agencies with the identification and prosecution of persons attempting to launder money and undertake other illicit activity through the financial system.

''(iv) Anti-money laundering and countering the financing of terrorism programs described in paragraph (1) should be—

''(I) reasonably designed to assure and monitor compliance with the requirements of this subchapter and regulations promulgated under this subchapter; and

''(II) risk based, including ensuring that more attention and resources of financial institutions should be directed toward higher risk customers and activities, consistent with the risk profile of a financial institution, rather than toward lower risk customers and activities.''; and

(C) by adding at the end the following:

''(4) PRIORITIES.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this paragraph, the Secretary of the Treasury, in consultation with the Attorney General, Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)), relevant State financial regulators, national security agencies, and the Secretary of Homeland Security, shall establish and make public priorities for anti-money laundering and countering the financing of terrorism policy.

''(B) UPDATES.—Not less frequently than once every 4 years, the Secretary of the Treasury, in consultation with the Attorney General, Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)), relevant State financial regulators, national security agencies, and the Secretary of Homeland Security, shall update the priorities established under subparagraph (A).

''(C) RELATION TO NATIONAL STRATEGY.—The Secretary of the Treasury shall ensure that the priorities established under subparagraph (A) are consistent with the national strategy for countering the financing of terrorism and related forms of illicit finance developed under section 261 of the Countering Russian Influence in Europe and Eurasia Act of 2017 (Public Law 115–44; 131 Stat. 934).

''(D) RULEMAKING.—Not later than 180 days after the date on which the Secretary of the Treasury establishes the priorities under subparagraph (A), the Secretary of the Treasury, acting through the Director of the Financial Crimes Enforcement Network and in consultation with the Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)) and relevant State financial regulators, shall, as appropriate, promulgate regulations to carry out this paragraph.

''(E) SUPERVISION AND EXAMINATION.—The review by a financial institution of the priorities established under subparagraph (A) and the incorporation of those priorities, as appropriate, into the risk-based programs established by the financial institution to meet obligations under this subchapter, the USA PATRIOT Act (Public Law 107–56; 115 Stat. 272), and other anti-money laundering and countering the financing of terrorism laws and regulations shall be included as a measure on which a financial institution is supervised and examined for compliance with those obligations.

''(5) DUTY.—The duty to establish, maintain and enforce an anti-money laundering and countering the financing of terrorism program as required by this subsection shall remain the responsibility of, and be performed by, persons in the United States who are accessible to, and subject to oversight and supervision by, the Secretary of the Treasury and the appropriate Federal functional regulator (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)).''.

(c) FINANCIAL CRIMES ENFORCEMENT NETWORK.—Section 310(b)(2) of title 31, United States Code, is amended—

(1) by redesignating subparagraph (J) as subparagraph (O); and

(2) by inserting after subparagraph (I) the following:

''(J) Promulgate regulations under section 5318(h)(4)(D), as appropriate, to implement the government-wide anti-money laundering and countering the financing of terrorism examination and supervision priorities established by the Secretary of the Treasury under section 5318(h)(4)(A).

''(K) Communicate regularly with financial institutions and Federal functional regulators that examine financial institutions for compliance with subchapter II of chapter 53 and regulations promulgated under that subchapter and law enforcement authorities to explain the United States Government's anti-money laundering and countering the financing of terrorism examination and supervision priorities.

''(L) Give and receive feedback to and from financial institutions, State bank supervisors, and State credit union supervisors (as those terms are defined in section 5003 of the Anti-Money Laundering Act of 2020) regarding the matters addressed in subchapter II of chapter 53 and regulations promulgated under that subchapter.

''(M) Maintain money laundering and terrorist financing investigation financial experts capable of identifying, tracking, and tracing financial crime networks and identifying emerging threats to support Federal civil and criminal investigations.

''(N) Maintain emerging technology experts to encourage the development of and identify emerging technologies that can assist the United States Government or financial institutions in countering money laundering and the financing of terrorism.''.

SEC. 5102. STRENGTHENING FINCEN.

(a) FINDINGS.—Congress finds the following:

(1) The mission of FinCEN is to safeguard the financial system from illicit use, counter money laundering and the financing of terrorism, and promote national security through strategic use of financial authorities and the collection, analysis, and dissemination of financial intelligence.

(2) In its mission to safeguard the financial system from the abuses of financial crime, including the financing of terrorism, money laundering, and other illicit activity, the United States should prioritize working with partners in Federal, State, local, Tribal, and foreign law enforcement authorities.

(3) Although the use and trading of virtual currencies are legal practices, some terrorists and criminals, including international criminal organizations, seek to exploit vulnerabilities in the global financial system and increasingly rely on substitutes for currency, including emerging payment methods (such as virtual currencies), to move illicit funds.

(4) In carrying out its mission, FinCEN should ensure that its efforts fully support countering the financing of terrorism efforts, including making sure that steps to address emerging methods of such illicit financing are high priorities.

(b) EXPANDING INFORMATION SHARING WITH TRIBAL AUTHORITIES.—Section 310(b)(2) of title 31, United States Code, is amended—

(1) in subparagraphs (C), (E), and (F), by inserting ''Tribal,'' after ''local,'' each place that term appears; and

(2) in subparagraph (C)(vi), by striking ''international''.

(c) EXPANSION OF REPORTING AUTHORITIES TO COMBAT MONEY LAUNDERING.—Section 5318(a)(2) of title 31, United States Code, is amended—

(1) by inserting '', including the collection and reporting of certain information as the Secretary of the Treasury may prescribe by regulation,'' after ''appropriate procedures''; and

(2) by inserting '', the financing of terrorism, or other forms of illicit finance'' after ''money laundering''.

(d) VALUE THAT SUBSTITUTES FOR CURRENCY.—

(1) DEFINITIONS.—Section 5312(a) of title 31, United States Code, is amended—

(A) in paragraph (1), by striking '', or a transaction in money, credit, securities, or gold'' and inserting '', a transaction in money, credit, securities or gold, or a service provided with respect to money, securities, futures, precious metals, stones and jewels, or value that substitutes for money'';

(B) in paragraph (2)—

(i) in subparagraph (J), by inserting '', or a business engaged in the exchange of currency, funds, or value that substitutes for currency or funds'' before the semicolon at the end; and

(ii) in subparagraph (R), by striking ''funds,'' and inserting ''currency, funds, or value that substitutes for currency,''; and

(C) in paragraph (3)—

(i) in subparagraph (B), by striking ''and'' at the end;

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

(iii) by adding at the end the following:

''(D) as the Secretary shall provide by regulation, value that substitutes for any monetary instrument described in subparagraph (A), (B), or (C).''.

(2) REGISTRATION OF MONEY TRANSMITTING BUSINESSES.—Section 5330(d) of title 31, United States Code, is amended—

(A) in paragraph (1)(A)—

(i) by striking ''funds,'' and inserting ''currency, funds, or value that substitutes for currency,''; and

(ii) by striking ''system;;'' and inserting ''system;''; and

(B) in paragraph (2)—

(i) by striking ''currency or funds denominated in the currency of any country'' and inserting ''currency, funds, or value that substitutes for currency'';

(ii) by striking ''currency or funds, or the value of the currency or funds,'' and inserting ''currency, funds, or value that substitutes for currency''; and

(iii) by inserting '', including'' after ''means''.

SEC. 5103. FINCEN EXCHANGE.

Section 310 of title 31, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (l); and

(2) by inserting after subsection (c) the following:

''(d) FINCEN EXCHANGE.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'Bank Secrecy Act' has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020; and

''(B) the term 'financial institution' has the meaning given the term in section 5312.

''(2) ESTABLISHMENT.—The FinCEN Exchange is hereby established within FinCEN.

''(3) PURPOSE.—The FinCEN Exchange shall facilitate a voluntary public-private information sharing partnership among law enforcement agencies, financial institutions, and FinCEN to—

''(A) effectively and efficiently combat money laundering, terrorism financing, organized crime, and other financial crimes, including by promoting innovation and technical advances in reporting—

''(i) under subchapter II of chapter 53 and the regulations promulgated under that subchapter; and

''(ii) with respect to other anti-money laundering requirements;

''(B) protect the financial system from illicit use; and

''(C) promote national security.

''(4) REPORT.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, and once every 2 years thereafter for the next 5 years, the Secretary of the Treasury shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing—

''(i) an analysis of the efforts undertaken by the FinCEN Exchange, which shall include an analysis of—

''(I) the results of those efforts; and

''(II) the extent and effectiveness of those efforts, including any benefits realized by law enforcement agencies from partnering with financial institutions, which shall be consistent with standards protecting sensitive information; and

''(ii) any legislative, administrative, or other recommendations the Secretary may have to strengthen the efforts of the FinCEN Exchange.

''(B) CLASSIFIED ANNEX.—Each report under subparagraph (A) may include a classified annex.

''(5) INFORMATION SHARING REQUIREMENT.—Information shared under this subsection shall be shared—

''(A) in compliance with all other applicable Federal laws and regulations;

''(B) in such a manner as to ensure the appropriate confidentiality of personal information; and

''(C) at the discretion of the Director, with the appropriate Federal functional regulator, as defined in section 5003 of the Anti-Money Laundering Act of 2020.

''(6) PROTECTION OF SHARED INFORMATION.—

''(A) REGULATIONS.—FinCEN shall, as appropriate, promulgate regulations that establish procedures for the protection of information shared and exchanged by FinCEN with the private sector in accordance with this section, consistent with the capacity, size, and nature of the financial institution to which the particular procedures apply.

''(B) USE OF INFORMATION.—Information received by a financial institution pursuant to this section shall not be used for any purpose other than identifying and reporting on activities that may involve terrorist acts, money laundering activities, proliferation financing activities, or other financial crimes.

''(7) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to create new information sharing authorities relating to the Bank Secrecy Act.''.

SEC. 5104. INTERAGENCY ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM PERSONNEL ROTATION PROGRAM.

To promote greater effectiveness and efficiency in combating money laundering, terrorism financing, organized crime, and other financial crimes, the Secretary shall maintain and accelerate efforts to strengthen anti-money laundering and countering the financing of terrorism efforts through a personnel rotation program among the Federal functional regulators, the Department of Justice, the Federal Bureau of Investigation, the Department of Homeland Security, the Department of Defense, and such other agencies as the Secretary determines are appropriate.

SEC. 5105. TERRORISM AND FINANCIAL INTELLIGENCE SPECIAL HIRING AUTHORITY.

(a) FINCEN.—Section 310 of title 31, United States Code, as amended by section 5103 of this division, is amended by inserting after subsection (d) the following:

''(e) SPECIAL HIRING AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Treasury may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, candidates directly to positions in the competitive service, as defined in section 2102 of that title, in FinCEN.

''(2) PRIMARY RESPONSIBILITIES.—The primary responsibility of candidates appointed under paragraph (1) shall be to provide substantive support in support of the duties described in subparagraphs (A) through (O) of subsection (b)(2).''.

(b) OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE.—Section 312 of title 31, United States Code, is amended by adding at the end the following:

''(g) SPECIAL HIRING AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Treasury may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, candidates directly to positions in the competitive service (as defined in section 2102 of that title) in the OTFI.

''(2) PRIMARY RESPONSIBILITIES.—The primary responsibility of candidates appointed under paragraph (1) shall be to provide substantive support in support of the duties described in subparagraphs (A) through (G) of subsection (a)(4).

''(h) DEPLOYMENT OF STAFF.—The Secretary of the Treasury may detail, without regard to the provisions of section 300.301 of title 5, Code of Federal Regulations, any employee in the OTFI to any position in the OTFI for which the Secretary has determined there is a need.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter for 5 years, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that includes the number of new employees hired during the previous year under the authorities described in sections 310 and 312 of title 31, United States Code, along with position titles and associated pay grades for such hires.

SEC. 5106. TREASURY ATTACHÉ PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 3 of title 31, United States Code, is amended by adding at the end the following:

''§ 316. Treasury Attaché Program

''(a) IN GENERAL.—There is established the Treasury Financial Attaché Program, under which the Secretary of the Treasury shall appoint employees of the Department of the Treasury as a Treasury Financial Attaché, who shall—

''(1) further the work of the Department of the Treasury in developing and executing the financial and economic policy of the United States Government and the international fight against terrorism, money laundering, and other illicit finance;

''(2) be co-located in a United States Embassy, a similar United States Government facility, or a foreign government facility, as the Secretary determines is appropriate;

''(3) establish and maintain relationships with foreign counterparts, including employees of ministries of finance, central banks, international financial institutions, and other relevant official entities;

''(4) conduct outreach to local and foreign financial institutions and other commercial actors;

''(5) as appropriate, coordinate with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government; and

''(6) perform such other actions as the Secretary determines are appropriate.

''(b) NUMBER OF ATTACHÉS.—

''(1) IN GENERAL.—The number of Treasury Financial Attachés appointed under this section at any one time shall be not fewer than 6 more employees than the number of employees of the Department of the Treasury serving as Treasury attachés on the date of enactment of this section.

''(2) ADDITIONAL POSTS.—The Secretary of the Treasury may establish additional posts subject to the availability of appropriations.

''(c) COMPENSATION.—

''(1) IN GENERAL.—Each Treasury Financial Attaché appointed under this section and located at a United States Embassy shall receive compensation, including allowances, at the higher of—

''(A) the rate of compensation, including allowances, provided to a Foreign Service officer serving at the same embassy; and

''(B) the rate of compensation, including allowances, the Treasury attaché would otherwise have received, absent the application of this subsection.

''(2) PHASE IN.—The compensation described in paragraph (1) shall be phased in over 2 years.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 3 of title 31, United States Code, is amended by inserting after the item relating to section 315 the following:

''316. Treasury Attaché Program.''.

SEC. 5107. ESTABLISHMENT OF FINCEN DOMESTIC LIAISONS.

Section 310 of title 31, United States Code, as amended by sections 5103 and 5105 of this division, is amended by inserting after subsection (e) the following:

''(f) FINCEN DOMESTIC LIAISONS.—

''(1) ESTABLISHMENT OF OFFICE.—There is established in FinCEN an Office of Domestic Liaison, which shall be headed by the Chief Domestic Liaison.

''(2) LOCATION.—The Office of the Domestic Liaison shall be located in the District of Columbia.

''(g) CHIEF DOMESTIC LIAISON.—

''(1) IN GENERAL.—The Chief Domestic Liaison, shall—

''(A) report directly to the Director; and

''(B) be appointed by the Director, from among individuals with experience or familiarity with anti-money laundering program examinations, supervision, and enforcement.

''(2) COMPENSATION.—The annual rate of pay for the Chief Domestic Liaison shall be equal to the highest rate of annual pay for other senior executives who report to the Director.

''(3) STAFF OF OFFICE.—The Chief Domestic Liaison, with the concurrence of the Director, may retain or employ counsel, research staff, and service staff, as the Liaison determines necessary to carry out the functions, powers, and duties under this subsection.

''(4) DOMESTIC LIAISONS.—The Chief Domestic Liaison, with the concurrence of the Director, shall appoint not fewer than 6 senior

FinCEN employees as FinCEN Domestic Liaisons, who shall—

''(A) report to the Chief Domestic Liaison;

''(B) each be assigned to focus on a specific region of the United States; and

''(C) be located at an office in such region or co-located at an office of the Board of Governors of the Federal Reserve System in such region.

''(5) FUNCTIONS OF THE DOMESTIC LIAISONS.—

''(A) IN GENERAL.—Each Domestic Liaison shall—

''(i) in coordination with relevant Federal functional regulators, perform outreach to BSA officers at financial institutions, including nonbank financial institutions, and persons that are not financial institutions, especially with respect to actions taken by FinCEN that require specific actions by, or have specific effects on, such institutions or persons, as determined by the Director;

''(ii) in accordance with applicable agreements, receive feedback from financial institutions and examiners of Federal functional regulators regarding their examinations under the Bank Secrecy Act and communicate that feedback to FinCEN, the Federal functional regulators, and State bank supervisors;

''(iii) promote coordination and consistency of supervisory guidance from FinCEN, the Federal functional regulators, State bank supervisors, and State credit union supervisors regarding the Bank Secrecy Act;

''(iv) act as a liaison between financial institutions and their Federal functional regulators, State bank supervisors, and State credit union supervisors with respect to information sharing matters involving the Bank Secrecy Act and regulations promulgated thereunder;

''(v) establish safeguards to maintain the confidentiality of communications between the persons described in clause (ii) and the Office of Domestic Liaison;

''(vi) to the extent practicable, periodically propose to the Director changes in the regulations, guidance, or orders of FinCEN, including any legislative or administrative changes that may be appropriate to ensure improved coordination and expand information sharing under this paragraph.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to permit the Domestic Liaisons to have authority over supervision, examination, or enforcement processes.

''(6) ACCESS TO DOCUMENTS.—FinCEN, to the extent practicable and consistent with appropriate safeguards for sensitive enforcement-related, pre-decisional, or deliberative information, shall ensure that the Domestic Liaisons have full access to the documents of FinCEN, as necessary to carry out the functions of the Office of Domestic Liaison.

''(7) ANNUAL REPORTS.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every 2 years thereafter for 5 years, the Director shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on the objectives of the Office of Domestic Liaison for the following fiscal year and the activities of the Office during the immediately preceding fiscal year.

''(B) CONTENTS.—Each report required under subparagraph (A) shall include—

''(i) appropriate statistical information and full and substantive analysis;

''(ii) information on steps that the Office of Domestic Liaison has taken during the reporting period to address feedback received by financial institutions and examiners of Federal functional regulators relating to examinations under the Bank Secrecy Act;

''(iii) recommendations to the Director for such administrative and legislative actions as may be appropriate to address information sharing and coordination issues encountered by financial institutions or examiners of Federal functional regulators; and

''(iv) any other information, as determined appropriate by the Director.

''(C) SENSITIVE INFORMATION.—Notwithstanding subparagraph (D), FinCEN shall review each report required under subparagraph (A) before the report is submitted to ensure the report does not disclose sensitive information.

''(D) INDEPENDENCE.—

''(i) IN GENERAL.—Each report required under subparagraph (A) shall be provided directly to the committees listed in that subparagraph, except that a Federal functional regulator, a State bank supervisor, the Office of Management and Budget, and a State credit union supervisor shall have the opportunity for review or comment before the submission of the report.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) may be construed to preclude FinCEN or any other department or agency from reviewing a report required under subparagraph (A) for the sole purpose of protecting—

''(I) sensitive information obtained by a law enforcement agency; and

''(II) classified information.

''(E) CLASSIFIED INFORMATION.—No report required under subparagraph (A) may contain classified information.

''(8) DEFINITIONS.—In this subsection:

''(A) BANK SECRECY ACT.—The term 'Bank Secrecy Act' has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

''(B) BSA OFFICER.—The term 'BSA officer' means an employee of a financial institution whose primary job responsibility involves compliance with subchapter II of chapter 53.

''(C) FEDERAL FUNCTIONAL REGULATOR.—The term 'Federal functional regulator' has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

''(D) FINANCIAL INSTITUTION.—The term 'financial institution' has the meaning given that term under section 5312.

''(E) STATE BANK SUPERVISOR; STATE CREDIT UNION SUPERVISOR.—The terms 'State bank supervisor' and 'State credit union supervisor' have the meanings given the terms in section 5003 of the Anti-Money Laundering Act of 2020.''.

SEC. 5108. FOREIGN FINANCIAL INTELLIGENCE UNIT LIAISONS.

Section 310 of title 31, United States Code, as amended by sections 5103, 5105, and 5107 of this division, is amended by inserting after subsection (g) the following:

''(h) FINCEN FOREIGN FINANCIAL INTELLIGENCE UNIT LIAISONS.—

''(1) IN GENERAL.—The Director of FinCEN shall appoint not more than 6 Foreign Financial Intelligence Unit Liaisons, who shall—

''(A) be knowledgeable about domestic and international anti-money laundering or countering the financing of terrorism laws and regulations;

''(B) possess a technical understanding of the Bank Secrecy Act (as defined in section 5003 of the Anti-Money Laundering Act of 2020), the protocols of the Egmont Group of Financial Intelligence Units, and the Financial Action Task Force and the recommendations issued by that Task Force;

''(C) be co-located in a United States embassy, a similar United States Government facility, or a foreign government facility, as appropriate;

''(D) facilitate capacity building and perform outreach with respect to anti-money laundering and countering the financing of terrorism regulatory and analytical frameworks;

''(E) establish and maintain relationships with officials from foreign intelligence units, regulatory authorities, ministries of finance, central banks, law enforcement agencies, and other competent authorities;

''(F) participate in industry outreach engagements with foreign financial institutions and other commercial actors on anti-money laundering and countering the financing of terrorism issues;

''(G) as appropriate, coordinate with representatives of the Department of Justice at United States Embassies who perform similar functions on behalf of the United States Government; and

''(H) perform such other duties as the Director determines to be appropriate.

''(2) COMPENSATION.—Each Foreign Financial Intelligence Unit Liaison appointed under paragraph (1) shall receive compensation at the higher of—

''(A) the rate of compensation paid to a Foreign Service officer at a comparable career level serving at the same embassy or facility, as applicable; or

''(B) the rate of compensation that the Liaison would have otherwise received.''.

SEC. 5109. PROTECTION OF INFORMATION EXCHANGED WITH FOREIGN LAW ENFORCEMENT AND FINANCIAL INTELLIGENCE UNITS.

(a) IN GENERAL.—Section 310 of title 31, United States Code, as amended by sections 5103, 5105, 5107, and 5108 of this division, is amended by inserting after subsection (h) the following:

''(i) PROTECTION OF INFORMATION OBTAINED BY FOREIGN LAW ENFORCEMENT AND FINANCIAL INTELLIGENCE UNITS; FREEDOM OF INFORMATION ACT.—

''(1) DEFINITIONS.—In this subsection:

''(A) FOREIGN ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM AUTHORITY.—The term 'foreign anti-money laundering and countering the financing of terrorism authority' means any foreign agency or authority that is empowered under foreign law to regulate or supervise foreign financial institutions (or designated non-financial businesses and professions) with respect to laws concerning anti-money laundering and countering the financing of terrorism and proliferation.

''(B) FOREIGN FINANCIAL INTELLIGENCE UNIT.—The term 'foreign financial intelligence unit' means any foreign agency or authority, including a foreign financial intelligence unit that is a member of the Egmont Group of Financial Intelligence Units, that is empowered under foreign law as a jurisdiction's national center for—

''(i) receipt and analysis of suspicious transaction reports and other information relevant to money laundering, associate predicate offenses, and financing of terrorism; and

''(ii) the dissemination of the results of the analysis described in clause (i).

''(C) FOREIGN LAW ENFORCEMENT AUTHORITY.—The term 'foreign law enforcement authority' means any foreign agency or authority that is empowered under foreign law to detect, investigate, or prosecute potential violations of law.

''(2) INFORMATION EXCHANGED WITH FOREIGN LAW ENFORCEMENT AUTHORITIES, FOREIGN FINANCIAL INTELLIGENCE UNITS, AND FOREIGN ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM AUTHORITIES.—

''(A) IN GENERAL.—The Department of the Treasury may not be compelled to search for or disclose information exchanged with a foreign law enforcement authority, foreign financial intelligence unit, or foreign anti-money laundering and countering the financing of terrorism authority.

''(B) INAPPLICABILITY OF FREEDOM OF INFORMATION ACT.—

''(i) IN GENERAL.—Section 552(a)(3) of title 5 (commonly referred to as the 'Freedom of Information Act') shall not apply to any request for records or information exchanged between the Department of the Treasury and a foreign law enforcement authority, foreign financial intelligence unit, or foreign anti-money laundering and countering the financing of terrorism authority.

''(ii) SPECIFICALLY EXEMPTED BY STATUTE.—For purposes of section 552 of title 5, this paragraph shall be considered a statute described in subsection (b)(3)(B) of that section.

''(3) SAVINGS PROVISION.—Nothing in this section shall authorize the Department of the Treasury to withhold information from Congress or prevent the Department of the Treasury from complying with an order of a court of the United States in an action commenced by the United States.''.

(b) AVAILABILITY OF REPORTS.—Section 5319 of title 31, United States Code, is amended, in the fourth sentence, by inserting ''search and'' before ''disclosure''.

SEC. 5110. ASSESSMENT OF BANK SECRECY ACT APPLICATION TO DEALERS IN ARTS AND ANTIQUITIES.

(a) STUDY ON THE FACILITATION OF MONEY LAUNDERING AND TERROR FINANCE THROUGH THE TRADE OF WORKS OF ART OR ANTIQUITIES.—The Secretary, in coordination with the Director of the Federal Bureau of Investigation, the Attorney General, and the Secretary of Homeland Security, shall perform a study on the facilitation of money laundering and the financing of terrorism through the trade of works of art or antiquities, including an analysis of—

(1) the extent to which the facilitation of money laundering and the financing of terrorism through the trade of works of art or antiquities may enter or affect the financial system of the United States, including any qualitative data or statistics;

(2) an evaluation of which markets, by size, domestic or international geographical locations, or otherwise, should be subject to any regulations described in paragraph (3);

(3) whether thresholds should apply in determining which entities, if any, to regulate;

(4) an evaluation of whether certain exemptions should apply to any regulations described in paragraph (3); and

(5) any other matter the Secretary determines is appropriate.

(b) REPORT AND RULEMAKINGS.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Director of the Federal Bureau of Investigation, the Attorney General, and the Secretary of Homeland Security, shall—

(1) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains all findings and determinations made in carrying out the study required under subsection (a); and

(2) propose rulemakings, if appropriate, to implement the findings and determinations described in paragraph (1).

SEC. 5111. INCREASING TECHNICAL ASSISTANCE FOR INTERNATIONAL COOPERATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary for each of fiscal years 2020 through 2024 for the purpose described in paragraph (2) an amount equal to twice the amount authorized to be appropriated for that purpose for fiscal year 2019.

(2) PURPOSE DESCRIBED.—The purpose described in this paragraph is the provision of technical assistance to foreign countries, and financial institutions in foreign countries, that promotes compliance with international standards and best practices, including in particular international standards and best practices relating to the establishment of effective anti-money laundering programs and programs for countering the financing of terrorism.

(3) SENSE OF CONGRESS.—It is the sense of Congress that this subsection could affect a number of Federal agencies and departments and the Secretary should, as appropriate, consult with the heads of those affected agencies and departments, including the Attorney General, in providing the technical assistance required under this subsection.

(b) REPORT ON TECHNICAL ASSISTANCE PROVIDED BY OFFICE OF TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter for 5 years, the Secretary shall submit to Congress a report on the assistance described in subsection (a)(2) provided by the Office of Technical Assistance of the Department of the Treasury.

(2) ELEMENTS.—Each report required under paragraph (1) shall include—

(A) a description of the strategic goals of the Office of Technical Assistance in the year preceding submission of the report, including an explanation of how technical assistance provided by the Office in that year advanced those goals;

(B) a description of technical assistance provided by the Office in that year, including the objectives and delivery methods of the assistance;

(C) a list of beneficiaries and providers (other than Office staff) of the technical assistance during that year; and

(D) a description of how—

(i) technical assistance provided by the Office complements, duplicates, or otherwise affects or is affected by technical assistance provided by the international financial institutions (as defined in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c))); and

(ii) efforts to coordinate the technical assistance described in clause (i).

SEC. 5112. INTERNATIONAL COORDINATION.

(a) IN GENERAL.—The Secretary shall work with foreign counterparts of the Secretary, including through bilateral contacts, the Financial Action Task Force, the International Monetary Fund, the World Bank, the Egmont Group of Financial Intelligence Units, the Organisation for Economic Co-operation and Development, the Basel Committee on Banking Supervision, and the United Nations, to promote stronger anti-money laundering frameworks and enforcement of anti-money laundering laws.

(b) NATIONAL ADVISORY COUNCIL REPORT TO CONGRESS.—The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in each report required by section 1701 of the International Financial Institutions Act (22 U.S.C. 262r) after the date of enactment of this Act a description of—

(1) the activities of the International Monetary Fund in the fiscal year covered by the report to provide technical assistance that strengthens the capacity of members of the Fund to prevent money laundering and the financing of terrorism, and the effectiveness of the assistance; and

(2) the efficacy of efforts by the United States to support such technical assistance through the use of the Fund's administrative budget, and the level of such support.

TITLE LII—MODERNIZING THE ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM SYSTEM

SEC. 5201. ANNUAL REPORTING REQUIREMENTS.

(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Attorney General, in consultation with the Secretary, Federal law enforcement agencies, the Director of National Intelligence, Federal functional regulators, and the heads of other appropriate Federal agencies, shall submit to the Secretary a report that contains statistics, metrics, and other information on the use of data derived from financial institutions reporting under the Bank Secrecy Act (referred to in this subsection as the ''reported data''), including—

(1) the frequency with which the reported data contains actionable information that leads to—

(A) further procedures by law enforcement agencies, including the use of a subpoena, warrant, or other legal process; or

(B) actions taken by intelligence, national security, or homeland security agencies;

(2) calculations of the time between the date on which the reported data is reported and the date on which the reported data is used by law enforcement, intelligence, national security, or homeland security agencies, whether through the use of—

(A) a subpoena or warrant; or

(B) other legal process or action;

(3) an analysis of the transactions associated with the reported data, including whether—

(A) the suspicious accounts that are the subject of the reported data were held by legal entities or individuals; and

(B) there are trends and patterns in cross-border transactions to certain countries;

(4) the number of legal entities and individuals identified by the reported data;

(5) information on the extent to which arrests, indictments, convictions, criminal pleas, civil enforcement or forfeiture actions, or actions by national security, intelligence, or homeland security agencies were related to the use of the reported data; and

(6) data on the investigations carried out by State and Federal authorities resulting from the reported data.

(b) REPORT.—Beginning with the fifth report submitted under subsection (a), and once every 5 years thereafter, that report shall include a section describing the use of data derived from reporting by financial institutions under the Bank Secrecy Act over the 5 years preceding the date on which the report is submitted, which shall include a description of long-term trends and the use of long-term statistics, metrics, and other information.

(c) TRENDS, PATTERNS, AND THREATS.—Each report required under subsection (a) and each section included under subsection (b) shall contain a description of retrospective trends and emerging patterns and threats in money laundering and the financing of terrorism, including national and regional trends, patterns, and threats relevant to the classes of financial institutions that the Attorney General determines appropriate.

(d) USE OF REPORT INFORMATION.—The Secretary shall use the information reported under subsections (a), (b), and (c)—

(1) to help assess the usefulness of reporting under the Bank Secrecy Act to—

(A) criminal and civil law enforcement agencies;

(B) intelligence, defense, and homeland security agencies; and

(C) Federal functional regulators;

(2) to enhance feedback and communications with financial institutions and other entities subject to requirements under the Bank Secrecy Act, including by providing more detail in the reports published and distributed under section 314(d) of the USA PATRIOT Act (31 U.S.C. 5311 note);

(3) to assist FinCEN in considering revisions to the reporting requirements promulgated under section 314(d) of the USA PATRIOT Act (31 U.S.C. 5311 note); and

(4) for any other purpose the Secretary determines is appropriate.

(e) CONFIDENTIALITY.—Any information received by a financial institution under this section shall be subject to confidentiality requirements established by the Secretary.

SEC. 5202. ADDITIONAL CONSIDERATIONS FOR SUSPICIOUS ACTIVITY REPORTING REQUIREMENTS.

Section 5318(g) of title 31, United States Code, is amended by adding at the end the following:

''(5) CONSIDERATIONS IN IMPOSING REPORTING REQUIREMENTS.—

''(A) DEFINITIONS.—In this paragraph, the terms 'Bank Secrecy Act', 'Federal functional regulator', 'State bank supervisor', and 'State credit union supervisor' have the meanings given the terms in section 5003 of the Anti-Money Laundering Act of 2020.

''(B) REQUIREMENTS.—In imposing any requirement to report any suspicious transaction under this subsection, the Secretary of the Treasury, in consultation with the Attorney General, appropriate representatives of State bank supervisors, State credit union supervisors, and the Federal functional regulators, shall consider items that include—

''(i) the national priorities established by the Secretary;

''(ii) the purposes described in section 5311; and

''(iii) the means by or form in which the Secretary shall receive such reporting, including the burdens imposed by such means or form of reporting on persons required to provide such reporting, the efficiency of the means or form, and the benefits derived by the means or form of reporting by Federal law enforcement agencies and the intelligence community in countering financial crime, including money laundering and the financing of terrorism.

''(C) COMPLIANCE PROGRAM.—Reports filed under this subsection shall be guided by the compliance program of a covered financial institution with respect to the Bank Secrecy Act, including the risk assessment processes of the covered institution that should include a consideration of priorities established by the Secretary of the Treasury under section 5318.

''(D) STREAMLINED DATA AND REAL-TIME REPORTING.—

''(i) REQUIREMENT TO ESTABLISH SYSTEM.—In considering the means by or form in which the Secretary of the Treasury shall receive reporting pursuant to subparagraph (B)(iii), the Secretary of the Treasury, acting through the Director of the Financial Crimes Enforcement Network, and in consultation with appropriate representatives of the State bank supervisors, State credit union supervisors, and Federal functional regulators, shall—

''(I) establish streamlined, including automated, processes to, as appropriate, permit the filing of noncomplex categories of reports that—

''(aa) reduce burdens imposed on persons required to report; and

''(bb) do not diminish the usefulness of the reporting to Federal law enforcement agencies, national security officials, and the intelligence community in combating financial crime, including the financing of terrorism;

''(II) subject to clause (ii)—

''(aa) permit streamlined, including automated, reporting for the categories described in subclause (I); and

''(bb) establish the conditions under which the reporting described in item (aa) is permitted; and

''(III) establish additional systems and processes as necessary to allow for the reporting described in item (aa).

''(ii) STANDARDS.—The Secretary of the Treasury—

''(I) in carrying out clause (i), shall establish standards to ensure that streamlined reports relate to suspicious transactions relevant to potential violations of law (including regulations); and

''(II) in establishing the standards under subclause (I), shall consider transactions, including structured transactions, designed to evade any regulation promulgated under this subchapter, certain fund and asset transfers with lower apparent economic or business purpose, transactions without lawful purposes, and any other transaction that the Secretary determines to be appropriate.

''(iii) RULE OF CONSTRUCTION.—Nothing in this subparagraph may be construed to preclude the Secretary of the Treasury from—

''(I) requiring reporting as provided for in subparagraphs (B) and (C); or

''(II) notifying Federal law enforcement with respect to any transaction that the Secretary has determined implicates a national priority established by the Secretary.''.

SEC. 5203. LAW ENFORCEMENT FEEDBACK ON SUSPICIOUS ACTIVITY REPORTS.

(a) FEEDBACK.—

(1) IN GENERAL.—FinCEN shall, to the extent practicable, periodically solicit feedback from individuals designated under section 5318(h)(1)(B) of title 31, United States Code, by a variety of financial institutions representing a cross-section of the reporting industry to review the suspicious activity reports filed by those financial institutions and discuss trends in suspicious activity observed by FinCEN.

(2) COORDINATION WITH FEDERAL FUNCTIONAL REGULATORS AND STATE BANK SUPERVISORS AND STATE CREDIT UNION SUPERVISORS.—FinCEN shall provide any feedback solicited under paragraph (1) to the appropriate Federal functional regulator, State bank supervisor, or State credit union supervisor during the regularly scheduled examination of the applicable financial institution by the Federal functional regulator, State bank supervisor, or State credit union supervisor, as applicable.

(b) DISCLOSURE REQUIRED.—

(1) IN GENERAL.—

(A) PERIODIC DISCLOSURE.—Except as provided in paragraph (2), FinCEN shall, to the extent practicable, periodically disclose to each financial institution, in summary form, information on suspicious activity reports filed that proved useful to Federal or State criminal or civil law enforcement agencies during the period since the most recent disclosure under this paragraph to the financial institution.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the public disclosure of any information filed with the Department of the Treasury under the Bank Secrecy Act.

(2) EXCEPTION FOR ONGOING AND CLOSED INVESTIGATIONS AND TO PROTECT NATIONAL SECURITY.—FinCEN shall not be required to disclose to a financial institution any information under paragraph (1) that relates to an ongoing investigation or implicates the national security of the United States.

(3) MAINTENANCE OF STATISTICS.—With respect to the actions described in paragraph (1), FinCEN shall keep records of all such actions taken to assist with the production of the reports described in paragraph (5) of section 5318(g) of title 31, United States Code, as added by section 5202 of this division, and for other purposes.

(4) COORDINATION WITH DEPARTMENT OF JUSTICE.—The information disclosed by FinCEN under this subsection shall include information from the Department of Justice regarding—

(A) the review and use by the Department of suspicious activity reports filed by the applicable financial institution during the period since the most recent disclosure under this subsection; and

(B) any trends in suspicious activity observed by the Department.

SEC. 5204. STREAMLINING REQUIREMENTS FOR CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS.

(a) REVIEW.—The Secretary, in consultation with the Attorney General, Federal law enforcement agencies, the Secretary of Homeland Security, the Federal functional regulators, State bank supervisors, State credit union supervisors, and other relevant stakeholders, shall undertake a formal review of the financial institution reporting requirements relating to currency transaction reports and suspicious activity reports, as in effect on the date of enactment of this Act, including the processes used to submit reports under the Bank Secrecy Act, regulations implementing the Bank Secrecy Act, and related guidance, and propose changes to those reports to reduce any unnecessarily burdensome regulatory requirements and ensure that the information provided fulfills the purposes described in section 5311 of title 31, United States Code, as amended by section 5101(a).

(b) CONTENTS.—The review required under subsection (a) shall—

(1) rely substantially on information obtained through the BSA Data Value Analysis Project conducted by FinCEN; and

(2) include a study of—

(A) whether the circumstances under which a financial institution determines whether to file a continuing suspicious activity report, including insider abuse, or the processes followed by a financial institution in determining whether to file a continuing suspicious activity report, or both, should be adjusted;

(B) whether different thresholds should apply to different categories of activities;

(C) the fields designated as critical on the suspicious activity report form, the fields on the currency transaction report form, and whether the number or nature of the fields on those forms should be adjusted;

(D) the categories, types, and characteristics of suspicious activity reports and currency transaction reports that are of the greatest value to, and that best support, investigative priorities of law enforcement and national security agencies;

(E) the increased use or expansion of exemption provisions to reduce currency transaction reports that may be of little or no value to the efforts of law enforcement agencies;

(F) the most appropriate ways to promote financial inclusion and address the adverse consequences of financial institutions derisking entire categories of relationships, including charities, embassy accounts, and money service businesses (as defined in section 1010.100(ff) of title 31, Code of Federal Regulations), and certain groups of correspondent banks without conducting a proper assessment of the specific risk of each individual member of these populations;

(G) the current financial institution reporting requirements under the Bank Secrecy Act and regulations and guidance implementing the Bank Secrecy Act;

(H) whether the process for the electronic submission of reports could be improved for both financial institutions and law enforcement agencies, including by allowing greater integration between financial institution systems and the electronic filing system to allow for automatic population of report

fields and the automatic submission of transaction data for suspicious transactions, without bypassing the obligation of each reporting financial institution to assess the specific risk of the transactions reported;

(I) the appropriate manner in which to ensure the security and confidentiality of personal information;

(J) how to improve the cross-referencing of individuals or entities operating at multiple financial institutions and across international borders;

(K) whether there are ways to improve current transaction report aggregation for entities with common ownership; and

(L) any other matter the Secretary determines is appropriate.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Attorney General, Federal law enforcement agencies, the Director of National Intelligence, the Secretary of Homeland Security, and the Federal functional regulators, shall—

(1) submit to Congress a report that contains all findings and determinations made in carrying out the review required under subsection (a); and

(2) propose rulemakings, as appropriate, to implement the findings and determinations described in paragraph (1).

SEC. 5205. CURRENCY TRANSACTION REPORTS AND SUSPICIOUS ACTIVITY REPORTS THRESHOLDS REVIEW.

(a) REVIEW OF THRESHOLDS FOR CERTAIN CURRENCY TRANSACTION REPORTS.—The Secretary, in consultation with the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Federal functional regulators, State bank supervisors, State credit union supervisors, and other relevant stakeholders, shall study and determine whether the dollar thresholds, including aggregate thresholds, under sections 5313, 5318(g), and 5331 of title 31, United States Code, including regulations issued under those sections, should be adjusted.

(b) CONSIDERATIONS.—In making the determinations required under subsection (a), the Secretary, in consultation with the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Federal functional regulators, State bank supervisors, State credit union supervisors, and other relevant stakeholders, shall consider—

(1) the effects that adjusting the thresholds would have on law enforcement, intelligence, national security, and homeland security agencies;

(2) the costs likely to be incurred or saved by financial institutions from any adjustment to the thresholds;

(3) whether adjusting the thresholds would better conform the United States with international norms and standards to counter money laundering and the financing of terrorism; and

(4) any other matter that the Secretary determines is appropriate.

(c) REPORT AND RULEMAKINGS.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Attorney General, the Director of National Intelligence, the Secretary of Homeland Security, the Federal functional regulators, State bank supervisors, State credit union supervisors, and other relevant stakeholders, shall—

(1) publish a report of the findings from the study required under subsection (a); and

(2) propose rulemakings, as appropriate, to implement the findings described in paragraph (1).

SEC. 5206. SHARING OF THREAT PATTERN AND TREND INFORMATION.

Section 5318(g) of title 31, United States Code, as amended by section 5202 of this division, is amended by adding at the end the following:

''(6) SHARING OF THREAT PATTERN AND TREND INFORMATION.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the terms 'Bank Secrecy Act' and 'Federal functional regulator' have the meanings given the terms in section 5003 of the Anti-Money Laundering Act of 2020; and

''(ii) the term 'typology' means a technique to launder money or finance terrorism.

''(B) SUSPICIOUS ACTIVITY REPORT ACTIVITY REVIEW.—Not less frequently than semiannually, the Director of the Financial Crimes Enforcement Network shall publish threat pattern and trend information to provide meaningful information about the preparation, use, and value of reports filed under this subsection by financial institutions, as well as other reports filed by financial institutions under the Bank Secrecy Act.

''(C) INCLUSION OF TYPOLOGIES.—In each publication published under subparagraph (B), the Director shall provide financial institutions and the Federal functional regulators with typologies, including data that can be adapted in algorithms if appropriate, relating to emerging money laundering and terrorist financing threat patterns and trends.

''(7) RULES OF CONSTRUCTION.—Nothing in this subsection may be construed as precluding the Secretary of the Treasury from—

''(A) requiring reporting as provided under subparagraphs (A) and (B) of paragraph (6); or

''(B) notifying a Federal law enforcement agency with respect to any transaction that the Secretary has determined directly implicates a national priority established by the Secretary.''.

SEC. 5207. SUBCOMMITTEE ON INNOVATION AND TECHNOLOGY.

Section 1564 of the Annunzio-Wylie Anti-Money Laundering Act (31 U.S.C. 5311 note) is amended by adding at the end the following:

''(d) SUBCOMMITTEE ON INNOVATION AND TECHNOLOGY.—

''(1) DEFINITIONS.—In this subsection, the terms 'Bank Secrecy Act', 'State bank supervisor', and 'State credit union supervisor' have the meanings given the terms in section 5003 of the Anti-Money Laundering Act of 2020.

''(2) ESTABLISHMENT.—There shall be within the Bank Secrecy Act Advisory Group a subcommittee to be known as the 'Subcommittee on Innovation and Technology' to—

''(A) advise the Secretary of the Treasury regarding means by which the Department of the Treasury, FinCEN, the Federal functional regulators, State bank supervisors, and State credit union supervisors, as appropriate, can most effectively encourage and support technological innovation in the area of anti-money laundering and countering the financing of terrorism and proliferation; and

''(B) reduce, to the extent practicable, obstacles to innovation that may arise from existing regulations, guidance, and examination practices related to compliance of financial institutions with the Bank Secrecy Act.

''(3) MEMBERSHIP.—

''(A) IN GENERAL.—The subcommittee established under paragraph (1) shall consist of the representatives of the heads of the Federal functional regulators, a representative of State bank supervisors, a representative of State credit union supervisors, representatives of a cross-section of financial institutions subject to the Bank Secrecy Act, law enforcement, FinCEN, and any other representative as determined by the Secretary of the Treasury.

''(B) REQUIREMENTS.—Each agency representative described in subparagraph (A) shall be an individual who has demonstrated knowledge and competence concerning the application of the Bank Secrecy Act.

''(4) SUNSET.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Subcommittee on Innovation and Technology shall terminate on the date that is 5 years after the date of enactment of this subsection.

''(B) EXCEPTION.—The Secretary of the Treasury may renew the Subcommittee on Innovation for 1-year periods beginning on the date that is 5 years after the date of enactment of this subsection.''.

SEC. 5208. FINANCIAL TECHNOLOGY ASSESSMENT.

(a) IN GENERAL.—The Secretary, in consultation with financial regulators, technology experts, national security experts, law enforcement, and any other group the Secretary determines is appropriate, shall analyze the impact of financial technology on financial crimes compliance, including money laundering, the financing of terrorism, proliferation finance, serious tax fraud, human and drug trafficking, sanctions evasion, and other illicit finance.

(b) COORDINATION.—In carrying out the duties required under this section, the Secretary shall coordinate with and consider other interagency efforts and data relating to examining the impact of financial technology, including activities conducted by—

(1) cyber security working groups at the Department of the Treasury;

(2) cyber security experts identified by the Attorney General and the Secretary of Homeland Security;

(3) the intelligence community; and

(4) the Financial Stability Oversight Council.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations of the Senate and the Committee on Financial Services and the Committee on Foreign Affairs of the House of Representatives a report containing any findings under subsection (a), including legislative and administrative recommendations.

SEC. 5209. FINANCIAL CRIMES TECH SYMPOSIUM.

(a) PURPOSE.—The purposes of this section are to—

(1) promote greater international collaboration in the effort to prevent and detect financial crimes and suspicious activities; and

(2) facilitate the investigation, development, and timely adoption of new technologies aimed at preventing and detecting financial crimes and other illicit activities.

(b) PERIODIC MEETINGS.—The Secretary shall, in coordination with the Subcommittee on Innovation and Technology established under subsection (d) of section 1564 of the Annunzio-Wylie Anti-Money Laundering Act, as added by section 5207 of this division, periodically convene a global anti-money laundering and financial crime symposium focused on how new technology can be used to more effectively combat financial crimes and other illicit activities.

(c) ATTENDEES.—Attendees at each symposium convened under this section shall include domestic and international financial regulators, senior executives from regulated firms, technology providers, representatives from law enforcement agencies, academic and other experts, and other individuals that the Secretary determines are appropriate.

(d) PANELS.—At each symposium convened under this section, the Secretary shall convene panels in order to review new technologies and permit attendees to demonstrate proof of concept.

(e) IMPLEMENTATION AND REPORTS.—The Secretary shall, to the extent practicable

and necessary, work to provide policy clarity, which may include providing reports or guidance to stakeholders, regarding innovative technologies and practices presented at each symposium convened under this section, to the extent that those technologies and practices further the purposes of this section.

(f) FINCEN BRIEFING.—Not later than 90 days after the date of enactment of this Act, the Director of FinCEN shall brief the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the use of emerging technologies, including—

(1) the status of implementation and internal use of emerging technologies, including artificial intelligence, digital identity technologies, distributed ledger technologies, and other innovative technologies within FinCEN;

(2) whether artificial intelligence, digital identity technologies, distributed ledger technologies, and other innovative technologies can be further leveraged to make data analysis by FinCEN more efficient and effective;

(3) whether FinCEN could better use artificial intelligence, digital identity technologies, distributed ledger technologies, and other innovative technologies to—

(A) more actively analyze and disseminate the information FinCEN collects and stores to provide investigative leads to Federal, State, Tribal, and local law enforcement agencies and other Federal agencies; and

(B) better support ongoing investigations by FinCEN when referring a case to the agencies described in subparagraph (A);

(4) with respect to each of paragraphs (1), (2), and (3), any best practices or significant concerns identified by the Director, and their applicability to artificial intelligence, digital identity technologies, distributed ledger technologies, and other innovative technologies with respect to United States efforts to combat money laundering and other forms of illicit finance;

(5) any policy recommendations that could facilitate and improve communication and coordination between the private sector, FinCEN, and the agencies described in paragraph (3) through the implementation of innovative approaches to meet the obligations of the agencies under the Bank Secrecy Act and anti-money laundering compliance; and

(6) any other matter the Director determines is appropriate.

SEC. 5210. PILOT PROGRAM ON SHARING OF INFORMATION RELATED TO SUSPICIOUS ACTIVITY REPORTS WITHIN A FINANCIAL GROUP.

(a) SHARING WITH FOREIGN BRANCHES AND AFFILIATES.—Section 5318(g) of title 31, United States Code, as amended by sections 5202 and 5203 of this division, is amended by adding at the end the following:

''(8) PILOT PROGRAM ON SHARING WITH FOREIGN BRANCHES, SUBSIDIARIES, AND AFFILIATES.—

''(A) IN GENERAL.—

''(i) ISSUANCE OF RULES.—Not later than 1 year after the date of enactment of this paragraph, the Secretary of the Treasury shall issue rules, subject to such controls and restrictions as the Director of the Financial Crimes Enforcement Network determines appropriate, establishing the pilot program described in subparagraph (B).

''(ii) CONSIDERATIONS.—In issuing the rules required under clause (i), the Secretary shall ensure that the sharing of information described in subparagraph (B)—

''(I) is limited by the requirements of Federal and State law enforcement operations;

''(II) takes into account potential concerns of the intelligence community; and

''(III) is subject to appropriate standards and requirements regarding data security and the confidentiality of personally identifiable information.

''(B) PILOT PROGRAM DESCRIBED.—The pilot program described in this paragraph shall—

''(i) permit a financial institution with a reporting obligation under this subsection to share information related to reports under this subsection, including that such a report has been filed, with the institution's foreign branches, subsidiaries, and affiliates for the purpose of combating illicit finance risks, notwithstanding any other provision of law except subparagraph (A) or (C);

''(ii) permit the Secretary to consider, implement, and enforce provisions that would hold a foreign affiliate of a United States financial institution liable for the disclosure of information related to reports under this section;

''(iii) terminate on the date that is 3 years after the date of enactment of this paragraph, except that the Secretary of the Treasury may extend the pilot program for not more than 2 years upon submitting to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that includes—

''(I) a certification that the extension is in the national interest of the United States, with a detailed explanation of the reasons that the extension is in the national interest of the United States;

''(II) after appropriate consultation by the Secretary with participants in the pilot program, an evaluation of the usefulness of the pilot program, including a detailed analysis of any illicit activity identified or prevented as a result of the program; and

''(III) a detailed legislative proposal providing for a long-term extension of activities under the pilot program, measures to ensure data security, and confidentiality of personally identifiable information, including expected budgetary resources for those activities, if the Secretary of the Treasury determines that a long-term extension is appropriate.

''(C) PROHIBITION INVOLVING CERTAIN JURISDICTIONS.—In issuing the rules required under subparagraph (A), the Secretary of the Treasury may not permit a financial institution to share information on reports under this subsection with a foreign branch, subsidiary, or affiliate located in a jurisdiction that—

''(i) is a state sponsor of terrorism;

''(ii) is subject to sanctions imposed by the Federal Government; or

''(iii) the Secretary has determined cannot reasonably protect the security and confidentiality of such information.

''(D) IMPLEMENTATION UPDATES.—Not later than 360 days after the date on which rules are issued under subparagraph (A), and annually thereafter for 3 years, the Secretary of the Treasury, or the designee of the Secretary, shall brief the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on—

''(i) the degree of any information sharing permitted under the pilot program and a description of criteria used by the Secretary to evaluate the appropriateness of the information sharing;

''(ii) the effectiveness of the pilot program in identifying or preventing the violation of a United States law or regulation and mechanisms that may improve that effectiveness; and

''(iii) any recommendations to amend the design of the pilot program.

''(9) TREATMENT OF FOREIGN JURISDICTION-ORIGINATED REPORTS.—Information related to a report received by a financial institution from a foreign affiliate with respect to a suspicious transaction relevant to a possible violation of law or regulation shall be subject to the same confidentiality requirements provided under this subsection for a report of a suspicious transaction described in paragraph (1).

''(10) NO OFFSHORING COMPLIANCE.—No financial institution may establish or maintain any operation located outside of the United States the primary purpose of which is to ensure compliance with the Bank Secrecy Act as a result of the sharing granted under this subsection.

''(11) DEFINITIONS.—In this subsection:

''(A) AFFILIATE.—The term 'affiliate' means an entity that controls, is controlled by, or is under common control with another entity.

''(B) BANK SECRECY ACT; STATE BANK SUPERVISOR; STATE CREDIT UNION SUPERVISOR.—The terms 'Bank Secrecy Act', 'State bank supervisor', and 'State credit union supervisor' have the meanings given the terms in section 5003 of the Anti-Money Laundering Act of 2020.''.

(b) NOTIFICATION PROHIBITIONS.—Section 5318(g)(2)(A) of title 31, United States Code, is amended—

(1) in clause (i), by inserting ''or otherwise reveal any information that would reveal that the transaction has been reported,'' after ''transaction has been reported''; and

(2) in clause (ii), by inserting ''or otherwise reveal any information that would reveal that the transaction has been reported,'' after ''transaction has been reported,''.

SEC. 5211. SHARING OF COMPLIANCE RESOURCES.

(a) IN GENERAL.—Section 5318 of title 31, United States Code, is amended by adding at the end the following:

''(o) SHARING OF COMPLIANCE RESOURCES.—

''(1) SHARING PERMITTED.—In order to more efficiently comply with the requirements of this subchapter, 2 or more financial institutions may enter into collaborative arrangements, as described in the statement entitled 'Interagency Statement on Sharing Bank Secrecy Act Resources', published on October 3, 2018, by the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Financial Crimes Enforcement Network, the National Credit Union Administration, and the Office of the Comptroller of the Currency.

''(2) OUTREACH.—The Secretary of the Treasury and the appropriate supervising agencies shall carry out an outreach program to provide financial institutions with information, including best practices, with respect to the collaborative arrangements described in paragraph (1).''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to require financial institutions to share resources.

SEC. 5212. ENCOURAGING INFORMATION SHARING AND PUBLIC-PRIVATE PARTNERSHIPS.

(a) IN GENERAL.—The Secretary shall convene a supervisory team of relevant Federal agencies, private sector experts in banking, national security, and law enforcement, and other stakeholders to examine strategies to increase cooperation between the public and private sectors for purposes of countering proliferation finance and sanctions evasion.

(b) MEETINGS.—The supervisory team convened under subsection (a) shall meet periodically to advise on strategies to combat the risk relating to proliferation financing.

(c) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the supervisory team convened under subsection (a) or to the activities of the supervisory team.

SEC. 5213. FINANCIAL SERVICES DE-RISKING.

(a) FINDINGS.—Congress finds the following:

(1) The practice known as de-risking, whereby financial institutions avoid rather than manage the compliance risk making effective anti-money laundering, countering the financing of terrorism, and sanctions compliance programs, has negatively impacted the ability of nonprofit organizations to conduct lifesaving activities around the globe.

(2) It has been estimated that ⅔ of nonprofit organizations based in the United States with international activities face difficulties with financial access, most commonly the inability to send funds internationally through transparent, regulated financial channels.

(3) Without access to timely and predictable banking services, nonprofit organizations cannot carry out essential humanitarian activities that can mean life or death to those in affected communities.

(4) De-risking can ultimately drive money into less transparent channels through the carrying of cash or use of unlicensed or unregistered money service remitters, thus reducing transparency and traceability, which are critical for financial integrity, and can increase the risk of money falling into the wrong hands.

(5) Federal agencies must continue to work to address de-risking through the establishment of guidance enabling financial institutions to bank with nonprofit organizations and promoting focused and proportionate measures consistent with a risk-based approach.

(6) As the 2020 National Strategy for Combating Terrorist and Other Illicit Financing of the Department of the Treasury observes, ''Treasury and interagency partners will continue to engage with charitable organizations and financial institutions to evaluate and communicate the actual risk that these organizations may be misused to support terrorism and that financial institutions apply the risk-based approach to the opening and maintenance of charity accounts, as the vast majority of U.S.-based tax exempt charitable organizations are not high risk for terrorist financing.''.

(7) The Federal Government should work cooperatively with other donor states to promote a multi-stakeholder approach to risk-sharing among governments, financial institutions, and nonprofit organizations.

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

(1) providing vital humanitarian and development assistance and protecting the integrity of the international financial system are complementary goals; and

(2) Congress supports—

(A) effective measures to stop the flow of illicit funds and promote the goals of anti-money laundering and countering the financing of terrorism and sanctions regimes;

(B) anti-money laundering and countering the financing of terrorism and sanctions policies that do not unduly hinder or delay the efforts of legitimate humanitarian organizations in providing assistance to—

(i) meet the needs of civilians facing a humanitarian crisis, including enabling governments and humanitarian organizations to provide them with timely access to food, health, and medical care, shelter, and clean drinking water; and

(ii) prevent or alleviate human suffering, in keeping with requirements of international humanitarian law;

(C) policies that ensure that incidental, inadvertent benefits that may indirectly benefit a designated group in the course of delivering life-saving aid to civilian populations are not the primary focus of Federal Government enforcement efforts; and

(D) laws, regulations, policies, guidance, and other measures that ensure the integrity of the financial system through a risk-based approach.

(c) GAO DE-RISKING ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study and submit to Congress a report—

(1) evaluating the effect of anti-money laundering and countering the financing of terrorism requirements on individuals and entities, including charities, embassy accounts, money-service businesses, and correspondent banks, that—

(A) have been subject to categorical de-risking by financial institutions operating in the United States; or

(B) otherwise have difficulty accessing or maintaining—

(i) relationships in the United States financial system; or

(ii) certain financial services in the United States, including opening and keeping open an account;

(2) evaluating the consequences of financial institutions de-risking entire categories of relationships with the individuals and entities described in paragraph (1); and

(3) identifying options for financial institutions handling transactions or accounts for high-risk categories of clients and for minimizing the negative effects of anti-money laundering and countering the financing of terrorism requirements on the individuals and entities described in paragraph (1) without compromising the effectiveness of Federal anti-money laundering and countering the financing of terrorism requirements.

(d) REVIEW OF DE-RISKING.—

(1) DEFINITION.—In this subsection, the term ''de-risking'' means an action taken by a financial institution to terminate or restrict a business relationship with a customer, or a category of customers, rather than manage the risk associated with that relationship consistent with risk-based supervisory or regulatory requirements.

(2) REVIEW.—Upon completion of the analysis required under subsection (c), the Secretary, in consultation with the Federal functional regulators, State bank supervisors, State credit union supervisors, appropriate public and private sector stakeholders, and other appropriate parties, shall—

(A) undertake a formal review of the financial institution reporting requirements, as in effect on the date of enactment of this Act, including the processes used to submit reports under the Bank Secrecy Act, regulations implementing the Bank Secrecy Act, and related guidance; and

(B) propose changes to those requirements described in paragraph (1) to reduce any unnecessarily burdensome regulatory requirements and ensure that the information provided fulfills the purpose described in section 5311 of title 31, United States Code, as amended by this division.

(3) CONTENTS.—The review required under paragraph (2) shall—

(A) rely substantially on information obtained through the de-risking analyses conducted by the Comptroller General of the United States; and

(B) consider—

(i) any adverse consequence of financial institutions de-risking entire categories of relationships, including charities, embassy accounts, money services businesses, as defined in section 1010.100 of title 31, Code of Federal Regulations, agents of the financial institutions, countries, international and domestic regions, and respondent banks;

(ii) the reasons why financial institutions are engaging in de-risking;

(iii) the association with and effects of de-risking on money laundering and financial crime actors and activities;

(iv) the most appropriate ways to promote financial inclusion, particularly with respect to developing countries, while maintaining compliance with the Bank Secrecy Act, including an assessment of policy options to—

(I) more effectively tailor Federal actions and penalties to the size of foreign financial institutions and any capacity limitations of foreign governments; and

(II) reduce compliance costs that may lead to the adverse consequences described in clause (i);

(v) formal and informal feedback provided by examiners that may have led to de-risking;

(vi) the relationship between resources dedicated to compliance and overall sophistication of compliance efforts at entities that may be experiencing de-risking versus those that have not experienced de-risking;

(vii) any best practices from the private sector that facilitate correspondent bank relationships; and

(viii) any other matter that the Secretary determines is appropriate.

(4) STRATEGY ON DE-RISKING.—Upon the completion of the review required under this subsection, the Secretary of the Treasury, in consultation with the Federal functional regulators, State bank supervisors, State credit union supervisors, appropriate public and private sector stakeholders, and other appropriate parties, shall develop a strategy to reduce de-risking and adverse consequences related to de-risking.

(5) REPORT.—Not later than 1 year after the completion of the review required under this subsection, the Secretary shall submit to Congress a report containing—

(A) all findings and determinations made in carrying out the review; and

(B) the strategy developed under paragraph (4).

SEC. 5214. REVIEW OF REGULATIONS AND GUIDANCE.

(a) IN GENERAL.—The Secretary, in consultation with the Federal functional regulators, the Federal Financial Institutions Examination Council, the Attorney General, Federal law enforcement agencies, the Director of National Intelligence, the Secretary of Homeland Security, and the Commissioner of Internal Revenue, shall—

(1) undertake a formal review of the regulations implementing the Bank Secrecy Act and guidance related to that Act—

(A) to ensure the Department of the Treasury provides, on a continuing basis, for appropriate safeguards to protect the financial system from threats, including money laundering and the financing of terrorism and proliferation, to national security posed by various forms of financial crime;

(B) to ensure that those provisions will continue to require certain reports or records that are highly useful in countering financial crime; and

(C) to identify those regulations and guidance that—

(i) may be outdated, redundant, or otherwise do not promote a risk-based anti-money laundering compliance and countering the financing of terrorism regime for financial institutions; or

(ii) do not conform with the commitments of the United States to meet international standards to combat money laundering, financing of terrorism, serious tax fraud, or other financial crimes; and

(2) make appropriate changes to the regulations and guidance described in paragraph (1) to improve, as appropriate, the efficiency of those provisions.

(b) PUBLIC COMMENT.—The Secretary shall solicit public comment as part of the review required under subsection (a).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Federal Financial Institutions Examination Council, the Federal functional regulators, the Attorney General, Federal law enforcement agencies, the Director of National Intelligence, the Secretary of Homeland Security, and the Commissioner of Internal Revenue, shall submit to Congress a report that contains all findings and determinations made in carrying out the review required under subsection (a), including administrative or legislative recommendations.

TITLE LIII—IMPROVING ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM COMMUNICATION, OVERSIGHT, AND PROCESSES

SEC. 5301. IMPROVED INTERAGENCY COORDINATION AND CONSULTATION.

Section 5318 of title 31, United States Code, as amended by section 5211(a) of this division, is amended by adding at the end the following:

''(p) INTERAGENCY COORDINATION AND CONSULTATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall, as appropriate, invite an appropriate State bank supervisor and an appropriate State credit union supervisor to participate in the interagency consultation and coordination with the Federal depository institution regulators regarding the development or modification of any rule or regulation carrying out this subchapter.

''(2) RULES OF CONSTRUCTION.—Nothing in this subsection may be construed to—

''(A) affect, modify, or limit the discretion of the Secretary of the Treasury with respect to the methods or forms of interagency consultation and coordination; or

''(B) require the Secretary of the Treasury or a Federal depository institution regulator to coordinate or consult with an appropriate State bank supervisor or to invite such supervisor to participate in interagency consultation and coordination with respect to a matter, including a rule or regulation, specifically affecting only Federal depository institutions or Federal credit unions.

''(3) DEFINITIONS.—In this subsection:

''(A) APPROPRIATE STATE BANK SUPERVISOR.—The term 'appropriate State bank supervisor' means the Chairman or members of the State Liaison Committee of the Federal Financial Institutions Examination Council.

''(B) APPROPRIATE STATE CREDIT UNION SUPERVISOR.—The term 'appropriate State credit union supervisor' means the Chairman or members of the State Liaison Committee of the Federal Financial Institutions Examination Council.

''(C) FEDERAL CREDIT UNION.—The term 'Federal credit union' has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

''(D) FEDERAL DEPOSITORY INSTITUTION.—The term 'Federal depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

''(E) FEDERAL DEPOSITORY INSTITUTION REGULATORS.—The term 'Federal depository institution regulator' means the members of the Federal Financial Institutions Examination Council to which is delegated any authority of the Secretary under subsection (a)(1).''.

SEC. 5302. SUBCOMMITTEE ON INFORMATION SECURITY AND CONFIDENTIALITY.

Section 1564 of the Annunzio-Wylie Anti-Money Laundering Act (31 U.S.C. 5311 note), as amended by section 5207 of this division, is amended by adding at the end the following:

''(e) SUBCOMMITTEE ON INFORMATION SECURITY AND CONFIDENTIALITY.—

''(1) IN GENERAL.—There shall be within the Bank Secrecy Act Advisory Group a subcommittee to be known as the Subcommittee on Information Security and Confidentiality (in this subsection referred to as the 'Subcommittee') to advise the Secretary of the Treasury regarding the information security and confidentiality implications of regulations, guidance, information sharing programs, and the examination for compliance with and enforcement of the provisions of the Bank Secrecy Act.

''(2) MEMBERSHIP.—

''(A) IN GENERAL.—The Subcommittee shall consist of the representatives of the heads of the Federal functional regulators and representatives from financial institutions subject to the Bank Secrecy Act, law enforcement, FinCEN, and any other representatives as determined by the Secretary of the Treasury.

''(B) REQUIREMENTS.—Each agency representative described in subparagraph (A) shall be an individual who has demonstrated knowledge and competence concerning the application of the Bank Secrecy Act and familiarity with and expertise in applicable laws.

''(3) SUNSET.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the Subcommittee shall terminate on the date that is 5 years after the date of enactment of this subsection.

''(B) EXCEPTION.—The Secretary of the Treasury may renew the Subcommittee for 1-year periods beginning on the date that is 5 years after the date of enactment of this subsection.

''(f) DEFINITIONS.—In this section:

''(1) BANK SECRECY ACT.—the term 'Bank Secrecy Act' has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

''(2) FEDERAL FUNCTIONAL REGULATOR.—The term 'Federal functional regulator' has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809).

''(3) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network of the Department of the Treasury.

''(4) FINANCIAL INSTITUTION.—The term 'financial institution' has the meaning given the term in section 5312 of title 31, United States Code.

''(5) STATE CREDIT UNION SUPERVISOR.—The term 'State credit union supervisor' means a State official described in section 107A(e) of the Federal Credit Union Act (12 U.S.C. 1757a(e)).''.

SEC. 5303. FINCEN ANALYTICAL HUB.

Section 310 of title 31, United States Code, as amended by sections 5103, 5105, 5107, 5108, and 5109 of this division, is amended by inserting after subsection (i) the following:

''(j) ANALYTICAL EXPERTS.—

''(1) IN GENERAL.—FinCEN shall maintain financial experts capable of identifying, tracking, and tracing money laundering and terrorist-financing networks in order to conduct and support civil and criminal anti-money laundering and countering the financing of terorism investigations conducted by the United States Government.

''(2) FINCEN ANALYTICAL HUB.—FinCEN, upon a reasonable request from a Federal agency, shall, in collaboration with the requesting agency and the appropriate Federal functional regulator, analyze the potential anti-money laundering and countering the financing of terrorism activity that prompted the request.

''(k) DEFINITIONS.—In this section:

''(1) BANK SECRECY ACT.—The term 'Bank Secrecy Act' has the meaning given the term in section 5003 of the Anti-Money Laundering Act of 2020.

''(2) FEDERAL FUNCTIONAL REGULATOR.—The term 'Federal functional regulator' has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809).

''(3) FINANCIAL INSTITUTION.—The term 'financial institution' has the meaning given the term in section 5312.

''(4) STATE BANK SUPERVISOR.—The term 'State bank supervisor' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).

''(5) STATE CREDIT UNION SUPERVISOR.—The term 'State credit union supervisor' means a State official described in section 107A(e) of the Federal Credit Union Act (12 U.S.C. 1757a(e)).''.

SEC. 5304. ASSESSMENT OF BANK SECRECY ACT NO-ACTION LETTERS.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Director, in consultation with the Attorney General, the Federal functional regulators, State bank supervisors, State credit union supervisors, and other Federal agencies, as appropriate, shall conduct an assessment on whether to establish a process for the issuance of no-action letters by FinCEN in response to inquiries from persons concerning the application of the Bank Secrecy Act, the USA PATRIOT Act (Public Law 107–56; 115 Stat. 272), section 8(s) of the Federal Deposit Insurance Act (12 U.S.C. 1818(s)), or any other anti-money laundering or countering the financing of terrorism law (including regulations) to specific conduct, including a request for a statement as to whether FinCEN or any relevant Federal functional regulator intends to take an enforcement action against the person with respect to such conduct.

(2) ANALYSIS.—The assessment required under paragraph (1) shall include an analysis of—

(A) a timeline for the process used to reach a final determination by FinCEN, in consultation with the relevant Federal functional regulators, in response to a request by a person for a no-action letter;

(B) whether improvements in current processes are necessary;

(C) whether a formal no-action letter process would help to mitigate or accentuate illicit finance risks in the United States; and

(D) any other matter the Secretary determines is appropriate.

(b) REPORT AND RULEMAKINGS.—Not later than 180 days after the date of enactment of this Act, the Secretary, in coordination with the Director of the Federal Bureau of Investigation, the Attorney General, the Secretary of Homeland Security, and the Federal functional regulators, shall—

(1) submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains all findings and determinations made in carrying out the study required under subsection (a); and

(2) propose rulemakings, if appropriate, to implement the findings and determinations described in paragraph (1).

SEC. 5305. COOPERATION WITH LAW ENFORCEMENT.

(a) IN GENERAL.—

(1) AMENDMENT TO TITLE 31.—Subchapter II of chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''§ 5333. Safe harbor with respect to keep open directives

''(a) IN GENERAL.—With respect to a customer account or customer transaction of a financial institution, if a Federal law enforcement agency with the acknowledgment of FinCEN, or a State, Tribal, or local law enforcement agency with the acknowledgment and concurrence of FinCEN, submits to

the financial institution a written request that the financial institution keep that account or transaction open (referred to in this section as a 'keep open request')—

''(1) the financial institution shall not be liable under this subchapter for maintaining that account or transaction consistent with the parameters and timing of the request; and

''(2) no Federal or State department or agency may take any adverse supervisory action under this subchapter with respect to the financial institution solely for maintaining that account or transaction consistent with the parameters of the request.

''(b) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

''(1) to prevent a Federal or State department or agency from verifying the validity of a keep open request submitted under subsection (a) with the law enforcement agency submitting that request;

''(2) to relieve a financial institution from complying with any reporting requirements or any other provisions of this subchapter, including the reporting of suspicious transactions under section 5318(g); or

''(3) to extend the safe harbor described in subsection (a) to any actions taken by the financial institution—

''(A) before the date of the keep open request to maintain a customer account; or

''(B) after the termination date stated in the keep open request.

''(c) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (a) shall include a termination date after which that request shall no longer apply.

''(d) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request shall, not later than 2 business days after the date on which the request is submitted to the financial institution—

''(1) submit to FinCEN a copy of the request; and

''(2) alert FinCEN as to whether the financial institution has implemented the request.

''(e) GUIDANCE.—The Secretary of the Treasury, in consultation with the Attorney General and Federal, State, Tribal, and local law enforcement agencies, shall issue guidance on the required elements of a keep open request.''.

(2) AMENDMENT TO PUBLIC LAW 91–508.—Chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.) is amended by adding at the end the following:

''§ 130. Safe harbor with respect to keep open directives

''(a) DEFINITION.—In this section, the term 'financial institution' means an entity to which section 123(b) applies.

''(b) SAFE HARBOR.—With respect to a customer account or customer transaction of a financial institution, if a Federal law enforcement agency with the acknowledgment of FinCEN, or a State, Tribal, or local law enforcement agency with the acknowledgment and concurrence of FinCEN, submits to the financial institution a written request that the financial institution keep that account or transaction open (referred to in this section as a 'keep open request')—

''(1) the financial institution shall not be liable under this chapter for maintaining that account or transaction consistent with the parameters and timing of the request; and

''(2) no Federal or State department or agency may take any adverse supervisory action under this chapter with respect to the financial institution solely for maintaining that account or transaction consistent with the parameters of the request.

''(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed—

''(1) to prevent a Federal or State department or agency from verifying the validity of a keep open request submitted under subsection (b) with the law enforcement agency submitting that request;

''(2) to relieve a financial institution from complying with any reporting requirements, including the reporting of suspicious transactions under section 5318(g) of title 31, United States Code; or

''(3) to extend the safe harbor described in subsection (b) to any actions taken by the financial institution—

''(A) before the date of the keep open request to maintain a customer account; or

''(B) after the termination date stated in the keep open request.

''(d) LETTER TERMINATION DATE.—For the purposes of this section, any keep open request submitted under subsection (b) shall include a termination date after which that request shall no longer apply.

''(e) RECORD KEEPING.—Any Federal, State, Tribal, or local law enforcement agency that submits to a financial institution a keep open request shall, not later than 2 business days after the date on which the request is submitted to the financial institution—

''(1) submit to FinCEN a copy of the request; and

''(2) alert FinCEN as to whether the financial institution has implemented the request.''.

(b) CLERICAL AMENDMENTS.—

(1) TITLE 31.—The table of sections for chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

''5333. Safe harbor with respect to keep open directives.''.

(2) PUBLIC LAW 91–508.—The table of sections for chapter 2 of title I of Public Law 91–508 (12 U.S.C. 1951 et seq.) is amended by adding at the end the following:

''130. Safe harbor with respect to keep open directives.''.

SEC. 5306. TRAINING FOR EXAMINERS ON ANTI-MONEY LAUNDERING AND COUNTERING THE FINANCING OF TERRORISM.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, as amended by section 5305(a)(1)(A) of this division, is amended by adding at the end the following:

''§ 5334. Training regarding anti-money laundering and countering the financing of terrorism

''(a) TRAINING REQUIREMENT.—Each Federal examiner reviewing compliance with the Bank Secrecy Act, as defined in section 5003 of the Anti-Money Laundering Act of 2020, shall attend appropriate annual training, as determined by the Secretary of the Treasury, relating to anti-money laundering activities and countering the financing of terrorism, including with respect to—

''(1) potential risk profiles and warning signs that an examiner may encounter during examinations;

''(2) financial crime patterns and trends;

''(3) the high-level context for why anti-money laundering and countering the financing of terrorism programs are necessary for law enforcement agencies and other national security agencies and what risks those programs seek to mitigate; and

''(4) de-risking and the effect of de-risking on the provision of financial services.

''(b) TRAINING MATERIALS AND STANDARDS.—The Secretary of the Treasury shall, in consultation with the Federal Financial Institutions Examination Council, the Financial Crimes Enforcement Network, and Federal, State, Tribal, and local law enforcement agencies, establish appropriate training materials and standards for use in the training required under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 53 of title 31, United States Code, as amended by section 5305(b)(1) of this division, is amended by adding at the end the following:

''5334. Training regarding anti-money laundering and countering the financing of terrorism.''.

SEC. 5307. OBTAINING FOREIGN BANK RECORDS FROM BANKS WITH UNITED STATES CORRESPONDENT ACCOUNTS.

(a) GRAND JURY AND TRIAL SUBPOENAS.—Section 5318(k) of title 31, United States Code, is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

''(B) COVERED FINANCIAL INSTITUTION.—The term 'covered financial institution' means an institution referred to in subsection (j)(1).''; and

(2) by striking paragraph (3) and inserting the following:

''(3) FOREIGN BANK RECORDS.—

''(A) SUBPOENA OF RECORDS.—

''(i) IN GENERAL.—Notwithstanding subsection (b), the Secretary of the Treasury or the Attorney General may issue a subpoena to any foreign bank that maintains a correspondent account in the United States and request any records relating to the correspondent account or any account at the foreign bank, including records maintained outside of the United States, that are the subject of—

''(I) any investigation of a violation of a criminal law of the United States;

''(II) any investigation of a violation of this subchapter;

''(III) a civil forfeiture action; or

''(IV) an administrative proceeding under section 5318A.

''(ii) PRODUCTION OF RECORDS.—The foreign bank on which a subpoena described in clause (i) is served shall produce all requested records and authenticate all requested records with testimony in the manner described in—

''(I) rule 902(12) of the Federal Rules of Evidence; or

''(II) section 3505 of title 18.

''(iii) ISSUANCE AND SERVICE OF SUBPOENA.—A subpoena described in clause (i)—

''(I) shall designate—

''(aa) a return date; and

''(bb) the judicial district in which the related investigation is proceeding; and

''(II) may be served—

''(aa) in person;

''(bb) by mail or fax in the United States if the foreign bank has a representative in the United States; or

''(cc) if applicable, in a foreign country under any mutual legal assistance treaty, multilateral agreement, or other request for international legal or law enforcement assistance.

''(iv) RELIEF FROM SUBPOENA.—

''(I) IN GENERAL.—At any time before the return date of a subpoena described in clause (i), the foreign bank on which the subpoena is served may petition the district court of the United States for the judicial district in which the related investigation is proceeding, as designated in the subpoena, to modify or quash—

''(aa) the subpoena; or

''(bb) the prohibition against disclosure described in subparagraph (C).

''(II) CONFLICT WITH FOREIGN SECRECY OR CONFIDENTIALITY.—An assertion that compliance with a subpoena described in clause (i) would conflict with a provision of foreign secrecy or confidentiality law shall not be a basis for quashing or modifying the subpoena.

''(B) ACCEPTANCE OF SERVICE.—

''(i) MAINTAINING RECORDS IN THE UNITED STATES.—Any covered financial institution that maintains a correspondent account in the United States for a foreign bank shall maintain records in the United States identifying—

''(I) the owners of record and the beneficial owners of the foreign bank; and

''(II) the name and address of a person who—

''(aa) resides in the United States; and

''(bb) is authorized to accept service of legal process for records covered under this subsection.

''(ii) LAW ENFORCEMENT REQUEST.—Upon receipt of a written request from a Federal law enforcement officer for information required to be maintained under this paragraph, a covered financial institution shall provide the information to the requesting officer not later than 7 days after receipt of the request.

''(C) NONDISCLOSURE OF SUBPOENA.—

''(i) IN GENERAL.—No officer, director, partner, employee, or shareholder of, or agent or attorney for, a foreign bank on which a subpoena is served under this paragraph shall, directly or indirectly, notify any account holder involved or any person named in the subpoena issued under subparagraph (A)(i) and served on the foreign bank about the existence or contents of the subpoena.

''(ii) DAMAGES.—Upon application by the Attorney General for a violation of this subparagraph, a foreign bank on which a subpoena is served under this paragraph shall be liable to the United States Government for a civil penalty in an amount equal to—

''(I) double the amount of the suspected criminal proceeds sent through the correspondent account of the foreign bank in the related investigation; or

''(II) if no such proceeds can be identified, not more than $250,000.

''(D) ENFORCEMENT.—

''(i) IN GENERAL.—If a foreign bank fails to obey a subpoena issued under subparagraph (A)(i), the Attorney General may invoke the aid of the district court of the United States for the judicial district in which the investigation or related proceeding is occurring to compel compliance with the subpoena.

''(ii) COURT ORDERS AND CONTEMPT OF COURT.—A court described in clause (i) may—

''(I) issue an order requiring the foreign bank to appear before the Secretary of the Treasury or the Attorney General to produce—

''(aa) certified records, in accordance with—

''(AA) rule 902(12) of the Federal Rules of Evidence; or

''(BB) section 3505 of title 18; or

''(bb) testimony regarding the production of the certified records; and

''(II) punish any failure to obey an order issued under subclause (I) as contempt of court.

''(iii) SERVICE OF PROCESS.—All process in a case under this subparagraph shall be served on the foreign bank in the same manner as described in subparagraph (A)(iii).

''(E) TERMINATION OF CORRESPONDENT RELATIONSHIP.—

''(i) TERMINATION UPON RECEIPT OF NOTICE.—A covered financial institution shall terminate any correspondent relationship with a foreign bank not later than 10 business days after the date on which the covered financial institution receives written notice from the Secretary of the Treasury or the Attorney General if, after consultation with the other, the Secretary of the Treasury or the Attorney General, as applicable, determines that the foreign bank has failed—

''(I) to comply with a subpoena issued under subparagraph (A)(i); or

''(II) to prevail in proceedings before—

''(aa) the appropriate district court of the United States after challenging a subpoena described in subclause (I) under subparagraph (A)(iv)(I); or

''(bb) a court of appeals of the United States after appealing a decision of a district court of the United States under item (aa).

''(ii) LIMITATION ON LIABILITY.—A covered financial institution shall not be liable to any person in any court or arbitration proceeding for—

''(I) terminating a correspondent relationship under this subparagraph; or

''(II) complying with a nondisclosure order under subparagraph (C).

''(iii) FAILURE TO TERMINATE RELATIONSHIP.—A covered financial institution that fails to terminate a correspondent relationship under clause (i) shall be liable for a civil penalty in an amount that is not more than $25,000 for each day that the covered financial institution fails to terminate the relationship.

''(F) ENFORCEMENT OF CIVIL PENALTIES.—Upon application by the United States, any funds held in the correspondent account of a foreign bank that is maintained in the United States with a covered financial institution may be seized by the United States to satisfy any civil penalties that are imposed—

''(i) under subparagraph (C)(ii); or

''(ii) by a court for contempt under subparagraph (D).''.

(b) FAIR CREDIT REPORTING ACT AMENDMENT.—Section 604(a)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681b(a)(1)) is amended—

(1) by striking '', or a'' and inserting '', a''; and

(2) by inserting '', or a subpoena issued in accordance with section 5318 of title 31, United States Code, or section 3486 of title 18, United States Code'' after ''grand jury''.

(c) OBSTRUCTION OF JUSTICE.—Section 1510(b)(3)(B) of title 18, United States Code, is amended—

(1) in the matter preceding clause (i), by striking ''or a Department of Justice subpoena (issued under section 3486 of title 18)'' and inserting '', a subpoena issued under section 3486 of this title, or an order or subpoena issued in accordance with section 3512 of this title, section 5318 of title 31, or section 1782 of title 28''; and

(2) in clause (i), by inserting '', 1960, an offense against a foreign nation constituting specified unlawful activity under section 1956, a foreign offense for which enforcement of a foreign forfeiture judgment could be brought under section 2467 of title 28'' after ''1957''.

(d) RIGHT TO FINANCIAL PRIVACY ACT.—Section 1120(b)(1)(A) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3420(b)(1)(A)) is amended—

(1) by striking ''or 1957 of title 18'' and inserting '', 1957, or 1960 of title 18, United States Code''; and

(2) by striking ''and 5324 of title 31'' and inserting '', 5322, 5324, 5331, and 5332 of title 31, United States Code''.

SEC. 5308. ADDITIONAL DAMAGES FOR REPEAT BANK SECRECY ACT VIOLATORS.

Section 5321 of title 31, United States Code, is amended by adding at the end the following:

''(f) ADDITIONAL DAMAGES FOR REPEAT VIOLATORS.—In addition to any other fines permitted under this section and section 5322, with respect to a person who has previously violated a provision of (or rule issued under) this subchapter, section 21 of the Federal Deposit Insurance Act (12 U.S.C. 1829b), or section 123 of Public Law 91–508 (12 U.S.C. 1953), the Secretary of the Treasury, if practicable, may impose an additional civil penalty against such person for each additional such violation in an amount that is not more than the greater of—

''(1) if practicable to calculate, 3 times the profit gained or loss avoided by such person as a result of the violation; or

''(2) 2 times the maximum penalty with respect to the violation.''.

SEC. 5309. CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.

(a) IN GENERAL.—Section 5321 of title 31, United States Code, as amended by section 5308 of this division, is amended by adding at the end the following:

''(g) CERTAIN VIOLATORS BARRED FROM SERVING ON BOARDS OF UNITED STATES FINANCIAL INSTITUTIONS.—

''(1) DEFINITION.—In this subsection, the term 'egregious violation' means, with respect to an individual—

''(A) a criminal violation—

''(i) for which the individual is convicted; and

''(ii) for which the maximum term of imprisonment is more than 1 year; and

''(B) a civil violation in which—

''(i) the individual willfully committed the violation; and

''(ii) the violation facilitated money laundering or the financing of terrorism.

''(2) BAR.—An individual found to have committed an egregious violation of the Bank Secrecy Act, as defined in section 5003 of the Anti-Money Laundering Act of 2020, or any rules issued under the Bank Secrecy Act, shall be barred from serving on the board of directors of a United States financial institution during the 10-year period that begins on the date on which the conviction or judgment, as applicable, with respect to the egregious violation is entered.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (a) shall be construed to limit the application of section 19 of the Federal Deposit Insurance Act (12 U.S.C. 1829).

SEC. 5310. DEPARTMENT OF JUSTICE REPORT ON DEFERRED AND NON-PROSECUTION AGREEMENTS.

(a) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this Act, and for each of the 4 years thereafter, the Attorney General shall submit to the appropriate committees of Congress a report that contains—

(1) a list of deferred prosecution agreements and non-prosecution agreements that the Attorney General has entered into during the year covered by the report with any person with respect to a violation or suspected violation of the Bank Secrecy Act (referred to in this subsection as ''covered agreements'');

(2) the justification for entering into each covered agreement;

(3) the list of factors that were taken into account in determining that the Attorney General should enter into each covered agreement; and

(4) the extent of coordination the Attorney General conducted with the Secretary of the Treasury, Federal functional regulators, or State regulators before entering into each covered agreement.

(b) CLASSIFIED ANNEX.—Each report submitted under subsection (a) may include a classified annex.

(c) DEFINITION.—In this section, the term ''appropriate committees of Congress'' means—

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

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

(3) the Committee on Financial Services of the House of Representatives; and

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

SEC. 5311. RETURN OF PROFITS AND BONUSES.

(a) IN GENERAL.—Section 5322 of title 31, United States Code, is amended by adding at the end the following:

''(e) A person convicted of violating a provision of (or rule issued under) the Bank Secrecy Act, as defined in section 5003 of the Anti-Money Laundering Act of 2020, shall—

''(1) in addition to any other fine under this section, be fined in an amount that is equal to the profit gained by such person by reason of such violation, as determined by the court; and

''(2) if the person is an individual who was a partner, director, officer, or employee of a financial institution at the time the violation occurred, repay to such financial institution any bonus paid to the individual during the calendar year in which the violation occurred or the calendar year after which the violation occurred.''.

(b) RULE OF CONSTRUCTION.—The amendment made by subsection (a) may not be construed to prohibit a financial institution from requiring the repayment of a bonus paid to a partner, director, officer, or employee if the financial institution determines that the partner, director, officer, or employee engaged in unethical, but non-criminal, activities.

SEC. 5312. PROHIBITION ON CONCEALMENT OF THE SOURCE OF ASSETS IN MONETARY TRANSACTIONS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, as amended by sections 5305(a)(1) and 5306(a) of this division, is amended by adding at the end the following:

''§ 5335. Prohibition on concealment of the source of assets in monetary transactions

''(a) DEFINITION OF MONETARY TRANSACTION.—In this section, the term the term 'monetary transaction'—

''(1) means the deposit, withdrawal, transfer, or exchange, in or affecting interstate or foreign commerce, of funds or a monetary instrument (as defined in section 1956(c)(5) of title 18) by, through, or to a financial institution (as defined in section 1956(c)(6) of title 18);

''(2) includes any transaction that would be a financial transaction under section 1956(c)(4)(B) of title 18; and

''(3) does not include any transaction necessary to preserve the right to representation of a person as guaranteed by the Sixth Amendment to the Constitution of the United States.

''(b) PROHIBITION.—No person shall knowingly conceal, falsify, or misrepresent, or attempt to conceal, falsify, or misrepresent, from or to a financial institution, a material fact concerning the ownership or control of assets involved in a monetary transaction if—

''(1) the person or entity who owns or controls the assets is a senior foreign political figure, or any immediate family member or close associate of a senior foreign political figure, as set forth in this title or the regulations promulgated under this title; and

''(2) the aggregate value of the assets involved in 1 or more monetary transactions is not less than $1,000,000.

''(c) SOURCE OF FUNDS.—No person shall knowingly conceal, falsify, or misrepresent, or attempt to conceal, falsify, or misrepresent, from or to a financial institution, a material fact concerning the source of funds in a monetary transaction that—

''(1) involves an entity found to be a primary money laundering concern under section 5318A or the regulations promulgated under this title; and

''(2) violates the prohibitions or conditions prescribed under section 5318A(b)(5) or the regulations promulgated under this title.

''(d) PENALTIES.—A person convicted of an offense under subsection (b) or (c), or a conspiracy to commit an offense under subsection (b) or (c), shall be imprisoned for not more than 10 years, fined not more than $1,000,000, or both.

''(e) FORFEITURE.—

''(1) CRIMINAL FORFEITURE.—

''(A) IN GENERAL.—The court, in imposing a sentence under subsection (d), shall order that the defendant forfeit to the United States any property involved in the offense and any property traceable thereto.

''(B) PROCEDURE.—The seizure, restraint, and forfeiture of property under this paragraph shall be governed by section 413 of the Controlled Substances Act (21 U.S.C. 853).

''(2) CIVIL FORFEITURE.—

''(A) IN GENERAL.—Any property involved in a violation of subsection (b) or (c), or a conspiracy to commit a violation of subsection (b) or (c), and any property traceable thereto may be seized and forfeited to the United States.

''(B) PROCEDURE.—Seizures and forfeitures under this paragraph shall be governed by the provisions of chapter 46 of title 18 relating to civil forfeitures, except that such duties, under the customs laws described in section 981(d) of title 18, given to the Secretary of the Treasury shall be performed by such officers, agents, and other persons as may be designated for that purpose by the Secretary of Homeland Security or the Attorney General.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 53 of title 31, United States Code, as amended by sections 5305(b)(1) and 5306(b) of this division, is amended by adding at the end the following:

''5335. Prohibition on concealment of the source of assets in monetary transactions.''.

SEC. 5313. UPDATING WHISTLEBLOWER INCENTIVES AND PROTECTION.

(a) WHISTLEBLOWER INCENTIVES AND PROTECTION.—

(1) IN GENERAL.—Section 5323 of title 31, United States Code, is amended to read as follows:

''§ 5323. Whistleblower incentives and protections

''(a) DEFINITIONS.—In this section:

''(1) COVERED JUDICIAL OR ADMINISTRATIVE ACTION.—The term 'covered judicial or administrative action' means any judicial or administrative action brought by the Secretary of the Treasury (referred to in this section as the 'Secretary') or the Attorney General under this subchapter or subchapter III that results in monetary sanctions exceeding $1,000,000.

''(2) FUND.—The term 'Fund' means the Anti-Money Laundering and Counter-Terrorism Financing Fund established under subsection (g).

''(3) MONETARY SANCTIONS.—The term 'monetary sanctions', when used with respect to any judicial or administrative action—

''(A) means any monies, including penalties, disgorgement, and interest, ordered to be paid; and

''(B) does not include—

''(i) forfeiture;

''(ii) restitution; or

''(iii) any victim compensation payment.

''(4) ORIGINAL INFORMATION.—The term 'original information' means information that—

''(A) is derived from the independent knowledge or analysis of a whistleblower;

''(B) is not known to the Secretary or the Attorney General from any other source, unless the whistleblower is the original source of the information; and

''(C) is not exclusively derived from an allegation made in a judicial or administrative hearing, in a governmental report, hearing, audit, or investigation, or from the news media, unless the whistleblower is a source of the information.

''(5) RELATED ACTION.—The term 'related action', when used with respect to any judicial or administrative action brought by the Secretary or the Attorney General under this subchapter or subchapter III, means any judicial or administrative action brought by an entity described in any of subclauses (I) through (IV) of subsection (h)(4)(D)(i) that is based upon the original information provided by a whistleblower pursuant to subsection (b) that led to the successful enforcement of the action by the Secretary or the Attorney General.

''(6) WHISTLEBLOWER.—

''(A) IN GENERAL.—The term 'whistleblower' means any individual who provides, or 2 or more individuals acting jointly who provide, information relating to a violation of this subchapter or subchapter III to the Secretary or the Attorney General, in a manner established, by rule or regulation, by the Secretary, in consultation with the Attorney General.

''(B) SPECIAL RULE.—Solely for the purposes of subsection (h)(1), the term 'whistleblower' includes any individual who takes, or 2 or more individuals acting jointly who take, an action described in subsection (h)(1)(A).

''(b) AWARDS.—

''(1) IN GENERAL.—In any covered judicial or administrative action, or related action, the Secretary, under regulations prescribed by the Secretary, in consultation with the Attorney General and subject to subsection (c), shall pay an award or awards to 1 or more whistleblowers who voluntarily provided original information to the Secretary or the Attorney General, as applicable, that led to the successful enforcement of the covered judicial or administrative action, or related action, in an aggregate amount equal to—

''(A) not less than 10 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions; and

''(B) not more than 30 percent, in total, of what has been collected of the monetary sanctions imposed in the action or related actions.

''(2) PAYMENT OF AWARDS.—Any amount paid under paragraph (1) shall be paid from the Fund.

''(c) DETERMINATION OF AMOUNT OF AWARD; DENIAL OF AWARD.—

''(1) DETERMINATION OF AMOUNT OF AWARD.—

''(A) DISCRETION.—The determination of the amount of an award made under subsection (b) shall be in the discretion of the Secretary.

''(B) CRITERIA.—In determining the amount of an award made under subsection (b), the Secretary—

''(i) shall take into consideration—

''(I) the significance of the information provided by the whistleblower to the success of the covered judicial or administrative action;

''(II) the degree of assistance provided by the whistleblower and any legal representative of the whistleblower in a covered judicial or administrative action;

''(III) the programmatic interest of the Department of the Treasury in deterring violations of this subchapter and subchapter III by making awards to whistleblowers who provide information that lead to the successful enforcement of either such subchapter; and

''(IV) such additional relevant factors as the Secretary, in consultation with the Attorney General, may establish by rule or regulation; and

''(ii) shall not take into consideration the balance of the Fund.

''(2) DENIAL OF AWARD.—No award under subsection (b) may be made—

''(A) to any whistleblower who is, or was at the time the whistleblower acquired the original information submitted to the Secretary or the Attorney General, as applicable, a member, officer, or employee of—

''(i) an appropriate regulatory agency;

''(ii) the Department of the Treasury or the Department of Justice; or

''(iii) a law enforcement agency;

''(B) to any whistleblower who is convicted of a criminal violation related to the judicial or administrative action for which the whistleblower otherwise could receive an award under this section; or

''(C) to any whistleblower who fails to submit information to the Secretary or the Attorney General, as applicable, in such form as the Secretary, in consultation with the Attorney General, may, by rule, require.

''(d) REPRESENTATION.—

''(1) PERMITTED REPRESENTATION.—Any whistleblower who makes a claim for an award under subsection (b) may be represented by counsel.

''(2) REQUIRED REPRESENTATION.—

''(A) IN GENERAL.—Any whistleblower who anonymously makes a claim for an award under subsection (b) shall be represented by counsel if the whistleblower anonymously submits the information upon which the claim is based.

''(B) DISCLOSURE OF IDENTITY.—Before the payment of an award, a whistleblower shall disclose the identity of the whistleblower and provide such other information as the Secretary may require, directly or through counsel for the whistleblower.

''(e) NO CONTRACT NECESSARY.—No contract with the Department of the Treasury is necessary for any whistleblower to receive an award under subsection (b), unless otherwise required by the Secretary by rule or regulation.

''(f) APPEALS.—

''(1) IN GENERAL.—Any determination made under this section, including whether, to whom, or in what amount to make awards, shall be in the discretion of the Secretary.

''(2) REQUIREMENTS.—

''(A) IN GENERAL.—Any determination described in paragraph (1), except the determination of the amount of an award if the award was made in accordance with subsection (b), may be appealed to the appropriate court of appeals of the United States not more than 30 days after the determination is issued by the Secretary.

''(B) SCOPE OF REVIEW.—The court to which a determination by the Secretary is appealed under subparagraph (A) shall review the determination in accordance with section 706 of title 5.

''(g) ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING FUND.—

''(1) FUND ESTABLISHED.—There is established in the Treasury of the United States a fund to be known as the 'Anti-Money Laundering and Counter-Terrorism Financing Fund'.

''(2) USE OF FUND.—The Fund shall be available to the Secretary, without further appropriation or fiscal year limitation, for paying awards to whistleblowers as provided in subsection (b).

''(3) DEPOSITS AND CREDITS.—

''(A) IN GENERAL.—There shall be deposited into or credited to the Fund an amount equal to—

''(i) any monetary sanction collected by the Secretary or the Attorney General in any judicial or administrative action brought by the applicable such official under this subchapter or subchapter III; and

''(ii) all income from investments made under paragraph (4).

''(B) ADDITIONAL AMOUNTS.—If the amounts deposited into or credited to the Fund under subparagraph (A) are not sufficient to satisfy an award made under subsection (b), there shall be deposited into or credited to the Fund an amount equal to the unsatisfied portion of the award from any monetary sanction collected by the Secretary or the Attorney General, as applicable, in the covered judicial or administrative action on which the award is based.

''(4) INVESTMENTS.—

''(A) AMOUNTS IN FUND MAY BE INVESTED.—The Secretary may invest the portion of the Fund that is not, in the discretion of the Secretary, required to meet the current needs of the Fund.

''(B) ELIGIBLE INVESTMENTS.—Investments shall be made by the Secretary in obligations of the United States or obligations that are guaranteed as to principal and interest by the United States, with maturities suitable to the needs of the Fund, as determined by the Secretary.

''(C) INTEREST AND PROCEEDS CREDITED.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to the Fund.

''(5) REPORTS TO CONGRESS.—

''(A) IN GENERAL.—Not later than October 30 of each fiscal year beginning after the date of enactment of the Anti-Money Laundering Act of 2020, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report on—

''(i) the whistleblower award program established under this section, including—

''(I) a description of the number of awards granted; and

''(II) the types of cases in which awards were granted during the preceding fiscal year;

''(ii) the balance of the Fund at the beginning of the preceding fiscal year;

''(iii) the amounts deposited into or credited to the Fund during the preceding fiscal year;

''(iv) the amount of earnings on investments made under paragraph (4) during the preceding fiscal year;

''(v) the amount paid from the Fund during the preceding fiscal year to whistleblowers pursuant to subsection (b);

''(vi) the balance of the Fund at the end of the preceding fiscal year; and

''(vii) a complete set of audited financial statements, including—

''(I) a balance sheet;

''(II) income statement; and

''(III) cash flow analysis.

''(B) EXCEPTION.—The Secretary may withhold any information required to be reported under subparagraph (A) as appropriate for any case involving national security or privacy concerns.

''(h) PROTECTION OF WHISTLEBLOWERS.—

''(1) PROHIBITION AGAINST RETALIATION.—No employer may, directly or indirectly, discharge, demote, suspend, threaten, harass, or in any other manner discriminate against a whistleblower in the terms and conditions of employment because of any lawful act done by the whistleblower—

''(A) in providing information to the Secretary or the Attorney General in accordance with this section;

''(B) in initiating, testifying in, or assisting in any investigation or judicial or administrative action of the Department of the Treasury or the Department of Justice based upon or related to the information described in subparagraph (A); or

''(C) in providing information regarding any conduct that the whistleblower reasonably believes constitutes a violation of any law, rule, or regulation subject to the jurisdiction of the Department of the Treasury, or a violation of section 1956, 1957, or 1960 of title 18 (or any rule or regulation under any such provision), to—

''(i) a person with supervisory authority over the whistleblower at the employer of the whistleblower; or

''(ii) another individual working for the employer described in clause (i) who the whistleblower reasonably believes has the authority to—

''(I) investigate, discover, or terminate the misconduct; or

''(II) take any other action to address the misconduct.

''(2) ENFORCEMENT.—Any individual who alleges discharge or other discrimination, or is otherwise aggrieved by an employer, in violation of paragraph (1), may seek relief by—

''(A) filing a complaint with the Secretary of Labor in accordance with the requirements of this subsection; or

''(B) if the Secretary of Labor has not issued a final decision within 180 days of the filing of a complaint under subparagraph (A), and there is no showing that such a delay is due to the bad faith of the claimant, bringing an action against the employer at law or in equity in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

''(3) PROCEDURE.—

''(A) DEPARTMENT OF LABOR COMPLAINT.—

''(i) IN GENERAL.—Except as provided in clause (ii) and subparagraph (C), the requirements under section 42121(b) of title 49, including the legal burdens of proof described in such section 42121(b), shall apply with respect to a complaint filed under paragraph (2)(A) by an individual against an employer.

''(ii) EXCEPTION.—With respect to a complaint filed under paragraph (2)(A), notification required to be made under section 42121(b)(1) of title 49 shall be made to each person named in the complaint, including the employer.

''(B) DISTRICT COURT COMPLAINT.—

''(i) JURY TRIAL.—A party to an action brought under paragraph (2)(B) shall be entitled to trial by jury.

''(ii) STATUTE OF LIMITATIONS.—

''(I) IN GENERAL.—An action may not be brought under paragraph (2)(B)—

''(aa) more than 6 years after the date on which the violation of paragraph (1) occurs; or

''(bb) more than 3 years after the date on which when facts material to the right of action are known, or reasonably should have been known, by the employee alleging a violation of paragraph (1).

''(II) REQUIRED ACTION WITHIN 10 YEARS.—Notwithstanding subclause (I), an action under paragraph (2)(B) may not in any circumstance be brought more than 10 years after the date on which the violation occurs.

''(C) RELIEF.—Relief for an individual prevailing with respect to a complaint filed under subparagraph (A) of paragraph (2) or an action brought under subparagraph (B) of that paragraph shall include—

''(i) reinstatement with the same seniority status that the individual would have had,

but for the conduct that is the subject of the complaint or action, as applicable;

''(ii) 2 times the amount of back pay otherwise owed to the individual, with interest;

''(iii) the payment of compensatory damages, which shall include compensation for litigation costs, expert witness fees, and reasonable attorneys' fees; and

''(iv) any other appropriate remedy with respect to the conduct that is the subject of the complaint or action, as applicable.

''(4) CONFIDENTIALITY.—

''(A) IN GENERAL.—Except as provided in subparagraphs (C) and (D), the Secretary or the Attorney General, as applicable, and any officer or employee of the Department of the Treasury or the Department of Justice, shall not disclose any information, including information provided by a whistleblower to either such official, which could reasonably be expected to reveal the identity of a whistleblower, except in accordance with the provisions of section 552a of title 5, unless and until required to be disclosed to a defendant or respondent in connection with a public proceeding instituted by the appropriate such official or any entity described in subparagraph (D).

''(B) EXEMPTED STATUTE.—For purposes of section 552 of title 5, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.

''(C) RULE OF CONSTRUCTION.—Nothing in this section is intended to limit, or shall be construed to limit, the ability of the Attorney General to present such evidence to a grand jury or to share such evidence with potential witnesses or defendants in the course of an ongoing criminal investigation.

''(D) AVAILABILITY TO GOVERNMENT AGENCIES.—

''(i) IN GENERAL.—Without the loss of its status as confidential in the hands of the Secretary or the Attorney General, as applicable, all information referred to in subparagraph (A) may, in the discretion of the appropriate such official, when determined by that official to be necessary to accomplish the purposes of this subchapter, be made available to—

''(I) any appropriate Federal authority;

''(II) a State attorney general in connection with any criminal investigation;

''(III) any appropriate State regulatory authority; and

''(IV) a foreign law enforcement authority.

''(ii) CONFIDENTIALITY.—

''(I) IN GENERAL.—Each of the entities described in subclauses (I) through (III) of clause (i) shall maintain such information as confidential in accordance with the requirements established under subparagraph (A).

''(II) FOREIGN AUTHORITIES.—Each entity described in clause (i)(IV) shall maintain such information in accordance with such assurances of confidentiality as determined by the Secretary or Attorney General, as applicable.

''(5) RIGHTS RETAINED.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any whistleblower under any Federal or State law or under any collective bargaining agreement.

''(6) COORDINATION WITH OTHER PROVISIONS OF LAW.—This subsection shall not apply with respect to any employer that is subject to section 33 of the Federal Deposit Insurance Act (12 U.S.C. 1831j) or section 213 or 214 of the Federal Credit Union Act (12 U.S.C. 1790b, 1790c).

''(i) PROVISION OF FALSE INFORMATION.—A whistleblower shall not be entitled to an award under this section if the whistleblower—

''(1) knowingly and willfully makes any false, fictitious, or fraudulent statement or representation; or

''(2) uses any false writing or document knowing the writing or document contains any false, fictitious, or fraudulent statement or entry.

''(j) RULEMAKING AUTHORITY.—The Secretary, in consultation with the Attorney General, shall have the authority to issue such rules and regulations as may be necessary or appropriate to implement the provisions of this section consistent with the purposes of this section.

''(k) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

''(1) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this section may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

''(2) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the agreement requires arbitration of a dispute arising under this section.''.

(b) REPEAL OF SECTION 5328 OF TITLE 31.—Section 5328 of title 31, United States Code, is repealed.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for subchapter II of chapter 53 of title 31, United States Code, is amended—

(1) by striking the item relating to section 5323 and inserting the following:

''5323. Whistleblower incentives and protections.''; and

(2) by striking the item relating to section 5328.

TITLE LIV—ESTABLISHING BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS

SEC. 5401. FINDINGS.

Congress finds the following:

(1) More than 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Most or all States do not require information about the beneficial owners of the corporations, limited liability companies, or other similar entities formed under the laws of the State.

(3) Malign actors seek to conceal their ownership of corporations, limited liability companies, or other similar entities in the United States to facilitate illicit activity, including money laundering, the financing of terrorism, proliferation financing, serious tax fraud, human and drug trafficking, counterfeiting, piracy, securities fraud, financial fraud, and acts of foreign corruption, harming the national security interests of the United States and allies of the United States.

(4) Money launderers and others involved in commercial activity intentionally conduct transactions through corporate structures in order to evade detection, and may layer such structures, much like Russian nesting ''Matryoshka'' dolls, across various secretive jurisdictions such that each time an investigator obtains ownership records for a domestic or foreign entity, the newly identified entity is yet another corporate entity, necessitating a repeat of the same process.

(5) National security, intelligence, and law enforcement investigations have been consistently impeded by an inability to reliably and promptly obtain information identifying the individuals who ultimately own corporations, limited liability companies, or other similar entities suspected of engaging in illicit activity, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Department of the Treasury, the Government Accountability Office, and other agencies.

(6) In July 2006, the leading international anti-money laundering standard-setting body, the Financial Action Task Force on Money Laundering (in this section referred to as ''FATF''), of which the United States is a member, issued a report that criticized the United States for failing to comply with a FATF standard on the need to collect beneficial ownership information and urged the United States to correct this deficiency by July 2008.

(7) In December 2016, FATF issued another evaluation of the United States, which found that little progress had been made over the last 10 years to address this problem. FATF identified the ''[l]ack of timely access to adequate, accurate and current beneficial ownership (BO) information'' as a ''fundamental gap[]'' in efforts of the United States to counter money laundering and the financing of terrorism.

(8) In contrast to practices in the United States, all 27 countries in the European Union are required to have corporate registries that include beneficial ownership information. The United Kingdom, its 3 crown dependencies, and 14 overseas territories also require such registries.

(9) According to the 2020 National Strategy for Combating Terrorist and other Illicit Finance issued by the Department of the Treasury, ''Misuse of legal entities to hide a criminal beneficial owner or illegal source of funds continues to be a common, if not the dominant, feature of illicit finance schemes, especially those involving money laundering, predicate offences, tax evasion, and proliferation financing.''.

(10) Federal legislation providing for the collection of beneficial ownership information for corporations, limited liability companies, or other similar entities formed under the laws of the States is needed to—

(A) set a clear, Federal standard for incorporation practices;

(B) protect vital Unites States national security interests;

(C) protect interstate and foreign commerce;

(D) better enable critical national security, intelligence, and law enforcement efforts to counter money laundering, the financing of terrorism, and other illicit activity; and

(E) bring the United States into compliance with international anti-money laundering and countering the financing of terrorism standards.

SEC. 5402. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) beneficial ownership information collected under the amendments made by this title is sensitive information and will be directly available only to authorized government authorities, subject to effective safeguards and controls, to—

(A) facilitate important national security, intelligence, and law enforcement activities; and

(B) confirm beneficial ownership information provided to financial institutions to facilitate the compliance of the institutions with customer due-diligence requirements under applicable law;

(2) consistent with applicable law, the Secretary of the Treasury shall—

(A) maintain the information described in paragraph (1) in a secure, nonpublic database, using information security methods and techniques that are appropriate to protect nonclassified information systems at the highest security level; and

(B) take all steps, including regular auditing, to ensure that government authorities accessing beneficial ownership information

do so only for authorized purposes consistent with this section; and

(3) in prescribing regulations to provide for the reporting of beneficial ownership information, the Secretary shall, to the greatest extent practicable consistent with the purposes of this title—

(A) seek to minimize burdens on reporting companies associated with the collection of beneficial ownership information;

(B) provide clarity to reporting companies concerning the identification of their beneficial ownership; and

(C) collect information in a form and manner that is reasonably designed to generate a database that is highly useful to national security, intelligence, and law enforcement agencies, and Federal functional regulators.

SEC. 5403. BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS.

(a) IN GENERAL.—Subchapter II of chapter 53 of title 31, United States Code, as amended by sections 5305(a)(1), 5306(a), and 5313(a) of this division, is amended by adding at the end the following:

''§ 5336. Beneficial ownership information reporting requirements

''(a) DEFINITIONS.—In this section:

''(1) ACCEPTABLE IDENTIFICATION DOCUMENT.—The term 'acceptable identification document' means, with respect to an individual—

''(A) a nonexpired passport issued by the United States;

''(B) a nonexpired identification document issued by a State, local government, or Indian Tribe to the individual acting for the purpose of identification of that individual;

''(C) a nonexpired driver's license issued by a State; or

''(D) if the individual does not have a document described in subparagraph (A), (B), or (C), a nonexpired passport issued by a foreign government.

''(2) APPLICANT.—The term 'applicant' means any individual who—

''(A) files an application to form a corporation, limited liability company, or other similar entity under the laws of a State or Indian Tribe; or

''(B) registers a corporation, limited liability company, or other similar entity formed under the laws of a foreign country to do business in a State by filing a document with the secretary of state or similar office under the law of the State.

''(3) BENEFICIAL OWNER.—The term 'beneficial owner'—

''(A) means, with respect to an entity, an individual who directly or indirectly, through any contract, arrangement, understanding, relationship, or otherwise—

''(i) exercises substantial control over the entity; or

''(ii) owns not less than 25 percent of the equity interests of the entity; and

''(B) does not include—

''(i) a minor child, as defined in the State in which the entity is formed, if the information of the parent or guardian of the minor child is reported in accordance with this section;

''(ii) an individual acting as a nominee, intermediary, custodian, or agent on behalf of another individual;

''(iii) an individual acting solely as an employee of a corporation, limited liability company, or other similar entity and whose control over or economic benefits from such entity is derived solely from the employment status of the person;

''(iv) an individual whose only interest in a corporation, limited liability company, or other similar entity is through a right of inheritance; or

''(v) a creditor of a corporation, limited liability company, or other similar entity, unless the creditor meets the requirements of subparagraph (A).

''(4) DIRECTOR.—The term 'Director' means the Director of FinCEN.

''(5) FINCEN.—The term 'FinCEN' means the Financial Crimes Enforcement Network of the Department of the Treasury.

''(6) FINCEN IDENTIFIER.—The term 'FinCEN identifier' means the unique identifying number assigned by FinCEN to a person under this section.

''(7) FOREIGN PERSON.—The term 'foreign person' means a person who is not a United States person, as defined in section 7701(a) of the Internal Revenue Code of 1986.

''(8) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given the term in section 102 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5130).

''(9) LAWFULLY ADMITTED FOR PERMANENT RESIDENCE.—The term 'lawfully admitted for permanent residence' has the meaning given the term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

''(10) POOLED INVESTMENT VEHICLE.—The term 'pooled investment vehicle' means—

''(A) any investment company, as defined in section 3(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–3(a)); or

''(B) any company that—

''(i) would be an investment company under that section but for the exclusion provided from that definition by paragraph (1) or (7) of section 3(c) of that Act (15 U.S.C. 80a–3(c)); and

''(ii) is identified by its legal name by the applicable investment adviser in its Form ADV (or successor form) filed with the Securities and Exchange Commission.

''(11) REPORTING COMPANY.—The term 'reporting company'—

''(A) means a corporation, limited liability company, or other similar entity that is—

''(i) created by the filing of a document with a secretary of state or a similar office under the law of a State or Indian Tribe; or

''(ii) formed under the law of a foreign country and registered to do business in a State by the filing of a document with a secretary of state or a similar office under the law of the State; and

''(B) does not include—

''(i) an issuer—

''(I) of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l); or

''(II) that is required to file supplementary and periodic information under section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(d));

''(ii) an entity—

''(I) established under the laws of the United States, an Indian Tribe, a State, or a political subdivision of a State, or under an interstate compact between 2 or more States; and

''(II) that exercises governmental authority on behalf of the United States or any such Indian Tribe, State, or political subdivision;

''(iii) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

''(iv) a Federal credit union or a State credit union (as those terms are defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752));

''(v) a bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956 (12 U.S.C. 1841)), or a savings and loan holding company (as defined in section 10(a) of the Home Owners' Loan Act (12 U.S.C. 1467a(a)));

''(vi) a money transmitting business registered with the Secretary of the Treasury under section 5330;

''(vii) a broker or dealer (as those terms are defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)), that is registered under section 15 of that Act (15 U.S.C. 78o);

''(viii) an exchange or clearing agency (as those terms are defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 6 or 17A of that Act (15 U.S.C. 78f, 78q–1);

''(ix) any other entity not described in clause (i), (vii), or (viii) that is registered with the Securities and Exchange Commission under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.);

''(x) a person that—

''(I) is an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)) or an investment adviser (as defined in section 202 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2)); and

''(II) is registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) or the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.);

''(xi) an investment adviser—

''(I) described in section 203(l) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(l)); and

''(II) that has filed the records required by the Securities and Exchange Commission;

''(xii) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a–2));

''(xiii)(I) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)); or

''(II) a person that is—

''(aa)(AA) a futures commission merchant, introducing broker, swap dealer, major swap participant, commodity pool operator, or commodity trading advisor (as those terms are defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)); or

''(BB) a retail foreign exchange dealer (as described in that Act (7 U.S.C. 1)); and

''(bb) registered with the Commodity Futures Trading Commission under the Commodity Exchange Act (7 U.S.C. 1 et seq.);

''(xiv) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act of 2002 (15 U.S.C. 7212);

''(xv) a public utility that provides telecommunications services, electrical power, natural gas, or water and sewer services within the United States;

''(xvi) a financial market utility designated by the Financial Stability Oversight Council under section 804 of the Payment, Clearing, and Settlement Supervision Act of 2010 (12 U.S.C. 5463);

''(xvii) any pooled investment vehicle that is operated or advised by a person described in clause (iii), (iv), (v), (vii), (ix), (x), or (xii);

''(xviii) any—

''(I) organization which is described in section 501(c) of the Internal Revenue Code of 1986 (determined without regard to section 508(a)) and exempt from tax under section 501(a) of such Code, except that in the case of any such organization which loses an exemption from tax, such organization shall be considered to be continued to be described in this subclause for the 180-day period beginning on the date of the loss of such tax-exempt status;

''(II) political organization (as defined in section 527(e)(1) of such Code) that is exempt from tax under section 527(a) of such Code; or

''(III) trust described in paragraph (1) or (2) of section 4947(a) of such Code;

''(xix) any corporation, limited liability company, or other similar entity that—

''(I) operates exclusively to provide financial assistance to, or hold governance rights over, any entity described in clause (xviii);

''(II) is a United States person;

''(III) is beneficially owned or controlled exclusively by 1 or more United States persons that are United States citizens or lawfully admitted for permanent residence; and

''(IV) derives at least a majority of its funding or revenue, from 1 or more United States persons that are United States citizens or lawfully admitted for permanent residence;

''(xx) any entity that—

''(I) employs more than 20 employees on a full-time basis in the United States;

''(II) files income tax returns in the United States demonstrating more than $5,000,000 in gross receipts or sales in the aggregate, including the receipts or sales of—

''(aa) other entities owned by the entity; and

''(bb) other entities through which the entity operates; and

''(III) has an operating presence at a physical office within the United States;

''(xxi) any corporation, limited liability company, or other similar entity owned, directly or indirectly, by 1 or more entities described in clause (i), (ii), (iii), (iv), (v), (vii), (viii), (ix), (x) , (xi), (xii), (xiii), (xiv), (xv), (xvi), (xviii), or (xix);

''(xxii) any corporation, limited liability company, or other similar entity—

''(I) in existence for over 1 year;

''(II) that is not engaged in active business;

''(III) that is not owned, directly or indirectly, by a foreign person;

''(IV) that has not, in the preceding 12-month period, experienced a change in ownership or sent or received funds in an amount greater than $1,000 (including all funds sent to or received from any source through a financial account or accounts in which the entity, or an affiliate of the entity, maintains an interest); and

''(V) that does not otherwise hold any kind or type of assets, including an ownership interest in any corporation, limited liability company, or other similar entity;

''(xxiii) any entity or class of entities that the Secretary of the Treasury, with the written concurrence of the Attorney General and the Secretary of Homeland Security, has determined should be exempt from the requirements of subsection (b) because requiring beneficial ownership information from the entity or class of entities—

''(I) would not serve the public interest; and

''(II) would not be highly useful in national security, intelligence, and law enforcement agency efforts to detect, prevent, or prosecute money laundering, the financing of terrorism, proliferation finance, serious tax fraud, or other crimes.

''(12) STATE.—The term 'State' means any State of the United 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 commonwealth, territory, or possession of the United States.

''(13) UNIQUE IDENTIFYING NUMBER.—The term 'unique identifying number' means, with respect to an individual or an entity with a sole member, the unique identifying number from an acceptable identification document.

''(14) UNITED STATES PERSON.—The term 'United States person' has the meaning given the term in section 7701(a) of the Internal Revenue Code of 1986.

''(b) BENEFICIAL OWNERSHIP INFORMATION REPORTING.—

''(1) REPORTING.—

''(A) IN GENERAL.—In accordance with regulations prescribed by the Secretary of the Treasury, each reporting company shall submit to FinCEN a report that contains the information described in paragraph (2).

''(B) REPORTING OF EXISTING ENTITIES.—In accordance with regulations prescribed by the Secretary of the Treasury, any reporting company that has been formed before the effective date of the regulations prescribed under this subsection shall, in a timely manner, and not later than 2 years after the effective date of the regulations prescribed under this subsection, submit to FinCEN a report that contains the information described in paragraph (2).

''(C) REPORTING AT TIME OF FORMATION.—In accordance with regulations prescribed by the Secretary of the Treasury, any reporting company that has been formed after the effective date of the regulations promulgated under this subsection shall, at the time of formation, submit to FinCEN a report that contains the information described in paragraph (2).

''(D) UPDATED REPORTING FOR CHANGES IN BENEFICIAL OWNERSHIP.—In accordance with regulations prescribed by the Secretary of the Treasury, a reporting company shall, in a timely manner, and not later than 1 year after the date on which there is a change with respect to any information described in paragraph (2), submit to FinCEN a report that updates the information relating to the change.

''(E) TREASURY REVIEW OF UPDATED REPORTING FOR CHANGES IN BENEFICIAL OWNERSHIP.—The Secretary of the Treasury, in consultation with the Attorney General and the Secretary of Homeland Security, shall conduct a review to evaluate—

''(i) the necessity of a requirement for corporations, limited liability companies, or other similar entities to update the report on beneficial ownership information in paragraph (2), related to a change in ownership, within a shorter period of time than required under that subsection, taking into account the updating requirements under subparagraph (D) and the information contained in the reports;

''(ii) the benefit to law enforcement and national security officials that might be derived from, and the burden that a requirement to update the list of beneficial owners within a shorter period of time after a change in the list of beneficial owners would impose on corporations, limited liability companies, or other similar entities; and

''(iii) not later than 2 years after the date of enactment of this section, incorporate into the regulations, as appropriate, any changes necessary to implement the findings and determinations based on the review required under this subparagraph.

''(F) REGULATION REQUIREMENTS.—In promulgating the regulations prescribed in subparagraphs (A) through (D), the Secretary of the Treasury shall endeavor, to the greatest extent practicable—

''(i) to establish partnerships with State, local, and Tribal governmental agencies.

''(ii) to collect information described in paragraph (2) through existing Federal, State, and local processes and procedures;

''(iii) to minimize burdens on reporting companies associated with the collection of the information described in paragraph (2) in light of the private compliance costs placed on legitimate businesses;

''(iv) to collect information described in paragraph (2) in a form and manner that ensures the information is highly useful in—

''(I) facilitating important national security, intelligence, and law enforcement activities; and

''(II) confirming beneficial ownership information provided to financial institutions to facilitate the compliance of the institutions with anti-money laundering, countering the financing of terrorism, and customer due diligence requirements under applicable law.

''(2) REQUIRED INFORMATION.—

''(A) IN GENERAL.—In accordance with regulations prescribed by the Secretary of the Treasury, a report delivered under paragraph (1) shall, except as provided in subparagraph (B), identify each beneficial owner of the applicable reporting company and each applicant with respect to that reporting company by—

''(i) full legal name;

''(ii) date of birth;

''(iii) current, as of the date on which the report is delivered, residential or business street address; and

''(iv)(I) unique identifying number from an acceptable identification document; or

''(II) FinCEN identifier in accordance with requirements in paragraph (3).

''(B) REPORTING REQUIREMENT FOR EXEMPT ENTITIES HAVING AN OWNERSHIP INTEREST.—If an exempt entity described in subsection (a)(11)(B) has or will have a direct or indirect ownership interest in a reporting company, the reporting company and the applicant—

''(i) shall, with respect to the exempt entity, only list the name of the exempt entity; and

''(ii) shall not be required to report the information with respect to the exempt entity otherwise required under subparagraph (A).

''(C) REPORTING REQUIREMENT FOR POOLED INVESTMENT VEHICLES.—Any corporation, limited liability company, or other similar entity that is an exempt entity described in subsection (a)(11)(B)(xvii) and is formed under the laws of a foreign country shall file with FinCEN a written certification that provides identification information of an individual that exercises substantial control over the pooled investment vehicle in the same manner as required under this subsection.

''(D) REPORTING REQUIREMENT FOR EXEMPT SUBSIDIARIES.—Any corporation, limited liability company, or other similar entity that is an exempt entity described in subsection (a)(11)(B)(xix), shall, in accordance with regulations issued by the Secretary, submit to FinCEN a report containing the information required under subparagraph (A) promptly after the date on which the entity no longer meets the criteria described in subsection (a)(11)(B)(xix), but in no case later than 90 days after that date.

''(E) REPORTING REQUIREMENT FOR GRANDFATHERED EXEMPT ENTITIES.—Any corporation, limited liability company, or other similar entity that is an exempt entity described in subsection (a)(11)(B)(xxii), shall, in accordance with regulations issued by the Secretary, submit to FinCEN a report containing the information required under subparagraph (A) promptly after the date on which the entity no longer meets the criteria described in subsection (a)(11)(B)(xxii), but in no case later than 90 days after such date.

''(3) FINCEN IDENTIFIER.—

''(A) ISSUANCE OF FINCEN IDENTIFIER.—

''(i) IN GENERAL.—Upon request by an individual who has provided FinCEN with the information described in paragraph (2)(A) pertaining to the individual, or by an entity that has reported its beneficial ownership information to FinCEN in accordance with this section, FinCEN shall issue a FinCEN identifier to such individual or entity.

''(ii) UPDATING OF INFORMATION.—An individual with a FinCEN identifier shall submit filings with FinCEN pursuant to paragraph (1) updating any information described in paragraph (2) in a timely manner consistent with subparagraph (D).

''(B) USE OF FINCEN IDENTIFIER FOR INDIVIDUALS.—Any person required to report the information described in paragraph (2) with respect to an individual may instead report the FinCEN identifier of the individual.

''(C) USE OF FINCEN IDENTIFIER FOR ENTITIES.— If an individual is or may be a beneficial owner of a reporting company by an interest held by the individual in an entity that, directly or indirectly, holds an interest in the reporting company, the reporting company may report the FinCEN identifier of the entity in lieu of providing the information required by paragraph (2)(A) with respect to the individual.

''(4) REGULATIONS.—The Secretary of the Treasury shall—

''(A) by regulation prescribe procedures and standards governing any report under paragraph (2) and any FinCEN identifier under paragraph (3); and

''(B) in promulgating the regulations under subparagraph (A), endeavor, to the extent practicable, consistent with the purposes of this section—

''(i) to minimize burdens on reporting companies associated with the collection of beneficial ownership information; and

''(ii) to ensure the beneficial ownership information reported to FinCEN is accurate, complete, and highly useful.

''(5) EFFECTIVE DATE.—The requirements of this subsection shall take effect on the effective date of the regulations prescribed by the Secretary of the Treasury under this subsection, which shall not be later than 1 year after the date of enactment of this section.

''(c) RETENTION AND DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION BY FINCEN.—

''(1) RETENTION OF INFORMATION.—Beneficial ownership information required under subsection (b) relating to each reporting company shall be maintained by FinCEN.

''(2) DISCLOSURE.—

''(A) PROHIBITION.—Except as authorized by this subsection and the protocols promulgated under this subsection, beneficial ownership information reported under this section shall be confidential and may not be disclosed by—

''(i) an officer or employee of the United States;

''(ii) an officer or employee of any State, local, or Tribal agency; or

''(iii) an officer or employee of any financial institution or regulatory agency receiving information under this subsection.

''(B) SCOPE OF DISCLOSURE BY FINCEN.— FinCEN may disclose beneficial ownership information reported pursuant to this section only upon receipt of—

''(i) a request, through appropriate protocols—

''(I) from a Federal agency engaged in national security, intelligence, or law enforcement activity; or

''(II) from a State, local, or Tribal law enforcement agency, if a court of competent jurisdiction has authorized the law enforcement agency to seek the information in a criminal or civil investigation;

''(ii) a request from a Federal agency on behalf of a law enforcement agency of another country, including a foreign central authority or competent authority (or like designation), under an international treaty, agreement, or convention—

''(I) issued in response to a request for assistance in an investigation by such foreign country;

''(II) that, except in a criminal case, prohibits the other country from—

''(aa) publicly disclosing any beneficial ownership information received; or

''(bb) using the information for any purpose other than the authorized investigation or national security or intelligence activity;

''(iii) a confirmation request made by a financial institution subject to customer due diligence requirements, with the consent of the reporting company, to facilitate the compliance of the financial institution with customer due diligence requirements under applicable law; or

''(iv) a request made by a Federal functional regulator or other appropriate regulatory agency consistent with the requirements of subparagraph (C).

''(C) FORM AND MANNER OF DISCLOSURE TO FINANCIAL INSTITUTIONS AND REGULATORY AGENCIES.—The Secretary of the Treasury shall by regulation prescribe the form and manner in which information shall be provided to a financial institution under subparagraph (B)(iii), which shall include that the information shall also be available to a Federal functional regulator or other appropriate regulatory agency, as determined by the Secretary, if the agency—

''(i) is authorized by law to assess, supervise, enforce, or otherwise determine the compliance of the financial institution with the requirements described in that subparagraph;

''(ii) uses the information solely for the purpose of conducting the assessment, supervision, or authorized investigation or activity described in clause (i); and

''(iii) enters into an agreement with the Secretary providing for appropriate protocols governing the safekeeping of the information.

''(3) APPROPRIATE PROTOCOLS.—The Secretary of the Treasury shall establish protocols described in paragraph (2)(A) that—

''(A) protect the security and confidentiality of any beneficial ownership information provided directly by the Secretary of the Treasury;

''(B) require that beneficial ownership information be provided to the requesting agency only upon written certification that applicable requirements have been met, in such form and manner as the Secretary of the Treasury may prescribe that, at a minimum, states that the information is relevant to an authorized investigation or activity described in paragraph (2);

''(C) require the requesting agency to limit, to the greatest extent practicable, the scope of information sought, consistent with the purposes for seeking beneficial ownership information;

''(D) restrict, to the satisfaction of the Secretary of the Treasury, access to beneficial ownership information only to users at the requesting agency—

''(i) who are authorized by agreement with the Secretary to access the information;

''(ii) whose duties or responsibilities require such access;

''(iii) who have undergone appropriate training; and

''(iv) who use appropriate identity verification mechanisms to obtain access to the information;

''(E) require the requesting agency to maintain an auditable trail of each request for beneficial ownership information submitted to the Secretary of the Treasury by the agency, including the reason for the request, the name of the individual who made the request, the date of the request, and any other information the Secretary of the Treasury determines is appropriate;

''(F) require that the requesting agency receiving beneficial ownership information from the Secretary of the Treasury conduct an annual audit to verify that the beneficial ownership information received from the Secretary has been accessed and used appropriately, and in a manner consistent with this paragraph; and

''(G) require the Secretary of the Treasury to conduct an annual audit of the adherence of the agencies to the protocols established under this paragraph to ensure that agencies are requesting and using beneficial ownership information appropriately.

''(4) DEPARTMENT OF THE TREASURY ACCESS.—

''(A) IN GENERAL.—Beneficial ownership information shall be accessible for inspection or disclosure to officers and employees of Department of the Treasury whose official duties require such inspection or disclosure subject to procedures and safeguards prescribed by the Secretary of the Treasury.

''(B) TAX ADMINISTRATION PURPOSES.—Officers and employees of the Department of the Treasury shall obtain access to beneficial ownership information for tax administration purposes in accordance with this subsection.

''(5) REJECTION OF REQUEST.—The Secretary of the Treasury—

''(A) shall reject a request not submitted in the form and manner prescribed by the Secretary under paragraph (2)(C); and

''(B) may decline to provide information requested under this subsection upon finding that—

''(i) the requesting agency has failed to meet any other requirement of this subsection;

''(ii) the information is being requested for an unlawful purpose; or

''(iii) other good cause exists to deny the request.

''(6) SUSPENSION.—The Secretary of the Treasury may suspend or debar a requesting agency from access for any of the grounds set forth in paragraph (5), including for repeated or serious violations of any requirement under paragraph (2).

''(7) SECURITY PROTECTIONS.—The Secretary of the Treasury shall maintain information security protections, including encryption, for information reported to FinCEN under subsection (b) and ensure that the protections—

''(A) are consistent with standards and guidelines developed under subchapter II of chapter 35 of title 44; and

''(B) incorporate Federal information system security controls for high-impact systems, excluding national security systems, consistent with applicable law to prevent the loss of confidentiality, integrity, or availability of information that may have a severe or catastrophic adverse effect.

''(8) VIOLATION OF PROTOCOLS.—Any employee or officer of a requesting agency under paragraph (2)(B) that violates the protocols described in paragraph (3) shall be subject to criminal and civil penalties under subsection (h)(3)(B).

''(d) AGENCY COORDINATION.—

''(1) IN GENERAL.—The Secretary of the Treasury shall, to the greatest extent practicable, update the information described in subsection (b) by working collaboratively with other relevant Federal, State, and Tribal agencies.

''(2) INFORMATION FROM RELEVANT FEDERAL, STATE, AND TRIBAL AGENCIES.—Relevant Federal, State, and Tribal agencies, as determined by the Secretary of the Treasury, shall, to the extent practicable, and consistent with applicable legal protections, cooperate with and provide information requested by FinCEN for purposes of maintaining an accurate, complete, and highly useful database for beneficial ownership information.

''(3) REGULATIONS.—The Secretary of the Treasury, in consultation with the heads of other relevant Federal agencies, may promulgate regulations as necessary to carry out this subsection.

''(e) NOTIFICATION OF FEDERAL OBLIGATIONS.—

''(1) FEDERAL.—The Secretary of the Treasury shall take reasonable steps to provide notice to persons of their obligations to report beneficial ownership information under

this section, including by causing appropriate informational materials describing such obligations to be included in 1 or more forms or other informational materials regularly distributed by the Internal Revenue Service and FinCEN.

''(2) STATES AND INDIAN TRIBES.—

''(A) IN GENERAL.—As a condition of the funds made available under this section, each State and Indian Tribe shall, not later than 2 years after the effective date of regulations promulgated under subsection (b)(5), take the following actions:

''(i) The secretary of a State or a similar office in each State or Indian Tribe responsible for the establishment of entities created by the filing of a public document with the office under the law of the State or Indian Tribe shall periodically, including at the time of any initial formation or registration of an entity, assessment of an annual fee, or renewal of any license to do business in the State or Indian country and in connection with State or Indian Tribe corporate tax assessments or renewals—

''(I) notify filers of their requirements as reporting companies under this section, including the requirements to file and update reports under subparagraphs (B) and (D) of subsection (b)(1); and

''(II) provide the filers with a copy of the reporting company form created by the Secretary of the Treasury under this subsection or an internet link to that form.

''(ii) The secretary of a State or a similar office in each State or Indian Tribe responsible for the establishment of entities created by the filing of a public document with the office under the law of the State or Indian Tribes shall update the websites, forms relating to incorporation, and physical premises of the office to notify filers of their requirements as reporting companies under this section, including providing an internet link to the reporting company form created by the Secretary of the Treasury under this section.

''(B) NOTIFICATION FROM THE DEPARTMENT OF THE TREASURY.—A notification under clause (i) or (ii) of subparagraph (A) shall explicitly state that the notification is on behalf of the Department of the Treasury for the purpose of preventing money laundering, the financing of terrorism, proliferation financing, serious tax fraud, and other financial crime by requiring nonpublic registration of business entities formed or registered to do business in the United States.

''(f) NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.—A corporation, limited liability company, or other similar entity formed under the laws of a State or Indian Tribe may not issue a certificate in bearer form evidencing either a whole or fractional interest in the entity.

''(g) REGULATIONS.—In promulgating regulations carrying out this section, the Director shall reach out to members of the small business community and other appropriate parties to ensure efficiency and effectiveness of the process for the entities subject to the requirements of this section.

''(h) PENALTIES.—

''(1) REPORTING VIOLATIONS.—It shall be unlawful for any person to—

''(A) willfully provide, or attempt to provide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph or document, to FinCEN in accordance with subsection (b); or

''(B) willfully fail to report complete or updated beneficial ownership information to FinCEN in accordance with subsection (b).

''(2) UNAUTHORIZED DISCLOSURE OR USE.—Except as authorized by this section, it shall be unlawful for any person to knowingly disclose or knowingly use the beneficial ownership information obtained by the person through—

''(A) a report submitted to FinCEN under subsection (b); or

''(B) a disclosure made by FinCEN under subsection (c).

''(3) CRIMINAL AND CIVIL PENALTIES.—

''(A) REPORTING VIOLATIONS.—Any person who violates subparagraph (A) or (B) of paragraph (1)—

''(i) shall be liable to the United States for a civil penalty of not more than $500 for each day that the violation continues or has not been remedied; and

''(ii) may be fined not more than $10,000, imprisoned for not more than 2 years, or both.

''(B) UNAUTHORIZED DISCLOSURE OR USE VIOLATIONS.—Any person who violates paragraph (2)—

''(i) shall be liable to the United States for a civil penalty of not more than $500 for each day that the violation continues or has not been remedied; and

''(ii)(I) shall be fined not more than $250,000, or imprisoned for not more than 5 years, or both; or

''(II) while violating another law of the United States or as part of a pattern of any illegal activity involving more than $100,000 in a 12-month period, shall be fined not more than $500,000, imprisoned for not more than 10 years, or both.

''(C) SAFE HARBOR.—

''(i) SAFE HARBOR.—

''(I) IN GENERAL.—Except as provided in subclause (II), a person shall not be subject to civil or criminal penalty under subparagraph (A) if the person—

''(aa) has reason to believe that any report submitted by the person in accordance with subsection (b) contains inaccurate information; and

''(bb) in accordance with regulations issued by the Secretary, voluntarily and promptly, and in no case later than 90 days, submits a report containing corrected information.

''(II) EXCEPTIONS.—A person shall not be exempt from penalty under clause (i) if, at the time the person submits the report required by subsection (b), the person—

''(aa) acts for the purpose of evading the reporting requirements under subsection (b); and

''(bb) has actual knowledge that any information contained in the report is inaccurate.

''(ii) ASSISTANCE.—FinCEN shall provide assistance to any person seeking to submit a corrected report in accordance with clause (i)(I).

''(4) USER COMPLAINT PROCESS.—

''(A) IN GENERAL.—The Inspector General of the Department of the Treasury, in coordination with the Secretary of the Treasury, shall provide public contact information to receive external comments or complaints regarding the beneficial ownership information notification and collection process or regarding the accuracy, completeness, or timeliness of such information.

''(B) REPORT.—The Inspector General of the Department of the Treasury shall submit to Congress a periodic report that—

''(i) summarizes external comments or complaints and related investigations conducted by the Inspector General related to the collection of beneficial ownership information; and

''(ii) includes recommendations, in coordination with FinCEN, to improve the form and manner of the notification, collection and updating processes of the beneficial ownership information reporting requirements to ensure the beneficial ownership information reported to FinCEN is accurate, complete, and highly useful.

''(5) TREASURY OFFICE OF INSPECTOR GENERAL INVESTIGATION IN THE EVENT OF A CYBERSECURITY BREACH.—

''(A) IN GENERAL.—In the event of a cybersecurity breach that results in substantial unauthorized access and disclosure of sensitive beneficial ownership information, the Inspector General of the Department of the Treasury shall conduct an investigation into FinCEN cybersecurity practices that, to the extent possible, determines any vulnerabilities within FinCEN information security and confidentiality protocols and provides recommendations for fixing those deficiencies.

''(B) REPORT.—The Inspector General of the Department of the Treasury shall submit to the Secretary of the Treasury a report on each investigation conducted under subparagraph (A).

''(C) ACTIONS OF THE SECRETARY.—Upon receiving a report submitted under subparagraph (B), the Secretary of the Treasury shall—

''(i) determine whether the Director had any responsibility for the cybersecurity breach or whether policies, practices, or procedures implemented at the direction of the Director led to the cybersecurity breach; and

''(ii) submit to Congress a written report outlining the findings of the Secretary, including a determination by the Secretary on whether to retain or dismiss the individual serving as the Director.

''(6) DEFINITION.—In this subsection, the term 'willfully' means the voluntary, intentional violation of a known legal duty.

''(i) CONTINUOUS REVIEW OF EXEMPT ENTITIES.—

''(1) IN GENERAL.—On and after the effective date of the regulations promulgated under this section, if the Secretary of the Treasury makes a determination, which may be based on information contained in the report required under section 5501(d) of the Anti-Money Laundering Act of 2020 or on any other information available to the Secretary, that an entity or class of entities in the list in subsection (a)(11)(B) has been subject to significant abuse relating to money laundering, the financing of terrorism, proliferation finance, serious tax fraud, or other illicit activity, not later than 90 days after the date on which the Secretary makes the determination, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that explains the reasons for the determination and any administrative or legislative recommendations to prevent such abuse.

''(2) CLASSIFIED ANNEX.—The report required by paragraph (1)—

''(A) shall be submitted in unclassified form; and

''(B) may include a classified annex.''.

(b) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

(1) in section 5321(a)—

(A) in paragraph (1), by striking ''sections 5314 and 5315'' each place that term appears and inserting ''sections 5314, 5315, and 5336''; and

(B) in paragraph (6), by inserting ''(except section 5336)'' after ''subchapter'' each place that term appears; and

(2) in section 5322, by striking ''section 5315 or 5324'' each place that term appears and inserting ''section 5315, 5324, or 5336''.

(3) in the table of sections for chapter 53, as amended by sections 5305(b)(1), 5306(b), and 5312(b) of this division, is amended by adding at the end the following:

''5336. Beneficial ownership information reporting requirements.''.

(c) REPORTING REQUIREMENTS FOR FEDERAL CONTRACTORS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Administrator for Federal Procurement Policy shall revise the Federal Acquisition Regulation maintained under section 1303(a)(1) of title 41, United States Code, to require any contractor or subcontractor who is subject to the requirement to disclose beneficial ownership information under section 5336 of title 31, United States Code, as added by subsection (a) of this section, to provide the information required to be disclosed under such section to the Federal Government as part of any bid or proposal for a contract with a value threshold in excess of the simplified acquisition threshold under section 134 of title 41, United States Code.

(2) APPLICABILITY.—The revision required under paragraph (1) shall not apply to a covered contractor or subcontractor, as defined in section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), that is subject to the beneficial ownership disclosure and review requirements under that section.

(d) REVISED DUE DILIGENCE RULEMAKING.—

(1) IN GENERAL.—Not later than 1 year after the effective date of the regulations promulgated under section 5336(b)(5) of title 31, United States Code, as added by subsection (a) of this section, the Secretary shall revise the final rule entitled ''Customer Due Diligence Requirements for Financial Institutions''(81 Fed. Reg. 29397 (May 11, 2016)) to—

(A) bring the rule into conformance with this division and the amendments made by this division;

(B) account for the access of financial institutions to beneficial ownership information filed by reporting companies, and provided in the form and manner prescribed by the Secretary, to confirm the beneficial ownership information provided directly to financial institutions to facilitate the compliance of those institutions with anti-money laundering, countering the financing of terrorism, and customer due diligence requirements under applicable law; and

(C) reduce any burdens on financial institutions that are, in light of the enactment of this division and the amendments made by this division, unnecessary or duplicative.

(2) CONSIDERATIONS.—In fulfilling the requirements under this subsection, the Secretary shall consider—

(A) the use of risk-based principles for requiring reports of beneficial ownership information;

(B) the degree of reliance by financial institutions on information provided by FinCEN for purposes of obtaining and updating beneficial ownership information;

(C) strategies to improve the accuracy, completeness, and timeliness of the beneficial ownership information reported to the Secretary; and

(D) any other matter that the Secretary determines is appropriate.

TITLE LV—MISCELLANEOUS

SEC. 5501. INVESTIGATIONS AND PROSECUTION OF OFFENSES FOR VIOLATIONS OF THE SECURITIES LAWS.

(a) IN GENERAL.—Section 21(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(d)) is amended—

(1) in paragraph (3)—

(A) in the paragraph heading—

(i) by inserting ''CIVIL'' before ''MONEY PENALTIES''; and

(ii) by striking ''IN CIVIL ACTIONS'' and inserting ''AND AUTHORITY TO SEEK DISGORGEMENT'';

(B) in subparagraph (A), by striking ''jurisdiction to impose'' and all that follows through the period at the end and inserting the following: ''jurisdiction to—

''(i) impose, upon a proper showing, a civil penalty to be paid by the person who committed such violation; and

''(ii) require disgorgement under paragraph (7) of any unjust enrichment by the person who received such unjust enrichment as a result of such violation.''; and

(C) in subparagraph (B)—

(i) in clause (i), in the first sentence, by striking ''the penalty'' and inserting ''a civil penalty imposed under subparagraph (A)(i)'';

(ii) in clause (ii), by striking ''amount of penalty'' and inserting ''amount of a civil penalty imposed under subparagraph (A)(i)''; and

(iii) in clause (iii), in the matter preceding item (aa), by striking ''amount of penalty for each such violation'' and inserting ''amount of a civil penalty imposed under subparagraph (A)(i) for each violation described in that subparagraph'';

(2) in paragraph (4), by inserting ''under paragraph (7)'' after ''funds disgorged''; and

(3) by adding at the end the following:

''(7) DISGORGEMENT.—In any action or proceeding brought by the Commission under any provision of the securities laws, the Commission may seek, and any Federal court may order, disgorgement.

''(8) LIMITATIONS PERIODS.—

''(A) DISGORGEMENT.—The Commission may bring a claim for disgorgement under paragraph (7)—

''(i) not later than 5 years after the latest date of the violation that gives rise to the action or proceeding in which the Commission seeks the claim occurs; or

''(ii) not later than 10 years after the latest date of the violation that gives rise to the action or proceeding in which the Commission seeks the claim if the violation involves conduct that violates section 10(b), section 17(a)(1) of the Securities Act of 1933 (15 U.S.C. 77q(a)(1)), section 206(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–6(1)), or any other provision of the securities laws that requires scienter.

''(B) EQUITABLE REMEDIES.—The Commission may seek a claim for any equitable remedy, including for an injunction or a bar, suspension, or cease and desist order, not later than 10 years after the latest date on which a violation that gives rise to the claim occurs.

''(C) CALCULATION.—For the purposes of calculating any limitations period under this paragraph with respect to an action or claim, any time in which the person against which the action or claim, as applicable, is brought is outside of the United States shall not count towards the accrual of that period.

''(9) RULE OF CONSTRUCTION.—Nothing in paragraph (7) may be construed as altering any right that any private party may have to maintain a suit for a violation of this Act.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to any action or proceeding that is pending on, or commenced on or after, the date of enactment of this Act.

SEC. 5502. GAO AND TREASURY STUDIES ON BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS.

(a) EFFECTIVENESS OF INCORPORATION PRACTICES STUDY.—Not later than 2 years after the effective date of the regulations promulgated under section 5336(b)(5) of title 31, United States Code, as added by section 5403(a) of this division, the Comptroller General of the United States shall conduct a study and submit to the Congress a report assessing the effectiveness of incorporation practices implemented under this division, and the amendments made by this division, in—

(1) providing national security, intelligence, and law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of national security, intelligence, and law enforcement agencies to—

(A) combat incorporation abuses and civil and criminal misconduct; and

(B) detect, prevent, or prosecute money laundering, the financing of terrorism, proliferation finance, serious tax fraud, or other crimes.

(b) USING TECHNOLOGY TO AVOID DUPLICATIVE LAYERS OF REPORTING OBLIGATIONS AND INCREASE ACCURACY OF BENEFICIAL OWNERSHIP INFORMATION.—

(1) IN GENERAL.—The Secretary, in consultation with the Attorney General, shall conduct a study to evaluate—

(A) the effectiveness of using FinCEN identifiers, as defined in section 5336 of title 31, United States Code, as added by section 5403(a) of this division, or other simplified reporting methods in order to facilitate a simplified beneficial ownership regime for reporting companies;

(B) whether a reporting regime whereby only company shareholders are reported within the ownership chain of a reporting company could effectively track beneficial ownership information and increase information to law enforcement;

(C) the costs associated with imposing any new verification requirements on FinCEN; and

(D) the resources necessary to implement any such changes.

(2) FINDINGS.—The Secretary shall submit to the relevant committees of jurisdiction—

(A) the findings of the study conducted under paragraph (1); and

(B) recommendations for carrying out the findings described in subparagraph (A).

(c) EXEMPT ENTITIES.—Not later than 2 years after the effective date of regulations promulgated under section 5336(b)(5) of title 31, United States Code, as added by section 5403(a) of this division, the Comptroller General of the United States, in consultation with the Secretary, Federal functional regulators, the Attorney General, the Secretary of Homeland Security, and the intelligence community, shall conduct a study and submit to Congress a report that—

(1) reviews the regulated status, related reporting requirements, quantity, and structure of each class of corporations, limited liability companies, and similar entities that have been explicitly excluded from the definition of reporting company and the requirement to report beneficial ownership information under section 5336 of title 31, United States Code, as added by section 5403(a) of this division;

(2) assesses the extent to which any excluded entity or class of entities described in paragraph (1) pose significant risks of money laundering, the financing of terrorism, proliferation finance, serious tax fraud, and other illicit activity; and

(3) identifies other policy areas related to the risks of exempt entities described in paragraph (1) for Congress to consider as Congress is conducting oversight of the new beneficial ownership information reporting requirements established by this division and amendments made by this division.

(d) OTHER LEGAL ENTITIES STUDY.—Not later than 2 years after the effective date of the regulations promulgated under section 5336(b)(5) of title 31, United States Code, as added by section 5403(a) of this division, the Comptroller General of the United States shall conduct a study and submit to Congress a report—

(1) identifying each State that has procedures that enable persons to form or register under the laws of the State partnerships,

trusts, or other legal entities, and the nature of those procedures;

(2) identifying each State that requires persons seeking to form or register partnerships, trusts, or other legal entities under the laws of the State to provide beneficial owners (as defined in section 5336(a) of title 31, United States Code, as added by section 5403 of this division) or beneficiaries of those entities, and the nature of the required information;

(3) evaluating whether the lack of available beneficial ownership information for partnerships, trusts, or other legal entities—

(A) raises concerns about the involvement of those entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct; and

(B) has impeded investigations into entities suspected of the misconduct described in subparagraph (A);

(4) evaluating whether the failure of the United States to require beneficial ownership information for partnerships and trusts formed or registered in the United States has elicited international criticism; and

(5) what steps, if any, the United States has taken, is planning to take, or should take in response to the criticism described in paragraph (4).

SEC. 5503. GAO STUDY ON FEEDBACK LOOPS.

(a) DEFINITION.—In this section, the term ''feedback loop'' means feedback provided by the United States Government to relevant parties.

(b) STUDY.—The Comptroller General of the United States shall conduct a study on—

(1) best practices within the United States Government for feedback loops, including regulated private entities, on the usage and usefulness of personally identifiable information, sensitive-but-unclassified data, or similar information provided by the parties to United States Government users of the information and data, including law enforcement agencies and regulators; and

(2) any practice or standard inside or outside the United States for providing feedback through sensitive information and public-private partnership information sharing efforts, specifically related to efforts to combat money laundering and other forms of illicit finance.

(c) 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 Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report containing—

(1) all findings and determinations made in carrying out the study required under subsection (b);

(2) with respect to each of paragraphs (1) and (2) of subsection (b), any best practice or significant concern identified by the Comptroller General, and the applicability to public-private partnerships and feedback loops with respect to efforts by the United States Government to combat money laundering and other forms of illicit finance; and

(3) recommendations of the Comptroller General to reduce or eliminate any unnecessary collection by the United States Government of the information described in subsection (b)(1).

SEC. 5504. GAO STUDY ON FIGHTING ILLICIT NETWORKS AND DETECTING HUMAN TRAFFICKING AND DRUG TRAFFICKING.

(a) FINDINGS.—Congress finds the following:

(1) According to the Drug Enforcement Administration 2018 National Drug Threat Assessment, transnational criminal organizations are increasingly using virtual currencies.

(2) In the 2015 National Money Laundering Risk Assessment, the Department of the Treasury has recognized, ''The development of virtual currencies is an attempt to meet a legitimate market demand. According to a Federal Reserve Bank of Chicago economist, U.S. consumers want payment options that are versatile and that provide immediate finality. No U.S. payment method meets that description, although cash may come closest. Virtual currencies can mimic cash's immediate finality and anonymity and are more versatile than cash for online and cross-border transactions, making virtual currencies vulnerable for illicit transactions.''.

(3) In the 2018 National Money Laundering Risk Assessment, the Department of the Treasury concluded, ''To the extent that virtual currencies are able to provide the same level of anonymity as physical cash, they create an even greater risk because virtual currencies can be transmitted and used globally. In addition to providing another means to pay for contraband or illicit services, virtual currencies also are now being used in the layering stage of money laundering to disguise the origin of illicit proceeds.''.

(4) Virtual currencies may be increasingly used, facilitated by online marketplaces, to pay for goods and services associated with human trafficking and drug trafficking.

(5) Online marketplaces, including the dark web, are becoming a prominent platform to buy, sell, and advertise for illicit goods and services associated with human trafficking and drug trafficking.

(6) According to the International Labour Organization, in 2016, 4,800,000 people in the world were victims of forced sexual exploitation, and in 2014, the global profit from commercial sexual exploitation was $99,000,000,000.

(7) In 2016, within the United States, the Centers for Disease Control and Prevention estimated that there were 64,000 deaths related to drug overdose, and the most severe increase in drug overdoses were those associated with synthetic opioids, including fentanyl and fentanyl analogs, which amounted to over 20,000 overdose deaths.

(8) According to 2018 National Money Laundering Risk Assessment, an estimated $100,000,000,000 is generated annually from United States drug trafficking sales.

(9) Illegal fentanyl in the United States originates primarily from China, and it is readily available to purchase through online marketplaces.

(b) DEFINITION OF HUMAN TRAFFICKING.—In this section, the term ''human trafficking'' has the meaning given the term ''severe forms of trafficking in persons'' in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(c) GAO STUDY.—The Comptroller General of the United States shall conduct a study on how a range of payment systems and methods, including virtual currencies in online marketplaces, are used to facilitate human trafficking and drug trafficking, which shall consider—

(1) how online marketplaces, including the dark web, may be used as platforms to buy, sell, or facilitate the financing of goods or services associated with human trafficking or drug trafficking, specifically, opioids and synthetic opioids, including fentanyl, fentanyl analogs, and any precursor chemical associated with manufacturing fentanyl or fentanyl analogs, destined for, originating from, or within the United States;

(2) how financial payment methods, including virtual currencies and peer-to-peer mobile payment services, may be utilized by online marketplaces to facilitate the buying, selling, or financing of goods and services associated with human trafficking or drug trafficking destined for, originating from, or within the United States;

(3) how virtual currencies may be used to facilitate the buying, selling, or financing of goods and services associated with human trafficking or drug trafficking, destined for, originating from, or within the United States, when an online platform is not otherwise involved;

(4) how illicit funds that have been transmitted online and through virtual currencies are repatriated into the formal banking system of the United States through money laundering or other means;

(5) the participants, including state and non-state actors, throughout the entire supply chain that may participate in or benefit from the buying, selling, or financing of goods and services associated with human trafficking or drug trafficking, including through online marketplaces or using virtual currencies, destined for, originating from, or within the United States;

(6) Federal and State agency efforts to impede the buying, selling, or financing of goods and services associated with human trafficking or drug trafficking destined for, originating from, or within the United States, including efforts to prevent the proceeds from human trafficking or drug trafficking from entering the United States banking system;

(7) how virtual currencies and their underlying technologies can be used to detect and deter these illicit activities; and

(8) to what extent immutability and traceability of virtual currencies can contribute to the tracking and prosecution of illicit funding.

(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report—

(1) summarizing the results of the study required under subsection (c); and

(2) that contains any recommendations for legislative or regulatory action that would improve the efforts of Federal agencies to impede the use of virtual currencies and online marketplaces in facilitating human trafficking and drug trafficking.

SEC. 5505. TREASURY STUDY AND REPORT ON TRADE-BASED MONEY LAUNDERING.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—The Secretary shall carry out a study, in consultation with appropriate private sector stakeholders, academic and other international trade experts, and Federal agencies, on trade-based money laundering.

(2) CONTRACTING AUTHORITY.—The Secretary may enter into a contract with a private third-party entity to carry out the study required by paragraph (1).

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress a report that includes—

(A) all findings and determinations made in carrying out the study required by subsection (a); and

(B) proposed strategies to combat trade-based money laundering.

(2) CLASSIFIED ANNEX.—The report required by paragraph (1)—

(A) shall be submitted in unclassified form; and

(B) may include a classified annex.

SEC. 5506. TREASURY STUDY AND STRATEGY ON MONEY LAUNDERING BY THE PEOPLE'S REPUBLIC OF CHINA.

(a) STUDY.—The Secretary shall carry out a study, which shall rely substantially on information obtained through the trade-based

money laundering analyses conducted by the Comptroller General of the United States, on—

(1) the extent and effect of illicit finance risk relating to the Government of the People's Republic of China and Chinese firms, including financial institutions;

(2) an assessment of the illicit finance risks emanating from the People's Republic of China;

(3) those risks allowed, directly or indirectly, by the Government of the People's Republic of China, including those enabled by weak regulatory or administrative controls of that government; and

(4) the ways in which the increasing amount of global trade and investment by the Government of the People's Republic of China and Chinese firms exposes the international financial system to increased risk relating to illicit finance.

(b) STRATEGY TO COUNTER CHINESE MONEY LAUNDERING.—Upon the completion of the study required under subsection (a), the Secretary, in consultation with such other Federal agencies as the Secretary determines appropriate, shall develop a strategy to combat Chinese money laundering activities.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) the strategy developed under subsection (b).

SEC. 5507. TREASURY AND JUSTICE STUDY ON THE EFFORTS OF AUTHORITARIAN REGIMES TO EXPLOIT THE FINANCIAL SYSTEM OF THE UNITED STATES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Attorney General, in consultation with the heads of other relevant national security, intelligence, and law enforcement agencies, shall conduct a study and submit to Congress a report that considers how authoritarian regimes in foreign countries and their proxies use the financial system of the United States to—

(1) conduct political influence operations;

(2) sustain kleptocratic methods of maintaining power;

(3) export corruption;

(4) fund nongovernmental organizations, media organizations, or academic initiatives in the United States to advance the interests of those regimes; and

(5) otherwise undermine democratic governance in the United States and the partners and allies of the United States.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives a report that contains—

(1) the results of the study required under subsection (a); and

(2) any recommendations for legislative or regulatory action, or steps to be taken by United States financial institutions, that would address exploitation of the financial system of the United States by foreign authoritarian regimes.

SEC. 5508. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subsection (l) of section 310, of title 31, United States Code, as redesignated by section 5103(1) of this division, is amended by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—There are authorized to be appropriated to FinCEN to carry out this section, to remain available until expended—

''(A) $126,000,000 for fiscal year 2020;

''(B) $50,000,000 for fiscal year 2021; and

''(C) $25,000,000 for each of fiscal years 2022 through 2025.''.

(b) BENEFICIAL OWNERSHIP INFORMATION REPORTING REQUIREMENTS.—Section 5336 of title 31, United States Code, as added by section 5403(a) of this division, is amended by adding at the end the following:

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to FinCEN for each of the 3 fiscal years beginning on the effective date of the regulations promulgated under subsection (b)(5), such sums as may be necessary to carry out this section, including allocating funds to the States to pay reasonable costs relating to compliance with the requirements of such section.''.

SA 2199. Mr. REED submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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 VIII, add the following:

SEC. 894. ADDITIONAL REQUIREMENTS RELATED TO MITIGATING RISKS RELATED TO FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE OF DEPARTMENT OF DEFENSE CONTRACTORS AND SUBCONTRACTORS.

(a) COMPLIANCE ASSESSMENT.—Subparagraph (A) of paragraph (2) of section 847(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following new clause:

''(v) A requirement for the Secretary to require reports and conduct examinations on a periodic basis of covered contractors and subcontractors in order to assess compliance with the requirements of this section.''.

(b) ADDITIONAL REQUIREMENTS FOR RESPONSIBILITY DETERMINATIONS.—Subparagraph (B) of such paragraph is amended—

(1) in clause (ii), by striking ''; and'' and inserting a semicolon;

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following new clause:

''(iii) procedures for appropriately responding to changes in contractor or subcontractor beneficial ownership status based on changes in disclosures of their beneficial ownership relating to whether they are under FOCI and based on the reports and examinations required by subparagraph (A)(v); and''.

(c) TIMELINES AND MILESTONES FOR IMPLEMENTATION.—

(1) IMPLEMENTATION PLAN.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a plan and schedule for implementation of the requirements of section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), including—

(A) a timeline for issuance of regulations, development of training for appropriate officials, and development of systems for reporting of beneficial ownership and FOCI by contractors and subcontractors;

(B) designation of officials and organizations responsible for execution; and

(C) interim milestones to be met in implementing the plan.

(2) REVISION OF REGULATIONS, DIRECTIVES, GUIDANCE, TRAINING, AND POLICIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise relevant directives, guidance, training, and policies, including revising the Defense Federal Acquisition Regulation Supplement as needed, to fully implement section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), as amended by this section.

SA 2200. Ms. HARRIS submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 320. STUDY ON IMPACTS OF TRANSBOUNDARY FLOWS, SPILLS, OR DISCHARGES OF POLLUTION OR DEBRIS FROM THE TIJUANA RIVER ON PERSONNEL, ACTIVITIES, AND INSTALLATIONS OF DEPARTMENT OF DEFENSE.

(a) STUDY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Administrator of the Environmental Protection Agency and the United States Commissioner of the International Boundary and Water Commission, shall commission an independent scientific study of the impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River on the personnel, activities, and installations of the Department of Defense.

(2) ELEMENTS.—The study required by paragraph (1) shall address the short-term, long-term, primary, and secondary impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River and include recommendations to mitigate such impacts.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report containing the results of the study under subsection (a), including all findings and recommendations resulting from the study.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Environment and Public Works of the Senate; and

(2) the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 2201. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1610. CONTINUATION OF THE INTERNATIONAL SPACE STATION.

(a) PRESENCE IN LOW-EARTH ORBIT.—

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

(A) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit;

(B) the International Space Station is a strategic national security asset vital to the continued space exploration and scientific advancements of the United States; and

(C) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(2) HUMAN PRESENCE REQUIREMENT.—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station.

(b) MAINTAINING A NATIONAL LABORATORY IN SPACE.—

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

(A) the United States national laboratory in space, which currently consists of the United States segment of the International Space Station (designated as a national laboratory under section 70905 of title 51, United States Code)—

(i) benefits the scientific community and promotes commerce in space;

(ii) fosters stronger relationships among the National Aeronautics and Space Administration (referred to in this section as ''NASA'') and other Federal agencies, the private sector, and research groups and universities;

(iii) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(iv) advances human knowledge and international cooperation;

(B) after the International Space Station is decommissioned, the United States should maintain a national microgravity laboratory in space;

(C) in maintaining a national microgravity laboratory described in subparagraph (B), the United States should make appropriate accommodations for different types of ownership and operational structures for the International Space Station and future space stations;

(D) the national microgravity laboratory described in subparagraph (B) should be maintained beyond the date on which the International Space Station is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(E) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(2) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

(c) CONTINUATION OF AUTHORITY.—

(1) IN GENERAL.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(2) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(3) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(4) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(A) in the section heading, by striking ''**2024**'' and inserting ''**2030**''; and

(B) by striking ''2024'' each place it appears and inserting ''2030''.

(d) TRANSITION PLAN REPORTS.—Section 50111(c)(2) of title 51, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''2023'' and inserting ''2028''; and

(2) in subparagraph (J), by striking ''2028'' and inserting ''2030''.

(e) EXEMPTION FROM THE IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT.—Section 7(1) of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note) is amended, in the undesignated matter following subparagraph (B), by striking ''December 31, 2020'' and inserting ''December 31, 2030''.

(f) DEPARTMENT OF DEFENSE ACTIVITIES ON INTERNATIONAL SPACE STATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the International Space Station as of the date of the review; and

(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

SA 2202. Mr. RISCH submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. ___. SENSE OF SENATE ON THE STATE OF DEMOCRACY IN THE REPUBLIC OF GEORGIA.

(a) FINDINGS.—The Senate makes the following findings:

(1) Since gaining its independence from the Soviet Union in 1991, the United States has strongly supported the Republic of Georgia's democratic transition and Euro-Atlantic aspirations.

(2) Since its liberation from a communist dictatorship, Georgia has made great strides in democratic governance, free-market economic reforms, and the rule of law.

(3) Since 1992, the United States has provided Georgia with at least $4,200,000,000 in assistance, including at least $732,000,000 in defense assistance.

(4) Georgia has been a committed partner of the North Atlantic Treaty Organization and has contributed significant military forces and resources to the North Atlantic Treaty Organization missions in Afghanistan and the Multi-National Force in Iraq.

(5) Russia has illegally occupied the eorgia territories of South Ossetia and Abkhazia since 2008, which comprise fully 20 percent of the land of Georgia, in contravention of international law.

(6) On June 20, 2019, as part of the Interparliamentary Assembly on Orthodoxy held in Tbilisi, Georgia, Member of the Russian State Duma, Sergei Gavrilov, addressed the group from the chairman's seat in the Parliament of Georgia, leading to a political uproar in Georgia.

(7) In response to the actions of Mr. Gavrilov and worries of growing Russian interference in the politics of Georgia, tens of thousands of Georgians took to the streets in protest, including by barricading and attempting to storm the parliamentary building.

(8) The Georgian riot police violently suppressed the protests, including through the use of water cannons, which resulted in hundreds of individuals severely injured and several hundred detained.

(9) On July 25, 2019, Irakli Okruashvili, a former Defense Minister of Georgia and a leader of the political opposition, was arrested on charges of inciting violence during the June 2019 protests against the government and sentenced to five years in prison.

(10) On November 18, 2019, Giorgi Rurua, a businessman and founder of the television channel Mtavari Arkhi was arrested on charges of possessing an illegal firearm.

(11) On February 10, 2020, Giorgi (Gigi) Ugulava, the former mayor of Tbilisi and a leader of the political opposition, despite having previously served a prison term of 15 months on charges of misusing funds while mayor of Tbilisi, was sentenced to an additional 38 months in prison on similar charges.

(12) Independent observers and Georgia's political opposition maintain that these arrests were politically motivated.

(13) On March 8, 2020, the Embassies of the United States, the European Union, and Germany, and the representation of the Council of Europe in Georgia, facilitated an agreement between several political parties of Georgia designed to break a political deadlock, implement Organization for Security Co-operation in Europe recommendations on electoral reform, and move Georgian democracy forward.

(14) The parties reached a consensus ''on the importance of upholding and striving for the highest standards in the functioning of Georgia's judicial system'' and ''the necessity of addressing actions that could be perceived as inappropriate politicization of Georgia's judicial and electoral processes''.

(15) The agreement detailed the changes that would be made to the electoral law of the Republic of Georgia under which the 2020 parliamentary elections would be conducted, to include ''an election system for 2020 based on 120 proportional mandates and 30 majoritarian mandates, a fair composition of election districts, a 1% threshold, and a cap recognizing that no single party that wins less than 40% of the votes should be able to get its own majority in the next parliament.''.

(16) On May 11, 2020, having seen little progress in implementing the agreements of March 8, 2020, the facilitators called publicly

''upon all sides to uphold the letter and spirit of both parts of the agreement with a view to its successful implementation''.

(17) On May 15, 2020, Georgian President Salome Zurabishvili pardoned Irakli Okruashvili and Giorgi (Gigi) Ugulava, saying that ''I cannot allow the agreement recognized by the international community not to be implemented because of them''.

(18) Despite the agreement, Giorgi Rurua still remains in pre-trial detention.

(19) Opposition parties in Georgia maintain that the release of all political prisoners, including Mr. Rurua, is a precondition for their support for the agreed upon changed to the electoral law.

(20) The agreed changes to the electoral system remain incomplete, although parliamentary elections are set for late October 2020.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Senate—

(1) applauds the strides Georgia has made in governance, economic reforms, and anticorruption since Georgia's independence from the Soviet Union;

(2) reaffirms the desire for continued cooperation between the United States and Georgia in furthering those efforts, including in defense of Georgia's sovereignty and territorial integrity, should the Government of Georgia continue to exhibit a good faith effort to implement those reforms;

(3) urges the Government, elected officials, and political leaders of Georgia to reject the temptations of power and work together to continue to build a free press, allow for private enterprise, and become ever more accountable and transparent in governance;

(4) underscores the importance of implementing the Organization for Security Cooperation in Europe recommendations on electoral reform agreed to by Georgian political parties on March 8, 2020;

(5) urges the Government of Georgia to further strengthen the country's democracy by improving judicial independence, including by implementing more transparent procedures to appoint judges for all courts and ending the practice of appointing judges who are unduly influenced by or loyal to the ruling party;

(6) affirms that successful implementation of these electoral and judicial reforms is critical to the ability of the Government of Georgia to restore trust in its commitment to continued democratic development and further integration with the West;

(7) calls upon the Government of Georgia to undertake policies that strengthen both the spirit and letter of Georgia's democratic and legal processes and thus further solidify Georgia's Euro-Atlantic path; and

(8) recognizes the importance of the upcoming elections for the Parliament of Georgia and calls on officials of the Government of Georgia to ensure that such elections are free, fair, peaceful, and conducted according to the rules agreed to on March 8, 2020.

SA 2203. Mr. INHOFE (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. ANNUITY SUPPLEMENT.

Section 8421a(c) of title 5, United States Code, is amended—

(1) by striking ''as an air traffic'' and inserting the following: ''as an—

''(1) air traffic'';

(2) in paragraph (1), as so designated, by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(2) air traffic controller pursuant to a contract made with the Secretary of Transportation under section 47124 of title 49.''.

SA 2204. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ___. TRANSFER OF FUNDS FOR OKLAHOMA CITY NATIONAL MEMORIAL ENDOWMENT FUND.

Section 7(1) of the Oklahoma City National Memorial Act of 1997 (16 U.S.C. 450ss–5(1)) is amended by striking ''there is hereby authorized'' and inserting ''the Secretary may provide, from the National Park Service's national recreation and preservation account, the remainder of''.

SA 2205. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1262. SENSE OF CONGRESS ON UNITED STATES-INDIA DEFENSE RELATIONSHIP.

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

(1) the United States has made meaningful progress in strengthening its major defense partnership with India by—

(A) maintaining a broad-based strategic partnership, underpinned by shared interests and objectives in promoting a rules-based international system;

(B) establishing the joint/tri-service exercise, Tiger TRIUMPH, focused on amphibious operations;

(C) building joint peacekeeping capacity efforts;

(D) enhancing United States-India maritime domain awareness cooperation;

(E) leveraging the secure communications equipment enabled by the Communications Compatibility and Security Agreement;

(F) installing liaison officers at United States Naval Forces Central Command and the maritime Information Fusion Center of India;

(G) establishing a secure hotline for the four 2+2 Ministers, which is the consultation mechanism between—

(i) the Secretary of State and the Secretary of Defense; and

(ii) the Minister of External Affairs and the Minister of Defence of India; and

(H) discussing critical mutual defense issues at the first quadrilateral ministerial-level meeting on the sidelines of the United Nations General Assembly among the United States, India, Australia, and Japan in September 2019; and

(2) the United States should strengthen and enhance its major defense partnership with India by—

(A) expanding defense-specific engagement in multilateral frameworks, including the quadrilateral dialogue among the United States, India, Japan, and Australia, to promote regional security and defend shared values and common interests in the rules-based order;

(B) increasing the frequency and scope of exchanges between senior military officers of the United States and India to support the development and implementation of the major defense partnership;

(C) exploring additional steps to implement the major defense partner designation to better facilitate interoperability, information sharing, and appropriate technology transfers;

(D) pursuing strategic initiatives to help develop the defense capabilities of India;

(E) conducting additional combined exercises with India in the Persian Gulf, Indian Ocean, and western Pacific regions;

(F) furthering cooperative efforts to promote stability and security in Afghanistan;

(G) remaining committed to concluding the two remaining ''enabling agreements'', which are—

(i) the Industrial Security Agreement; and

(ii) the Basic Exchange and Cooperation Agreement;

(H) fully and quickly implementing of the Communications Compatibility and Security Agreement, which is critical to advancing United States-India interoperability;

(I) continuing the efforts of the Commander of the United States Indo-Pacific Command, in cooperation with the Minister of Defence of India—

(i) to retrofit existing United States-origin equipment; and

(ii) to incorporate communications security into future United States defense sales;

(J) focusing on several priority areas for cooperation, including Air Launched Small Unmanned Aerial Systems, Lightweight Small Arms Technologies, and Intelligence Surveillance, Targeting and Reconnaissance;

(K) expanding military-to-military cooperation, including more joint/tri-service cooperation;

(L) strengthening maritime operational cooperation and information sharing;

(M) increasing Professional Military Education opportunities and exchanges between personnel and liaison officers; and

(N) strengthening cooperation between the Army, Air Force, and Special Operations Forces of the United States and the military forces of India; and

(O) identifying additional practical areas for cooperation between the United States and India in and beyond the Indo-Pacific region.

SA 2206. Mr. BARRASSO (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mrs. CAPITO, Mr. CRAMER, Mr. COONS, Mr. HOEVEN, Mr. ROUNDS, and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for

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

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

SEC. 10___. UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) SHORT TITLE.—This section may be cited as the ''Utilizing Significant Emissions with Innovative Technologies Act'' or the ''USE IT Act''.

(b) RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES.—Section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking ''percursors'' and inserting ''precursors''; and

(2) in subsection (g)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately;

(B) in the undesignated matter following subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking ''The Administrator'' and inserting the following:

''(5) COORDINATION AND AVOIDANCE OF DUPLICATION.—The Administrator''; and

(ii) in the first sentence, by striking ''Nothing'' and inserting the following:

''(4) EFFECT OF SUBSECTION.—Nothing'';

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) in the third sentence, by striking ''Such program'' and inserting the following:

''(3) PROGRAM INCLUSIONS.—The program under this subsection'';

(ii) in the second sentence—

(I) by inserting ''States, institutions of higher education,'' after ''scientists,''; and

(II) by striking ''Such strategies and technologies shall be developed'' and inserting the following:

''(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed''; and

(iii) in the first sentence, by striking ''In carrying out'' and inserting the following:

''(1) IN GENERAL.—In carrying out''; and

(D) by adding at the end the following:

''(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

''(A) IN GENERAL.—In carrying out paragraph (3)(A) with respect to carbon dioxide, the Administrator shall carry out the activities described in each of subparagraphs (B), (C), (D), and (E).

''(B) DIRECT AIR CAPTURE RESEARCH.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) BOARD.—The term 'Board' means the Direct Air Capture Technology Advisory Board established by clause (iii)(I).

''(II) DILUTE.—The term 'dilute' means a concentration of less than 1 percent by volume.

''(III) DIRECT AIR CAPTURE.—

''(aa) IN GENERAL.—The term 'direct air capture', with respect to a facility, technology, or system, means that the facility, technology, or system uses carbon capture equipment to capture carbon dioxide directly from the air.

''(bb) EXCLUSION.—The term 'direct air capture' does not include any facility, technology, or system that captures carbon dioxide—

''(AA) that is deliberately released from a naturally occurring subsurface spring; or

''(BB) using natural photosynthesis.

''(IV) INTELLECTUAL PROPERTY.—The term 'intellectual property' means—

''(aa) an invention that is patentable under title 35, United States Code; and

''(bb) any patent on an invention described in item (aa).

''(ii) TECHNOLOGY PRIZES.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator, in consultation with the Secretary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute.

''(II) DUTIES.—In carrying out this clause, the Administrator shall—

''(aa) subject to subclause (III), develop specific requirements for—

''(AA) the competition process; and

''(BB) the demonstration of performance of approved projects;

''(bb) offer financial awards for a project designed—

''(AA) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

''(BB) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

''(cc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

''(AA) 1 project in a coastal State; and

''(BB) 1 project in a rural State.

''(III) PUBLIC PARTICIPATION.—In carrying out subclause (II)(aa), the Administrator shall—

''(aa) provide notice of and, for a period of not less than 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in subclause (II)(aa); and

''(bb) take into account public comments received in developing the final version of those requirements.

''(iii) DIRECT AIR CAPTURE TECHNOLOGY ADVISORY BOARD.—

''(I) ESTABLISHMENT.—There is established an advisory board to be known as the 'Direct Air Capture Technology Advisory Board'.

''(II) COMPOSITION.—The Board shall be composed of 9 members appointed by the Administrator, who shall provide expertise in—

''(aa) climate science;

''(bb) physics;

''(cc) chemistry;

''(dd) biology;

''(ee) engineering;

''(ff) economics;

''(gg) business management; and

''(hh) such other disciplines as the Administrator determines to be necessary to achieve the purposes of this subparagraph.

''(III) TERM; VACANCIES.—

''(aa) TERM.—A member of the Board shall serve for a term of 6 years.

''(bb) VACANCIES.—A vacancy on the Board—

''(AA) shall not affect the powers of the Board; and

''(BB) shall be filled in the same manner as the original appointment was made.

''(IV) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

''(V) MEETINGS.—The Board shall meet at the call of the Chairperson or on the request of the Administrator.

''(VI) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

''(VII) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

''(VIII) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

''(IX) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

''(X) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board.

''(iv) INTELLECTUAL PROPERTY.—

''(I) IN GENERAL.—As a condition of receiving a financial award under this subparagraph, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

''(II) RESERVATION OF LICENSE.—The United States—

''(aa) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subclause (I); but

''(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

''(III) TRANSFER OF TITLE.—Title to any intellectual property described in subclause (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

''(v) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(vi) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subparagraph shall terminate not later than 10 years after the date of enactment of the USE IT Act.

''(C) CARBON DIOXIDE UTILIZATION RESEARCH.—

''(i) DEFINITION OF CARBON DIOXIDE UTILIZATION.—In this subparagraph, the term 'carbon dioxide utilization' refers to technologies or approaches that lead to the use of carbon dioxide—

''(I) through the fixation of carbon dioxide through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria;

''(II) through the chemical conversion of carbon dioxide to a material or chemical compound in which the carbon dioxide is securely stored; or

''(III) through the use of carbon dioxide for any other purpose for which a commercial market exists, as determined by the Administrator.

''(ii) PROGRAM.—The Administrator, in consultation with the Secretary of Energy,

shall carry out a research and development program for carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industrial processes into a product of commercial value, or as an input to products of commercial value.

''(iii) TECHNICAL AND FINANCIAL ASSISTANCE.—Not later than 2 years after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall support research and infrastructure activities relating to carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

''(iv) ELIGIBILITY.—To be eligible to receive technical assistance and financial assistance under clause (iii), a carbon dioxide utilization project shall—

''(I) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 250 metric tons per day of carbon dioxide for research;

''(II) have access to adequate space for a laboratory and equipment for testing small-scale carbon dioxide utilization technologies, with onsite access to larger test bays for scale-up; and

''(III) have existing partnerships with institutions of higher education, private companies, States, or other government entities.

''(v) COORDINATION.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

''(vi) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $50,000,000 shall be available to carry out this subparagraph, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(D) DEEP SALINE FORMATION REPORT.—

''(i) DEFINITION OF DEEP SALINE FORMATION.—

''(I) IN GENERAL.—In this subparagraph, the term 'deep saline formation' means a formation of subsurface geographically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

''(II) CLARIFICATION.—In this subparagraph, the term 'deep saline formation' does not include oil and gas reservoirs.

''(ii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

''(I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;

''(II) recommendations, if any, for managing the potential risks identified under subclause (I), including potential risks unique to public land; and

''(III) recommendations, if any, for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

''(E) REPORT ON CARBON DIOXIDE NONREGULATORY STRATEGIES AND TECHNOLOGIES.—

''(i) IN GENERAL.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

''(I) the recipients of assistance under subparagraphs (B) and (C); and

''(II) a plan for supporting additional nonregulatory strategies and technologies that could significantly prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies.

''(ii) INCLUSIONS.—The plan submitted under clause (i) shall include—

''(I) a methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

''(II) a description of any nonair-related environmental or energy considerations regarding the technologies.

''(F) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report that—

''(i) identifies all Federal grant programs in which a purpose of a grant under the program is to perform research on carbon capture and utilization technologies, including direct air capture technologies; and

''(ii) examines the extent to which the Federal grant programs identified pursuant to clause (i) overlap or are duplicative.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years have been used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), including a description of—

(1) the amount of funds used to carry out specific provisions of that section; and

(2) the practices used by the Administrator to differentiate funding used to carry out that section, as compared to funding used to carry out other provisions of law.

(d) INCLUSION OF CARBON CAPTURE INFRASTRUCTURE PROJECTS.—Section 41001(6) of the FAST Act (42 U.S.C. 4370m(6)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting ''carbon capture,'' after ''manufacturing,'';

(B) in clause (i)(III), by striking ''or'' at the end;

(C) by redesignating clause (ii) as clause (iii); and

(D) by inserting after clause (i) the following:

''(ii) is covered by a programmatic plan or environmental review developed for the primary purpose of facilitating development of carbon dioxide pipelines; or''; and

(2) by adding at the end the following:

''(C) INCLUSION.—For purposes of subparagraph (A), construction of infrastructure for carbon capture includes construction of—

''(i) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide emissions, including projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)); and

''(ii) carbon dioxide pipelines.''.

(e) DEVELOPMENT OF CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION REPORT, PERMITTING GUIDANCE, AND REGIONAL PERMITTING TASK FORCE.—

(1) DEFINITIONS.—In this subsection:

(A) CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.—The term ''carbon capture, utilization, and sequestration projects'' includes projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g))).

(B) EFFICIENT, ORDERLY, AND RESPONSIBLE.—The term ''efficient, orderly, and responsible'' means, with respect to development or the permitting process for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the ''Chair''), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(i) compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(I) the appropriate points of interaction with Federal agencies;

(II) clarification of the permitting responsibilities and authorities among Federal agencies; and

(III) best practices and templates for permitting;

(ii) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(iii) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(v) identifies Federal financing mechanisms available to project developers.

(B) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the report publicly available.

(3) GUIDANCE.—

(A) IN GENERAL.—After submission of the report under paragraph (2)(B), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all relevant Federal agencies that—

(i) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(ii) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The guidance under subparagraph (A) shall address requirements under—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(III) the Clean Air Act (42 U.S.C. 7401 et seq.);

(IV) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(V) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(VI) division A of subtitle III of title 54, United States Code (formerly known as the ''National Historic Preservation Act'');

(VII) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(VIII) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald and Golden Eagle Protection Act''); and

(IX) any other Federal law that the Chair determines to be appropriate.

(ii) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include direction to States and other interested parties for the development of programmatic environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(iii) PUBLIC INVOLVEMENT.—The guidance under subparagraph (A) shall be subject to the public notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or a successor regulation).

(C) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the guidance under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the guidance publicly available.

(D) EVALUATION.—The Chair shall—

(i) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and

(ii) each year, submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(4) TASK FORCE.—

(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographical area with differing demographic, land use, or geological issues—

(i) to identify permitting and other challenges and successes that permitting authorities and project developers and operators face; and

(ii) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS AND SELECTION.—

(i) IN GENERAL.—The Chair shall—

(I) develop criteria for the selection of members to each task force; and

(II) select members for each task force in accordance with subclause (I) and clause (ii).

(ii) MEMBERS.—Each task force—

(I) shall include not less than 1 representative of each of—

(aa) the Environmental Protection Agency;

(bb) the Department of Energy;

(cc) the Department of the Interior;

(dd) any other Federal agency the Chair determines to be appropriate;

(ee) any State that requests participation in the geographical area covered by the task force;

(ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and

(gg) nongovernmental membership organizations, the primary mission of which concerns protection of the environment; and

(II) at the request of a Tribal or local government, may include a representative of—

(aa) not less than 1 local government in the geographical area covered by the task force; and

(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—

(i) IN GENERAL.—Each task force shall meet not less than twice each year.

(ii) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(D) DUTIES.—Each task force shall—

(i) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—

(I) avoid duplicative reviews;

(II) engage stakeholders early in the permitting process; and

(III) make the permitting process efficient, orderly, and responsible;

(ii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;

(iii) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements and any models developed under clause (ii);

(iv) inventory current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(v) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(vi) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(vii) identify Federal and State financing mechanisms available to project developers; and

(viii) develop recommendations for relevant Federal agencies on how to develop and research technologies that—

(I) can capture carbon dioxide; and

(II) would be able to be deployed within the region covered by the task force, including any projects that have received technical or financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)).

(E) REPORT.—Each year, each task force shall prepare and submit to the Chair and to the other task forces a report that includes—

(i) any recommendations for improvements in efficient, orderly, and responsible issuance or administration of Federal permits and other Federal authorizations required under a law described in paragraph (3)(B)(i); and

(ii) any other nationally relevant information that the task force has collected in carrying out the duties under subparagraph (D).

(F) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Chair shall—

(i) reevaluate the need for the task forces; and

(ii) submit to Congress a recommendation as to whether the task forces should continue.

SA 2207. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION

SEC. 5101. SHORT TITLE.

This division may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2020''.

SEC. 5102. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the status of a responsible Federal official under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under

this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2021 through 2031''.

SEC. 5104. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including education-related stipends, college housing assistance, and other education-related assistance for low-income college students,'' after ''self-sufficiency and other services,''.

SEC. 5105. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 5106. PROGRAM REQUIREMENTS.

Section 203(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)) (as amended by section 5) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

''(2) APPLICATION OF TRIBAL POLICIES.—Paragraph (3) shall not apply if—

''(A) the recipient has a written policy governing rents and homebuyer payments charged for dwelling units; and

''(B) that policy includes a provision governing maximum rents or homebuyer payments, *including tenant protections*.''; and

(4) in paragraph (3) (as so redesignated), by striking ''In the case of'' and inserting ''In the absence of a written policy governing rents and homebuyer payments, in the case of''.

SEC. 5107. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$10,000''.

SEC. 5108. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (C), by striking ''and'' at the end; and

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 5109. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 5110. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 5111. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 5112. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 5113. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 5114. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2021 through 2031.''.

SEC. 5115. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 5116. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITIONS.—In this subsection, the terms 'Indian tribe' and 'tribally designated housing entity' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—Notwithstanding any other provision of law, an Indian tribe or a tribally designated housing entity shall

qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a).''.

SEC. 5117. INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING COUNSELING GRANTS.

Section 106(a)(4) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking ''and'' and inserting a comma; and

(B) by inserting before the period at the end the following: '', Indian tribes, and tribally designated housing entities'';

(2) in subparagraph (B), by inserting '', Indian tribes, and tribally designated housing entities'' after ''organizations)'';

(3) by redesignating subparagraph (F) as subparagraph (G); and

(4) by inserting after subparagraph (E) the following:

''(F) DEFINITIONS.—In this paragraph, the terms 'Indian tribe' and 'tribally designated housing entity' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

SEC. 5118. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184(b)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(b)(4)) is amended by—

(1) redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(2) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(3) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(4) by adding at the end the following:

''(B) DIRECT GUARANTEE PROCESS.—

''(i) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this subparagraph was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(C) REVIEW OF MORTGAGEES.—

''(i) IN GENERAL.—The Secretary may periodically review the mortgagees originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;

''(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(iii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

''(I) may terminate the approval of a mortgagee to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2021 through 2031.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2021 through 2031''.

SEC. 5119. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A(j)(5)(B) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b(j)(5)) is amended by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2021 through 2031.''

SEC. 5120. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES IN CONTINUUM OF CARE PROGRAM.

(a) IN GENERAL.—Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is amended—

(1) in section 401(8) (42 U.S.C. 11360(8)), by inserting ''Indian reservations and trust land,'' after ''nonentitlement area,''; and

(2) in subtitle C (42 U.S.C. 11381 et seq.), by adding at the end the following:

''SEC. 435. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES.

''Notwithstanding any other provision of this title, for purposes of this subtitle, an Indian tribe or tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) may—

''(1) be a collaborative applicant or eligible entity; or

''(2) receive grant amounts from another entity that receives a grant directly from the Secretary, and use the amounts in accordance with this subtitle.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (Public Law 100–77; 101 Stat. 482) is amended by inserting after the item relating to section 434 the following:

''Sec. 435. Participation of Indian tribes and tribally designated housing entities.''.

SEC. 5121. ASSISTANT SECRETARY FOR INDIAN HOUSING.

The Department of Housing and Urban Development Act (42 U.S.C. 3531 et seq.) is amended—

(1) in section 4 (42 U.S.C. 3533)—

(A) in subsection (a)(1), by striking ''7'' and inserting ''8''; and

(B) in subsection (e)—

(i) by redesignating paragraph (2) as paragraph (4); and

(ii) by striking ''(e)(1)(A) There'' and all that follows through the end of paragraph (1) and inserting the following:

''(e)(1) There is established within the Department the Office of Native American Programs (in this subsection referred to as the 'Office') to be headed by an Assistant Secretary for Native American Programs (in this subsection referred to as the 'Assistant Secretary'), who shall be 1 of the Assistant Secretaries in subsection (a)(1).

''(2) The Assistant Secretary shall be responsible for—

''(A) administering, in coordination with the relevant office in the Department, the provision of housing assistance to Indian tribes or Indian housing authorities under each program of the Department that provides for such assistance;

''(B) administering the community development block grant program for Indian tribes under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and the provision of assistance to Indian tribes under such Act;

''(C) directing, coordinating, and assisting in managing any regional offices of the Department that administer Indian programs to the extent of such programs; and

''(D) coordinating all programs of the Department relating to Indian and Alaska Native housing and community development.

''(3) The Secretary shall include in the annual report under section 8 a description of the extent of the housing needs for Indian families and community development needs of Indian tribes in the United States and the activities of the Department, and extent of such activities, in meeting such needs.''; and

(2) in section 8 (42 U.S.C. 3536), by striking ''section 4(e)(2)'' and inserting ''section 4(e)(4)''.

SEC. 5122. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing projects funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents; and

(8) sports programs and sports activities that serve primarily youths from housing projects funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those projects.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section among public housing agencies, including provisions used to provide for renewals of ongoing programs funded under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall cause to be published in the Federal Register not less frequently than annually a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, which may include the use of on-site monitoring, independent public audit requirements, certification by tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2), entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section, and any applicable enforcement authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2021 through 2031 to carry out this section.

SEC. 5123. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design

of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SEC. 5124. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program, provided that such grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 2208. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XLVIII—BUREAU OF RECLAMATION PROVISIONS

Subtitle A—Water Supply Infrastructure Rehabilitation and Utilization

SEC. 4801. AGING INFRASTRUCTURE ACCOUNT.

Section 9603 of the Omnibus Public Land Management Act of 2009 (43 U.S.C. 510b) is amended by adding at the end the following:

''(d) AGING INFRASTRUCTURE ACCOUNT.—

''(1) ESTABLISHMENT.—There is established in the general fund of the Treasury a special account, to be known as the 'Aging Infrastructure Account' (referred to in this subsection as the 'Account'), to provide funds to, and provide for the extended repayment of the funds by, a transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs for the conduct of extraordinary operation and maintenance work at a project facility, which shall consist of—

''(A) any amounts that are specifically appropriated to the Account under section 9605; and

''(B) any amounts deposited in the Account under paragraph (3)(B).

''(2) EXPENDITURES.—Subject to appropriations and paragraph (3), the Secretary may expend amounts in the Account to fund and provide for extended repayment of the funds for eligible projects identified in a report submitted under paragraph (5)(A).

''(3) REPAYMENT CONTRACT.—

''(A) IN GENERAL.—The Secretary may not expend amounts under paragraph (2) with respect to an eligible project described in that paragraph unless the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs has entered into a contract to repay the amounts under subsection (b)(2).

''(B) DEPOSIT OF REPAID FUNDS.—Amounts repaid by a transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs receiving funds under a repayment contract entered into under this subsection shall be deposited in the Account and shall be available to the Secretary for expenditure in accordance with this subsection without further appropriation.

''(4) APPLICATION FOR FUNDING.—

''(A) IN GENERAL.—Not less than once per fiscal year, the Secretary shall accept, during an application period established by the Secretary, applications from transferred works operating entities or project beneficiaries responsible for payment of reimbursable costs for funds and extended repayment for eligible projects.

''(B) ELIGIBLE PROJECT.—A project eligible for funding and extended repayment under this subsection is a project that—

''(i) qualifies as an extraordinary operation and maintenance work under this section;

''(ii) is for the major, non-recurring maintenance of a mission-critical asset; and

''(iii) is not eligible to be carried out or funded under the repayment provisions of section 4(c) of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 508(c)).

''(C) GUIDELINES FOR APPLICATIONS.—Not later than 60 days after the date of enactment of this subsection, the Secretary shall issue guidelines describing the information required to be provided in an application for funds and extended repayment under this subsection that require, at a minimum—

''(i) a description of the project for which the funds are requested;

''(ii) the amount of funds requested;

''(iii) the repayment period requested by the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs;

''(iv) alternative non-Federal funding options that have been evaluated;

''(v) the financial justification for requesting an extended repayment period; and

''(vi) the financial records of the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs.

''(D) REVIEW BY THE SECRETARY.—The Secretary shall review each application submitted under subparagraph (A)—

''(i) to determine whether the project is eligible for funds and an extended repayment period under this subsection;

''(ii) to determine if the project has been identified by the Bureau of Reclamation as part of the major rehabilitation and replacement of a project facility; and

''(iii) to conduct a financial analysis of—

''(I) the project; and

''(II) the transferred works operating entity or project beneficiary responsible for repayment of reimbursable costs.

''(5) REPORT.—Not later than 90 days after the date on which an application period closes under paragraph (4)(A), the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Natural Resources and Appropriations of the House of Representatives a report that—

''(A) identifies each project eligible for funds and extended repayment under this subsection;

''(B) with respect to each eligible project identified under subparagraph (A), includes—

''(i) a description of—

''(I) the eligible project;

''(II) the anticipated cost and duration of the eligible project; and

''(III) any remaining engineering or environmental compliance that is required before the eligible project commences;

''(ii) an analysis of—

''(I) the repayment period proposed in the application; and

''(II) if the Secretary recommends a minimum necessary repayment period that is different than the repayment period proposed in the application, the minimum necessary repayment period recommended by the Secretary; and

''(iii) an analysis of alternative non-Federal funding options; and

''(C) describes the balance of funds in the Account as of the date of the report.

''(6) EFFECT OF SUBSECTION.—Nothing in this subsection affects—

''(A) any funding provided, or contracts entered into, under subsection (a) before the date of enactment of this subsection; or

''(B) the use of funds otherwise made available to the Secretary to carry out subsection (a).''.

SEC. 4802. AUTHORIZATION OF APPROPRIATIONS FOR THE RECLAMATION SAFETY OF DAMS ACT OF 1978.

Section 5 of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 509) is amended, in the first sentence, by inserting '', and, effective October 1, 2019, not to exceed an additional $550,000,000 (October 1, 2019, price levels)'' before '', plus or minus''.

Subtitle B—Aquifer Recharge Flexibility

SEC. 4811. DEFINITIONS.

In this subtitle:

(1) BUREAU.—The term ''Bureau'' means the Bureau of Reclamation.

(2) COMMISSIONER.—The term ''Commissioner'' means the Commissioner of Reclamation.

(3) ELIGIBLE LAND.—The term ''eligible land'', with respect to a Reclamation project, means land that—

(A) is authorized to receive water under State law; and

(B) shares an aquifer with land located in the service area of the Reclamation project.

(4) NET WATER STORAGE BENEFIT.—The term ''net water storage benefit'' means an increase in the volume of water that is—

(A) stored in 1 or more aquifers; and

(B)(i) available for use within the authorized service area of a Reclamation project; or

(ii) stored on a long-term basis to avoid or reduce groundwater overdraft.

(5) RECLAMATION FACILITY.—The term ''Reclamation facility'' means each of the infrastructure assets that are owned by the Bureau at a Reclamation project.

(6) RECLAMATION PROJECT.—The term ''Reclamation project'' means any reclamation or irrigation project, including incidental features thereof, authorized by Federal reclamation law or the Act of August 11, 1939 (commonly known as the ''Water Conservation and Utilization Act'') (53 Stat. 1418, chapter 717; 16 U.S.C. 590y et seq.), or constructed by the United States pursuant to such law, or in connection with which there is a repayment or water service contract executed by the United States pursuant to such law, or any project constructed by the Secretary through the Bureau for the reclamation of land.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 4812. FLEXIBILITY TO ALLOW GREATER AQUIFER RECHARGE IN WESTERN STATES.

(a) USE OF RECLAMATION FACILITIES.—

(1) IN GENERAL.—The Commissioner may allow the use of excess capacity in Reclamation facilities for aquifer recharge of non-Reclamation project water, subject to applicable rates, charges, and public participation requirements, on the condition that—

(A) the use—

(i) shall not be implemented in a manner that is detrimental to—

(I) any power service or water contract for the Reclamation project; or

(II) any obligations for fish, wildlife, or water quality protection applicable to the Reclamation project;

(ii) shall be consistent with water quality guidelines for the Reclamation project;

(iii) shall comply with all applicable—

(I) Federal laws; and

(II) policies of the Bureau; and

(iv) shall comply with all applicable State laws and policies; and

(B) the non-Federal party to an existing contract for water or water capacity in a Reclamation facility consents to the use of the Reclamation facility under this subsection.

(2) EFFECT ON EXISTING CONTRACTS.—Nothing in this subsection affects a contract—

(A) in effect on the date of enactment of this Act; and

(B) under which the use of excess capacity in a Bureau conveyance facility for carriage of non-Reclamation project water for aquifer recharge is allowed.

(b) AQUIFER RECHARGE ON ELIGIBLE LAND.—

(1) IN GENERAL.—Subject to paragraphs (3) and (4), the Secretary may contract with a holder of a water service or repayment contract for a Reclamation project to allow the contractor, in accordance with applicable State laws and policies—

(A) to directly use water available under the contract for aquifer recharge on eligible land; or

(B) to enter into an agreement with an individual or entity to transfer water available under the contract for aquifer recharge on eligible land.

(2) AUTHORIZED PROJECT USE.—The use of a Reclamation facility for aquifer recharge under paragraph (1) shall be considered an authorized use for the Reclamation project if requested by a holder of a water service or repayment contract for the Reclamation facility.

(3) MODIFICATIONS TO CONTRACTS.—The Secretary may contract with a holder of a water service or repayment contract for a Reclamation project under paragraph (1) if the Secretary determines that a new contract or contract amendment described in that paragraph is—

(A) necessary to allow for the use of water available under the contract for aquifer recharge under this subsection;

(B) in the best interest of the Reclamation project and the United States; and

(C) approved by the contractor that is responsible for repaying the cost of construction, operations, and maintenance of the facility that delivers the water under the contract.

(4) REQUIREMENTS.—The use of Reclamation facilities for the use or transfer of water for aquifer recharge under this subsection shall be subject to the requirements that—

(A) the use or transfer shall not be implemented in a manner that materially impacts any power service or water contract for the Reclamation project; and

(B) before the use or transfer, the Secretary shall determine that the use or transfer—

(i) results in a net water storage benefit for the Reclamation project; or

(ii) contributes to the recharge of an aquifer on eligible land; and

(C) the use or transfer complies with all applicable—

(i) Federal laws and policies; and

(ii) interstate water compacts.

(c) CONVEYANCE FOR AQUIFER RECHARGE PURPOSES.—The holder of a right-of-way, easement, permit, or other authorization to transport water across public land administered by the Bureau of Land Management may transport water for aquifer recharge purposes without requiring additional authorization from the Secretary where the use does not expand or modify the operation of the right-of-way, easement, permit, or other authorization across public land.

(d) EFFECT.—Nothing in this subtitle creates, impairs, alters, or supersedes a Federal or State water right.

(e) EXEMPTION.—This subtitle shall not apply to the State of California.

Subtitle C—Clean Water for Rural Communities

SEC. 4821. PURPOSE.

The purpose of this subtitle is to ensure a safe and adequate municipal, rural, and industrial water supply for the citizens of—

(1) Dawson, Garfield, McCone, Prairie, Richland, Judith Basin, Wheatland, Golden Valley, Fergus, Yellowstone, and Musselshell Counties in the State of Montana; and

(2) McKenzie County, North Dakota.

SEC. 4822. DEFINITIONS.

In this subtitle:

(1) AUTHORITY.—The term ''Authority'' means—

(A) the Central Montana Regional Water Authority, a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. Sec. 75–6–302 (2007); and

(B) any nonprofit successor entity to the Authority described in subparagraph (A).

(2) MUSSELSHELL-JUDITH RURAL WATER SYSTEM.—The term ''Musselshell-Judith Rural Water System'' means the Musselshell-Judith Rural Water System authorized under section 4823(a), with a project service area that includes—

(A) Judith Basin, Wheatland, Golden Valley, and Musselshell Counties in the State;

(B) the portion of Yellowstone County in the State within 2 miles of State Highway 3 and within 4 miles of the county line between Golden Valley and Yellowstone Counties in the State, inclusive of the Town of Broadview, Montana; and

(C) the portion of Fergus County in the State within 2 miles of U.S. Highway 87 and within 4 miles of the county line between Fergus and Judith Basin Counties in the State, inclusive of the Town of Moore, Montana.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) STATE.—The term ''State'' means the State of Montana.

SEC. 4823. MUSSELSHELL-JUDITH RURAL WATER SYSTEM.

(a) AUTHORIZATION.—The Secretary may carry out the planning, design, and construction of the Musselshell-Judith Rural Water System in a manner that is substantially in accordance with the feasibility report entitled ''Musselshell-Judith Rural Water System Feasibility Report'' (including any and all revisions of the report).

(b) COOPERATIVE AGREEMENT.—The Secretary shall enter into a cooperative agreement with the Authority to provide Federal assistance for the planning, design, and construction of the Musselshell-Judith Rural Water System.

(c) COST-SHARING REQUIREMENT.—

(1) FEDERAL SHARE.—

(A) IN GENERAL.—The Federal share of the costs relating to the planning, design, and construction of the Musselshell-Judith Rural Water System shall not exceed 65 percent of the total cost of the Musselshell-Judith Rural Water System.

(B) LIMITATION.—Amounts made available under subparagraph (A) shall not be returnable or reimbursable under the reclamation laws.

(2) USE OF FEDERAL FUNDS.—

(A) GENERAL USES.—Subject to subparagraph (B), the Musselshell-Judith Rural Water System may use Federal funds made available to carry out this section for—

(i) facilities relating to—

(I) water pumping;

(II) water treatment;

(III) water storage;

(IV) water supply wells;

(V) distribution pipelines; and

(VI) control systems;

(ii) transmission pipelines;

(iii) pumping stations;

(iv) appurtenant buildings, maintenance equipment, and access roads;

(v) any interconnection facility that connects a pipeline of the Musselshell-Judith Rural Water System to a pipeline of a public water system;

(vi) electrical power transmission and distribution facilities required for the operation and maintenance of the Musselshell-Judith Rural Water System;

(vii) any other facility or service required for the development of a rural water distribution system, as determined by the Secretary; and

(viii) any property or property right required for the construction or operation of a facility described in this subsection.

(B) LIMITATION.—Federal funds made available to carry out this section shall not be used for the operation, maintenance, or replacement of the Musselshell-Judith Rural Water System.

(C) TITLE.—Title to the Musselshell-Judith Rural Water System shall be held by the Authority.

SEC. 4824. DRY-REDWATER FEASIBILITY STUDY.

(a) DEFINITIONS.—In this section:

(1) DRY-REDWATER REGIONAL WATER AUTHORITY.—The term ''Dry-Redwater Regional Water Authority'' means—

(A) the Dry-Redwater Regional Water Authority, a publicly owned nonprofit water authority formed in accordance with Mont. Code Ann. 75–6–302 (2007); and

(B) any nonprofit successor entity to the Authority described in subparagraph (A).

(2) DRY-REDWATER REGIONAL WATER AUTHORITY SYSTEM.—The term ''Dry-Redwater Regional Water Authority System'' means the project entitled the ''Dry-Redwater Regional Water Authority System'', with a project service area that includes—

(A) Garfield and McCone Counties in the State;

(B) the area west of the Yellowstone River in Dawson and Richland Counties in the State;

(C) T. 15 N. (including the area north of the Township) in Prairie County in the State; and

(D) the portion of McKenzie County, North Dakota, that includes all land that is located west of the Yellowstone River in the State of North Dakota.

(3) RECLAMATION FEASIBILITY STANDARDS.—The term ''reclamation feasibility standards'' means the eligibility criteria and feasibility study requirements described in section 106 of the Reclamation Rural Water Supply Act of 2006 (43 U.S.C. 2405) (as in effect on September 29, 2016).

(4) SUBMITTED FEASIBILITY STUDY.—The term ''submitted feasibility study'' means the feasibility study entitled ''Dry-Redwater Regional Water System Feasibility Study'' (including revisions of the study), which received funding from the Bureau of Reclamation on September 1, 2010.

(b) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the Dry-Redwater Regional Water Authority, may undertake a study, including a review of the submitted feasibility study, to determine the feasibility of constructing the Dry-Redwater Regional Water System.

(2) REQUIREMENT.—The study under paragraph (1) shall comply with the reclamation feasibility standards.

(c) COOPERATIVE AGREEMENT.—If the Secretary determines that the study under subsection (b) does not comply with the reclamation feasibility standards, the Secretary may enter into a cooperative agreement with the Dry-Redwater Regional Water Authority to complete additional work to ensure that the study complies with the reclamation feasibility standards.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $5,000,000 to carry out this section.

(e) TERMINATION.—The authority provided by this section shall expire on the date that is 5 years after the date of enactment of this Act.

SEC. 4825. WATER RIGHTS.

Nothing in this subtitle—

(1) preempts or affects any State water law; or

(2) affects any authority of a State, as in effect on the date of enactment of this Act, to manage water resources within that State.

SEC. 4826. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION.—There is authorized to be appropriated to carry out the planning, design, and construction of the Musselshell-Judith Rural Water System, substantially in accordance with the cost estimate set forth in the feasibility report described in section 4823(a), $56,650,000.

(b) COST INDEXING.—The amount authorized to be appropriated under subsection (a) may be increased or decreased in accordance with ordinary fluctuations in development costs incurred after November 1, 2014, as indicated by any available engineering cost indices applicable to construction activities that are similar to the construction of the Musselshell-Judith Rural Water System.

Subtitle D—Bureau of Reclamation Pumped Storage Hydropower Development

SEC. 4831. AUTHORITY FOR PUMPED STORAGE HYDROPOWER DEVELOPMENT USING MULTIPLE BUREAU OF RECLAMATION RESERVOIRS.

Section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) is amended—

(1) in paragraph (1), in the fourth sentence, by striking '', including small conduit hydropower development'' and inserting ''and reserve to the Secretary the exclusive authority to develop small conduit hydropower using Bureau of Reclamation facilities and pumped storage hydropower exclusively using Bureau of Reclamation reservoirs''; and

(2) in paragraph (8), by striking ''has been filed with the Federal Energy Regulatory Commission as of the date of the enactment of the Bureau of Reclamation Small Conduit Hydropower Development and Rural Jobs Act'' and inserting ''was filed with the Federal Energy Regulatory Commission before August 9, 2013, and is still pending''.

SEC. 4832. LIMITATIONS ON ISSUANCE OF CERTAIN LEASES OF POWER PRIVILEGE.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Hearings and Appeals.

(3) OFFICE OF HEARINGS AND APPEALS.—The term ''Office of Hearings and Appeals'' means the Office of Hearings and Appeals of the Department of the Interior.

(4) PARTY.—The term ''party'', with respect to a study plan agreement, means each of the following parties to the study plan agreement:

(A) The proposed lessee.

(B) The Tribes.

(5) PROJECT.—The term ''project'' means a proposed pumped storage facility that—

(A) would use multiple Bureau of Reclamation reservoirs; and

(B) as of June 1, 2017, was subject to a preliminary permit issued by the Commission pursuant to section 4(f) of the Federal Power Act (16 U.S.C. 797(f)).

(6) PROPOSED LESSEE.—The term ''proposed lessee'' means the proposed lessee of a project.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(8) STUDY PLAN.—The term ''study plan'' means the plan described in subsection (d)(1).

(9) STUDY PLAN AGREEMENT.—The term ''study plan agreement'' means an agreement entered into under subsection (b)(1) and described in subsection (c).

(10) TRIBES.—The term ''Tribes'' means—

(A) the Confederated Tribes of the Colville Reservation; and

(B) the Spokane Tribe of Indians of the Spokane Reservation.

(b) REQUIREMENT FOR ISSUANCE OF LEASES OF POWER PRIVILEGE.—The Secretary shall not issue a lease of power privilege pursuant to section 9(c)(1) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)(1)) (as amended by section 4831) for a project unless—

(1) the proposed lessee and the Tribes have entered into a study plan agreement; or

(2) the Secretary or the Director, as applicable, makes a final determination for—

(A) a study plan agreement under subsection (c)(2); or

(B) a study plan under subsection (d).

(c) STUDY PLAN AGREEMENT REQUIREMENTS.—

(1) IN GENERAL.—A study plan agreement shall—

(A) establish the deadlines for the proposed lessee to formally respond in writing to comments and study requests about the project previously submitted to the Commission;

(B) allow for the parties to submit additional comments and study requests if any aspect of the project, as proposed, differs from an aspect of the project, as described in a preapplication document provided to the Commission;

(C) except as expressly agreed to by the parties or as provided in paragraph (2) or subsection (d), require that the proposed lessee conduct each study described in—

(i) a study request about the project previously submitted to the Commission; or

(ii) any additional study request submitted in accordance with the study plan agreement;

(D) require that the proposed lessee study any potential adverse economic effects of the project on the Tribes, including effects on—

(i) annual payments to the Confederated Tribes of the Colville Reservation under section 5(b) of the Confederated Tribes of the Colville Reservation Grand Coulee Dam Settlement Act (Public Law 103–436; 108 Stat. 4579); and

(ii) annual payments to the Spokane Tribe of Indians of the Spokane Reservation authorized after the date of enactment of this Act, the amount of which derives from the annual payments described in clause (i);

(E) establish a protocol for communication and consultation between the parties;

(F) provide mechanisms for resolving disputes between the parties regarding implementation and enforcement of the study plan agreement; and

(G) contain other provisions determined to be appropriate by the parties.

(2) DISPUTES.—

(A) IN GENERAL.—If the parties cannot agree to the terms of a study plan agreement or implementation of those terms, the parties shall submit to the Director, for final determination on the terms or implementation of the study plan agreement, notice of the dispute, consistent with paragraph (1)(F), to the extent the parties have agreed to a study plan agreement.

(B) INCLUSION.—A dispute covered by subparagraph (A) may include the view of a proposed lessee that an additional study request submitted in accordance with paragraph (1)(B) is not reasonably calculated to assist the Secretary in evaluating the potential impacts of the project.

(C) TIMING.—The Director shall issue a determination regarding a dispute under subparagraph (A) not later than 120 days after the date on which the Director receives notice of the dispute under that subparagraph.

(d) STUDY PLAN.—

(1) IN GENERAL.—The proposed lessee shall submit to the Secretary for approval a study

plan that details the proposed methodology for performing each of the studies—

(A) identified in the study plan agreement of the proposed lessee; or

(B) determined by the Director in a final determination regarding a dispute under subsection (c)(2).

(2) INITIAL DETERMINATION.—Not later than 60 days after the date on which the Secretary receives the study plan under paragraph (1), the Secretary shall make an initial determination that—

(A) approves the study plan;

(B) rejects the study plan on the grounds that the study plan—

(i) lacks sufficient detail on a proposed methodology for a study identified in the study plan agreement; or

(ii) is inconsistent with the study plan agreement; or

(C) imposes additional study plan requirements that the Secretary determines are necessary to adequately define the potential effects of the project on—

(i) the exercise of the paramount hunting, fishing, and boating rights of the Tribes reserved pursuant to the Act of June 29, 1940 (54 Stat. 703, chapter 460; 16 U.S.C. 835d et seq.);

(ii) the annual payments described in clauses (i) and (ii) of subsection (c)(1)(D);

(iii) the Columbia Basin project (as defined in section 1 of the Act of May 27, 1937 (50 Stat. 208, chapter 269; 57 Stat. 14, chapter 14; 16 U.S.C. 835));

(iv) historic properties and cultural or spiritually significant resources; and

(v) the environment.

(3) OBJECTIONS.—

(A) IN GENERAL.—Not later than 30 days after the date on which the Secretary makes an initial determination under paragraph (2), the Tribes or the proposed lessee may submit to the Director an objection to the initial determination.

(B) FINAL DETERMINATION.—Not later than 120 days after the date on which the Director receives an objection under subparagraph (A), the Director shall—

(i) hold a hearing on the record regarding the objection; and

(ii) make a final determination that establishes the study plan, including a description of studies the proposed lessee is required to perform.

(4) NO OBJECTIONS.—If no objections are submitted by the deadline described in paragraph (3)(A), the initial determination of the Secretary under paragraph (2) shall be final.

(e) CONDITIONS OF LEASE.—

(1) CONSISTENCY WITH RIGHTS OF TRIBES; PROTECTION, MITIGATION, AND ENHANCEMENT OF FISH AND WILDLIFE.—

(A) IN GENERAL.—Any lease of power privilege issued by the Secretary for a project under subsection (b) shall contain conditions—

(i) to ensure that the project is consistent with, and will not interfere with, the exercise of the paramount hunting, fishing, and boating rights of the Tribes reserved pursuant to the Act of June 29, 1940 (54 Stat. 703, chapter 460; 16 U.S.C. 835d et seq.); and

(ii) to adequately and equitably protect, mitigate damages to, and enhance fish and wildlife, including related spawning grounds and habitat, affected by the development, operation, and management of the project.

(B) RECOMMENDATIONS OF THE TRIBES.—The conditions required under subparagraph (A) shall be based on joint recommendations of the Tribes.

(C) RESOLVING INCONSISTENCIES.—

(i) IN GENERAL.—If the Secretary determines that any recommendation of the Tribes under subparagraph (B) is not reasonably calculated to ensure the project is consistent with subparagraph (A) or is inconsistent with the requirements of the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.), the Secretary shall attempt to resolve any such inconsistency with the Tribes, giving due weight to the recommendations and expertise of the Tribes.

(ii) PUBLICATION OF FINDINGS.—If, after an attempt to resolve an inconsistency under clause (i), the Secretary does not adopt in whole or in part a recommendation of the Tribes under subparagraph (B), the Secretary shall issue each of the following findings, including a statement of the basis for each of the findings:

(I) A finding that adoption of the recommendation is inconsistent with the requirements of the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.).

(II) A finding that the conditions selected by the Secretary to be contained in the lease of power privilege under subparagraph (A) comply with the requirements of clauses (i) and (ii) of that subparagraph.

(2) ANNUAL CHARGES PAYABLE BY LICENSEE.—

(A) IN GENERAL.—Subject to subparagraph (B), any lease of power privilege issued by the Secretary for a project under subsection (b) shall contain conditions that require the lessee of the project to make direct payments to the Tribes through reasonable annual charges in an amount that recompenses the Tribes for any adverse economic effect of the project identified in a study performed pursuant to the study plan agreement for the project.

(B) AGREEMENT.—

(i) IN GENERAL.—The amount of the annual charges described in subparagraph (A) shall be established through agreement between the proposed lessee and the Tribes.

(ii) CONDITION.—The agreement under clause (i), including any modification of the agreement, shall be deemed to be a condition to the lease of power privilege issued by the Secretary for a project under subsection (b).

(C) DISPUTE RESOLUTION.—

(i) IN GENERAL.—If the proposed lessee and the Tribes cannot agree to the terms of an agreement under subparagraph (B)(i), the proposed lessee and the Tribes shall submit notice of the dispute to the Director.

(ii) RESOLUTION.—The Director shall resolve the dispute described in clause (i) not later than 180 days after the date on which the Director receives notice of the dispute under that clause.

(3) ADDITIONAL CONDITIONS.—The Secretary may include in any lease of power privilege issued by the Secretary for a project under subsection (b) other conditions determined appropriate by the Secretary, on the condition that the conditions shall be consistent with the Reclamation Project Act of 1939 (43 U.S.C. 485 et seq.).

(4) CONSULTATION.—In establishing conditions under this subsection, the Secretary shall consult with the Tribes.

(f) DEADLINES.—The Secretary or any officer of the Office of Hearing and Appeals before whom a proceeding is pending under this section may extend any deadline or enlarge any timeframe described in this section—

(1) at the discretion of the Secretary or the officer; or

(2) on a showing of good cause by any party.

(g) JUDICIAL REVIEW.—Any final action of the Secretary or the Director made pursuant to this section shall be subject to judicial review in accordance with chapter 7 of title 5, United States Code.

(h) EFFECT ON OTHER PROJECTS.—Nothing in this section establishes any precedent or is binding on any Bureau of Reclamation lease of power privilege, other than for a project.

Subtitle E—Additional Water Projects

SEC. 4841. MODIFICATION OF JACKSON GULCH REHABILITATION PROJECT, COLORADO.

Section 9105(b) of the Omnibus Public Land Management Act of 2009 (Public Law 111–11; 123 Stat. 1303) is amended—

(1) in paragraph (1)—

(A) by striking ''requirement'' and inserting ''and cost-sharing requirements''; and

(B) by inserting '', which shall be not more than 65 percent of that total cost'' before the period at the end;

(2) in paragraph (3)—

(A) in the paragraph heading, by striking ''REQUIREMENT'' and inserting ''AND COST-SHARING REQUIREMENTS'';

(B) in subparagraph (A), in the matter preceding clause (i), by striking ''The Secretary shall recover from the District as reimbursable expenses'' and inserting ''Subject to subparagraph (C), the District shall be liable under this subsection for an amount equal to'';

(C) in subparagraph (B), in the matter preceding clause (i), by striking ''Secretary shall recover reimbursable expenses'' and inserting ''District shall pay the Project costs for which the District is liable''; and

(D) by striking subparagraph (C) and inserting the following:

''(C) CREDIT.—In determining the exact amount for which the District is liable under this paragraph, the Secretary shall—

''(i) review and approve all final costs associated with the completion of the Project; and

''(ii) credit the district for all amounts paid by the District for engineering work and improvements directly associated with the Project, whether before, on, or after the date of enactment of this Act.''; and

(3) in paragraph (7), by striking ''$8,250,000.'' and inserting the following: ''the lesser of—

''(A) not more than 65 percent of the total cost of carrying out the Project; and

''(B) $5,350,000.''.

SEC. 4842. CONTINUED USE OF PICK-SLOAN MISSOURI BASIN PROGRAM PROJECT USE POWER BY THE KINSEY IRRIGATION COMPANY AND THE SIDNEY WATER USERS IRRIGATION DISTRICT.

(a) AUTHORIZATION.—Notwithstanding any other provision of law and subject to subsection (b), the Secretary of the Interior (acting through the Commissioner of Reclamation) shall continue to treat the irrigation pumping units known as the ''Kinsey Irrigation Company'' in Custer County, Montana and the ''Sidney Water Users Irrigation District'' in Richland County, Montana, or any successor to the Kinsey Irrigation Company or Sidney Water Users Irrigation District, as irrigation pumping units of the Pick-Sloan Missouri Basin Program for the purposes of wheeling, administration, and payment of project use power, including the applicability of provisions relating to the treatment of costs beyond the ability to pay under section 9 of the Act of December 22, 1944 (commonly known as the ''Flood Control Act of 1944'') (58 Stat. 891, chapter 665).

(b) LIMITATION.—The quantity of power to be provided to the Kinsey Irrigation Company and the Sidney Water Users Irrigation District (including any successor to the Kinsey Irrigation Company or the Sidney Water Users Irrigation District) under subsection (a) may not exceed the maximum quantity of power provided to the Kinsey Irrigation Company and the Sidney Water Users Irrigation District under the applicable contract for electric service in effect on the date of enactment of this Act.

SEC. 4843. KLAMATH BASIN WATER SUPPLY ENHANCEMENT ACT OF 2000 TECHNICAL CORRECTIONS.

Section 4(b) of the Klamath Basin Water Supply Enhancement Act of 2000 (114 Stat. 2222; 132 Stat. 3887) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ''Pursuant to the reclamation laws and subject'' and inserting ''Subject''; and

(ii) by striking ''may'' and inserting ''is authorized to''; and

(B) in subparagraph (A), by inserting '', including conservation and efficiency measures, land idling, and use of groundwater,'' after ''administer programs'';

(2) in paragraph (3)(A), by inserting ''and'' after the semicolon at the end;

(3) by redesignating the second paragraph (4) (relating to the effect of the subsection) as paragraph (5); and

(4) in paragraph (5) (as so redesignated)—

(A) by striking subparagraph (B);

(B) in subparagraph (A), by striking ''; or'' and inserting a period; and

(C) by striking ''the Secretary—'' and all that follows through ''to develop'' in subparagraph (A) and inserting ''the Secretary to develop''.

SEC. 4844. REAUTHORIZATION OF DROUGHT PROGRAM.

(a) TERMINATION OF AUTHORITY.—Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c)) is amended by striking''2020'' and inserting ''2030''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241) is amended by striking ''2020'' and inserting ''2030''.

SEC. 4845. REAUTHORIZATION OF COOPERATIVE WATERSHED MANAGEMENT PROGRAM.

Section 6002(g)(4) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1015a(g)(4)) is amended by striking ''2020'' and inserting ''2030''.

SA 2209. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, to authorize appropriations for fiscal year 2021 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. ____. INTERNET OF THINGS.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that—

(A) the Internet of Things refers to the growing number of connected and interconnected devices;

(B) estimates indicate that more than 125,000,000,000 devices will be connected to the internet by 2030;

(C) the Internet of Things has the potential to generate trillions of dollars in new economic activity around the world in the transportation, energy, agriculture, manufacturing, and health care sectors and in other sectors that are critical to the growth of the gross domestic product of the United States;

(D) businesses across the United States can develop new services and products, improve the efficiency of operations and logistics, cut costs, improve worker and public safety, and pass savings on to consumers by utilizing the Internet of Things and related innovations;

(E) the Internet of Things will—

(i) be vital in furthering innovation and the development of emerging technologies; and

(ii) play a key role in developing artificial intelligence and advanced computing capabilities;

(F) the United States leads the world in the development of technologies that support the internet, the United States technology sector is well-positioned to lead in the development of technologies for the Internet of Things, and the appropriate prioritization of a national strategy with respect to the Internet of Things would strengthen that position;

(G) the Federal Government can implement this technology to better deliver services to the public; and

(H) the Senate unanimously passed Senate Resolution 110, 114th Congress, agreed to March 24, 2015, calling for a national strategy for the development of the Internet of Things.

(2) SENSE OF CONGRESS.—It is the sense of Congress that policies governing the Internet of Things should—

(A) promote solutions with respect to the Internet of Things that are secure, scalable, interoperable, industry-driven, and standards-based; and

(B) maximize the development and deployment of the Internet of Things to benefit all stakeholders, including businesses, governments, and consumers.

(b) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce.

(3) STEERING COMMITTEE.—The term ''steering committee'' means the steering committee established under subsection (c)(5)(A).

(4) WORKING GROUP.—The term ''working group'' means the working group convened under subsection (c)(1).

(c) FEDERAL WORKING GROUP.—

(1) IN GENERAL.—The Secretary shall convene a working group of Federal stakeholders for the purpose of providing recommendations and a report to Congress relating to the aspects of the Internet of Things described in paragraph (2).

(2) DUTIES.—The working group shall—

(A) identify any Federal regulations, statutes, grant practices, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development or deployment of the Internet of Things;

(B) consider policies or programs that encourage and improve coordination among Federal agencies that have responsibilities that are relevant to the objectives of this section;

(C) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations;

(D) examine—

(i) how Federal agencies can benefit from utilizing the Internet of Things;

(ii) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

(iii) the preparedness and ability of Federal agencies to adopt Internet of Things technology as of the date on which the working group performs the examination and in the future; and

(iv) any additional security measures that Federal agencies may need to take to—

(I) safely and securely use the Internet of Things, including measures that ensure the security of critical infrastructure; and

(II) enhance the resiliency of Federal systems against cyber threats to the Internet of Things; and

(E) in carrying out the examinations required under subclauses (I) and (II) of subparagraph (D)(iv), ensure to the maximum extent possible the coordination of the current and future activities of the Federal Government relating to security with respect to the Internet of Things.

(3) AGENCY REPRESENTATIVES.—In convening the working group under paragraph (1), the Secretary shall have discretion to appoint representatives from Federal agencies and departments as appropriate and shall specifically consider seeking representation from—

(A) the Department of Commerce, including—

(i) the National Telecommunications and Information Administration;

(ii) the National Institute of Standards and Technology; and

(iii) the National Oceanic and Atmospheric Administration;

(B) the Department of Transportation;

(C) the Department of Homeland Security;

(D) the Office of Management and Budget;

(E) the National Science Foundation;

(F) the Commission;

(G) the Federal Trade Commission;

(H) the Office of Science and Technology Policy;

(I) the Department of Energy; and

(J) the Federal Energy Regulatory Commission.

(4) NONGOVERNMENTAL STAKEHOLDERS.—The working group shall consult with nongovernmental stakeholders with expertise relating to the Internet of Things, including—

(A) the steering committee;

(B) information and communications technology manufacturers, suppliers, service providers, and vendors;

(C) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(D) small, medium, and large businesses;

(E) think tanks and academia;

(F) nonprofit organizations and consumer groups;

(G) security experts;

(H) rural stakeholders; and

(I) other stakeholders with relevant expertise, as determined by the Secretary.

(5) STEERING COMMITTEE.—

(A) ESTABLISHMENT.—There is established within the Department of Commerce a steering committee to advise the working group.

(B) DUTIES.—The steering committee shall advise the working group with respect to—

(i) the identification of any Federal regulations, statutes, grant practices, programs, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(ii) situations in which the use of the Internet of Things is likely to deliver significant and scalable economic and societal benefits to the United States, including benefits from or to—

(I) smart traffic and transit technologies;

(II) augmented logistics and supply chains;

(III) sustainable infrastructure;

(IV) precision agriculture;

(V) environmental monitoring;

(VI) public safety; and

(VII) health care;

(iii) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers

may exist to providing any spectrum needed in the future;

(iv) policies, programs, or multi-stakeholder activities that—

(I) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(II) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(III) may protect users of the Internet of Things; and

(IV) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(v) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(vi) any international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party.

(C) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing a wide range of stakeholders outside of the Federal Government with expertise relating to the Internet of Things, including—

(i) information and communications technology manufacturers, suppliers, service providers, and vendors;

(ii) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(iii) small, medium, and large businesses;

(iv) think tanks and academia;

(v) nonprofit organizations and consumer groups;

(vi) security experts;

(vii) rural stakeholders; and

(viii) other stakeholders with relevant expertise, as determined by the Secretary.

(D) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes any findings or recommendations of the steering committee.

(E) INDEPENDENT ADVICE.—

(i) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee under subparagraph (B).

(ii) SUGGESTIONS.—The working group may suggest topics or items for the steering committee to study, and the steering committee shall take those suggestions into consideration in carrying out the duties of the steering committee.

(iii) REPORT.—The steering committee shall ensure that the report submitted under subparagraph (D) is the result of the independent judgment of the steering committee.

(F) NO COMPENSATION FOR MEMBERS.—A member of the steering committee shall serve without compensation.

(G) TERMINATION.—The steering committee shall terminate on the date on which the working group submits the report under paragraph (6).

(6) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(i) the findings and recommendations of the working group with respect to the duties of the working group under paragraph (2);

(ii) the report submitted by the steering committee under paragraph (5)(D), as the report was received by the working group;

(iii) recommendations for action or reasons for inaction, as applicable, with respect to each recommendation made by the steering committee in the report submitted under paragraph (5)(D); and

(iv) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(B) COPY OF REPORT.—The working group shall submit a copy of the report described in subparagraph (A) to—

(i) the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Energy and Commerce of the House of Representatives; and

(iii) any other committee of Congress, upon request to the working group.

(d) ASSESSING SPECTRUM NEEDS.—

(1) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs to enable better connectivity relating to the Internet of Things.

(2) REQUIREMENTS.—In issuing the notice of inquiry under paragraph (1), the Commission shall seek comments that consider and evaluate—

(A) whether adequate spectrum is available, or is planned for allocation, for commercial wireless services that could support the growing Internet of Things;

(B) if adequate spectrum is not available for the purposes described in subparagraph (A), how to ensure that adequate spectrum is available for increased demand with respect to the Internet of Things;

(C) what regulatory barriers may exist to providing any needed spectrum that would support uses relating to the Internet of Things; and

(D) what the role of unlicensed and licensed spectrum is and will be in the growth of the Internet of Things.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the comments submitted in response to the notice of inquiry issued under paragraph (1).

SA 2210. Mr. SCHATZ (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—READI Act

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Reliable Emergency Alert Distribution Improvement Act of 2020'' or ''READI Act''.

SEC. 1092. DEFINITIONS.

In this subtitle—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency;

(2) the term ''Commission'' means the Federal Communications Commission;

(3) the term ''Emergency Alert System'' means the national public warning system, the rules for which are set forth in part 11 of title 47, Code of Federal Regulations (or any successor regulation); and

(4) the term ''Wireless Emergency Alerts System'' means the wireless national public warning system established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.), the rules for which are set forth in part 10 of title 47, Code of Federal Regulations (or any successor regulation).

SEC. 1093. WIRELESS EMERGENCY ALERTS SYSTEM OFFERINGS.

(a) AMENDMENT.—Section 602(b)(2)(E) of the Warning, Alert, and Response Network Act (47 U.S.C. 1201(b)(2)(E)) is amended—

(1) by striking the second and third sentences; and

(2) by striking ''other than an alert issued by the President.'' and inserting the following: ''other than an alert issued by—

''(i) the President; or

''(ii) the Administrator of the Federal Emergency Management Agency.''.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall adopt regulations to implement the amendment made by subsection (a)(2).

SEC. 1094. STATE EMERGENCY ALERT SYSTEM PLANS AND EMERGENCY COMMUNICATIONS COMMITTEES.

(a) DEFINITIONS.—In this section—

(1) the term ''SECC'' means a State Emergency Communications Committee;

(2) the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States; and

(3) the term ''State EAS Plan'' means a State Emergency Alert System Plan.

(b) STATE EMERGENCY COMMUNICATIONS COMMITTEE.—Not later than 180 days after the date of enactment of this Act, the Commission shall adopt regulations that—

(1) encourage the chief executive of each State—

(A) to establish an SECC if the State does not have an SECC; or

(B) if the State has an SECC, to review the composition and governance of the SECC;

(2) provide that—

(A) each SECC, not less frequently than annually, shall—

(i) meet to review and update its State EAS Plan;

(ii) certify to the Commission that the SECC has met as required under clause (i); and

(iii) submit to the Commission an updated State EAS Plan; and

(B) not later than 60 days after the date on which the Commission receives an updated State EAS Plan under subparagraph (A)(iii), the Commission shall—

(i) approve or disapprove the updated State EAS Plan; and

(ii) notify the chief executive of the State of the Commission's findings; and

(3) establish a State EAS Plan content checklist for SECCs to use when reviewing and updating a State EAS Plan for submission to the Commission under paragraph (2)(A).

(c) CONSULTATION.—The Commission shall consult with the Administrator regarding the adoption of regulations under subsection (b)(3).

SEC. 1095. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and issue guidance on how State, Tribal, and local governments can participate in the integrated public alert and warning system of the United States described in section 526 of the Homeland Security Act of 2002 (6 U.S.C. 321o) (referred to in this section as the ''public alert

and warning system'') while maintaining the integrity of the public alert and warning system, including—

(1) guidance on the categories of public emergencies and appropriate circumstances that warrant an alert and warning from State, Tribal, and local governments using the public alert and warning system;

(2) the procedures for State, Tribal, and local government officials to authenticate civil emergencies and initiate, modify, and cancel alerts transmitted through the public alert and warning system, including protocols and technology capabilities for—

(A) the initiation, or prohibition on the initiation, of alerts by a single authorized or unauthorized individual;

(B) testing a State, Tribal, or local government incident management and warning tool without accidentally initiating an alert through the public alert and warning system; and

(C) steps a State, Tribal, or local government official should take to mitigate the possibility of the issuance of a false alert through the public alert and warning system;

(3) the standardization, functionality, and interoperability of incident management and warning tools used by State, Tribal, and local governments to notify the public of an emergency through the public alert and warning system;

(4) the annual training and recertification of emergency management personnel on requirements for originating and transmitting an alert through the public alert and warning system;

(5) the procedures, protocols, and guidance concerning the protective action plans that State, Tribal, and local governments should issue to the public following an alert issued under the public alert and warning system;

(6) the procedures, protocols, and guidance concerning the communications that State, Tribal, and local governments should issue to the public following a false alert issued under the public alert and warning system;

(7) a plan by which State, Tribal, and local government officials may, during an emergency, contact each other as well as Federal officials and participants in the Emergency Alert System and the Wireless Emergency Alerts System, when appropriate and necessary, by telephone, text message, or other means of communication regarding an alert that has been distributed to the public; and

(8) any other procedure the Administrator considers appropriate for maintaining the integrity of and providing for public confidence in the public alert and warning system.

(b) COORDINATION WITH NATIONAL ADVISORY COUNCIL REPORT.—The Administrator shall ensure that the guidance developed under subsection (a) does not conflict with recommendations made for improving the public alert and warning system provided in the report submitted by the National Advisory Council under section 2(b)(7)(B) of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 332).

(c) PUBLIC CONSULTATION.—In developing the guidance under subsection (a), the Administrator shall ensure appropriate public consultation and, to the extent practicable, coordinate the development of the guidance with stakeholders of the public alert and warning system, including—

(1) appropriate personnel from Federal agencies, including the National Institute of Standards and Technology, the Federal Emergency Management Agency, and the Commission;

(2) representatives of State and local governments and emergency services personnel, who shall be selected from among individuals nominated by national organizations representing those governments and personnel;

(3) representatives of federally recognized Indian Tribes and national Indian organizations;

(4) communications service providers;

(5) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(6) third-party service bureaus;

(7) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(8) technical experts from the broadcasting industry, including representatives of both the non-commercial and commercial radio broadcast industries and non-commercial and commercial television broadcast industries;

(9) educators from the Emergency Management Institute; and

(10) other individuals with technical expertise as the Administrator determines appropriate.

(d) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the public consultation with stakeholders under subsection (c).

(e) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to amend, supplement, or abridge the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.) or in any other manner give the Administrator authority over communications service providers participating in the Emergency Alert System or the Wireless Emergency Alerts System.

SEC. 1096. FALSE ALERT REPORTING.

Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to establish a system to receive from the Administrator or State, Tribal, or local governments reports of false alerts under the Emergency Alert System or the Wireless Emergency Alerts System for the purpose of recording such false alerts and examining their causes.

SEC. 1097. REPEATING EMERGENCY ALERT SYSTEM MESSAGES FOR NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other entity under specified circumstances as determined by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a)—

(1) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terror attack, or other act of war; and

(2) shall not apply to more typical warnings, such as a weather alert, AMBER Alert, or disaster alert.

SEC. 1098. INTERNET AND ONLINE STREAMING SERVICES EMERGENCY ALERT EXAMINATION.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete an inquiry to examine the feasibility of updating the Emergency Alert System to enable or improve alerts to consumers provided through the internet, including through streaming services.

(b) REPORT.—Not later than 90 days after completing the inquiry under subsection (a), the Commission shall submit a report on the findings and conclusions of the inquiry to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Energy and Commerce of the House of Representatives.

SA 2211. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 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, add the following:

SEC. _____. STUDY ON ESTABLISHMENT OF ENERGETICS PROGRAM OFFICE.

The Under Secretary of Defense for Research and Engineering shall conduct a study to assess the feasibility and advisability of establishing a program office to coordinate energetics research and to ensure a robust and sustained energetics material enterprise.

SA 2212. Mr. SCOTT of Florida (for himself, Mr. MURPHY, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COTTON, Mr. RUBIO, Mr. HAWLEY, and Ms. MCSALLY) submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Transparency and Delivery of Medical Supplies

SEC. 1091. SHORT TITLE.

This subtitle may be cited as the ''Medical Supply Transparency and Delivery Act''.

SEC. 1092. EMERGENCY PRODUCTION OF MEDICAL EQUIPMENT AND SUPPLIES TO ADDRESS COVID–19.

(a) EXECUTIVE OFFICER FOR CRITICAL MEDICAL EQUIPMENT AND SUPPLIES.—

(1) APPOINTMENT.—Not later than 3 days after the date of the enactment of this Act, the Secretary of Defense shall appoint, detail, or temporarily assign a civilian to serve as the Executive Officer for Critical Medical Equipment and Supplies (in this section referred to as the ''Executive Officer''), who shall—

(A) direct, through the National Response Coordination Center of the Federal Emergency Management Agency, the national production and distribution of critical medical equipment and supplies, including personal protective equipment, in support of the response of the Federal Emergency Management Agency to the Coronavirus Disease 2019 (commonly known as ''COVID–19''); and

(B) report directly to the Administrator of the Federal Emergency Management Agency for the duration of the appointment, detail, or temporary assignment.

(2) QUALIFICATIONS.—The Secretary of Defense, in consultation with the Administrator of the Federal Emergency Management Agency, shall select the individual to

serve as the Executive Officer from among individuals with sufficient experience in defense and industrial acquisition and production matters, including such matters as described in section 668(a)(1)(B) of title 10, United States Code.

(3) AUTHORITIES.—The Executive Officer, acting through the National Response Coordination Center and in direct consultation with the Secretary of Homeland Security, the Secretary of Defense, the Secretary of Health and Human Services, and the Secretary of Commerce, shall use all available Federal acquisition authorities, including the authorities described under sections 101(b), 102, 301, 302, 303, 704, 705, 706, 708(c) and (d), and 710 of the Defense Production Act of 1950 (50 U.S.C. 4511(b), 4512, 4531, 4532, 4533, 4554, 4555, 4556, 4558 (c) and (d), and 4560), to oversee all acquisition and logistics functions related to the response by the National Response Coordination Center to COVID–19.

(4) RESPONSIBILITIES.—The Executive Officer, as the officer overseeing the acquisition and logistics functions of the response by the National Response Coordination Center to COVID–19, shall—

(A) receive all requests for equipment and supplies, including personal protective equipment, from States and Indian Tribes;

(B) make recommendations to the President on utilizing the full authorities available under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) to increase production capacity as identified under subparagraphs (C) and (H) of subsection (c)(1);

(C) ensure that allocation of critical resources is carried out in a manner consistent with the needs identified in the reports required by subsection (c);

(D) direct, in consultation with the Federal Emergency Management Agency, the Department of Health and Human Services, the Defense Logistics Agency, and other Federal agencies as appropriate, all distribution of critical equipment and supplies to the States and Indian Tribes, through existing commercial distributers where practical;

(E) communicate with State and local governments and Indian Tribes with respect to availability and delivery schedule of equipment and supplies;

(F) contribute to the COVID–19 strategic testing plan required by title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139) to ensure the Secretary of Health and Human Services includes in that plan a comprehensive plan to scale production and optimize distribution of COVID–19 tests, including molecular, antigen, and serological tests, in the United States; and

(G) establish, in direct consultation with the Secretary of Health and Human Services, and the heads of any other appropriate Federal agencies, a comprehensive plan to address necessary supply chain issues in order to rapidly scale up production of a SARS–CoV–2 vaccine.

(5) TRANSPARENCY.—The Executive Officer shall make available, including on a publicly available website, information, updated not less frequently than every 3 days, including—

(A) the reports required by subsection (c);

(B) requests for equipment and supplies from State governments and Indian Tribes;

(C) standards used for data collection;

(D) modeling and any formulas used to determine allocation of equipment and supplies, and any related chain of command making final decisions on allocations;

(E) the amount and destination of equipment and supplies delivered;

(F) an explanation of why any portion of a purchase order placed under subsection (d), whether to replenish the Strategic National Stockpile or otherwise, will not be filled;

(G) the percentage amounts of procured products used to replenish the Strategic National Stockpile, targeted to COVID–19 hotspots, or going into the commercial market;

(H) metrics, formulas, and criteria used to determine hotspots or areas of critical need at the State, county, and Indian Health Service area level;

(I) production and procurement benchmarks, where practicable; and

(J) results of the outreach and stakeholder reviews required by subsection (c).

(6) ADDITIONAL PERSONNEL.—The Secretary of Defense may detail members of the armed forces on active duty, or additional civilian employees of the Department of Defense, as appropriate, with relevant experience in acquisition matters, to support the Executive Officer.

(7) TERMINATION.—The office of the Executive Officer shall terminate 30 days after the Executive Officer certifies in writing to Congress that all needs of States and Indian Tribes identified in reports submitted under subsection (c) have been met and all Federal Government stockpiles have been replenished.

(b) COMMERCIAL SECTOR PARTICIPATION.—

(1) IN GENERAL.—The Executive Officer shall collect and compile data from each of the commercial distributors that is able to fulfill purchase orders authorized by this subtitle through the Federal Emergency Management Agency, the Defense Logistics Agency, the Department of Health and Human Services, the Department of Veterans Affairs, and any other appropriate Federal agencies.

(2) DATA INCLUDED.—The data to be collected and compiled under paragraph (1) includes—

(A) the name and address of each delivery of supplies and equipment under a purchase order authorized by this subtitle;

(B) the number of such supplies and equipment delivered; and

(C) the date of each such delivery.

(c) REPORTS REQUIRED.—

(1) IN GENERAL.—Not later than 7 days after the date of the enactment of this Act, and every 7 days thereafter until the termination date described in subsection (a)(7), the Executive Officer, in coordination with the National Response Coordination Center of the Federal Emergency Management Agency, the Defense Logistics Agency, the Department of Health and Human Services, the Department of Veterans Affairs, and other Federal agencies as appropriate, shall submit to Congress and the President, and publish in a timely manner in the Federal Register a summary of, a report including—

(A) an assessment of the needs of the States and Indian Tribes for equipment and supplies necessary to prevent, identify, mitigate, and recover from cases of COVID–19, including personal protective equipment, ventilators, testing supplies, construction supplies, and emergency food sources, for each month during the 2-year period beginning on the date of the enactment of this Act;

(B) an assessment of the quantities of equipment and supplies in the Strategic National Stockpile as of the date of the report and the projected gap between the quantities of equipment and supplies identified as needed in the assessment under subparagraph (A) and the quantities in the Stockpile;

(C) an identification of the industry sectors and manufacturers most ready to fulfill purchase orders for such equipment and supplies, including manufacturers that may be incentivized, through the exercise of authority under section 303(e) of the Defense Production Act of 1950 (50 U.S.C. 4533(e)), to modify, expand, or improve production processes to manufacture such equipment and supplies;

(D) an estimate of the funding and other measures necessary to rapidly expand manufacturing production capacity for such equipment and supplies, including—

(i) any efforts to expand, retool, or reconfigure production lines;

(ii) any efforts to establish new production lines through the purchase and installation of new equipment; or

(iii) the issuance of additional contracts, purchase orders, purchase guarantees, or other similar measures;

(E) an identification of government and privately owned stockpiles of equipment and supplies not included in the Strategic National Stockpile that could be repaired or refurbished;

(F) an identification of previously distributed critical supplies that can be redistributed based on current need;

(G) an identification of critical areas of need by county and Indian Health Service area in the United States and the metrics and criteria for their identification as critical;

(H) an inventory of the national production capacity for equipment and supplies identified as needed in the assessment under subparagraph (A); and

(I) an identification of the needs of essential employees and healthcare workers based on regular stakeholder reviews.

(2) FORM OF REPORTS.—Each report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(d) PURCHASE ORDERS.—

(1) IN GENERAL.—Not later than 1 day after receiving a report required under subsection (c), the President, using authorities provided under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), shall—

(A) establish a fair and reasonable price for the sale of equipment and supplies identified in the reports required by subsection (c); and

(B) issue rated priority purchase orders pursuant to Department of Defense Directive 4400.1, part 101, subpart A of title 45, Code of Federal Regulations, or any other applicable acquisition authority, to procure equipment and supplies identified in the reports required by subsection (c).

(2) DISPOSITION OF UNUSED EQUIPMENT AND SUPPLIES.—Any equipment or supplies produced pursuant to paragraph (1) using amounts from the Defense Production Act Fund and in excess of needs identified in reports required by subsection (c) shall be deposited in the Strategic National Stockpile.

(3) AUTHORIZATION OF CONGRESS TO IMPOSE PRICE CONTROLS.—Paragraph (1)(A) shall be deemed to be a joint resolution authorizing the imposition of price controls for purposes of section 104(a) of the Defense Production Act of 1950 (50 U.S.C. 4514(a)).

(e) WAIVER OF CERTAIN REQUIREMENTS.—The requirements of sections 301(d)(1)(A), 302(d)(1), and subparagraphs (B) and (C) of section 303(a)(6) of the Defense Production Act of 1950 (50 U.S.C. 4531(d)(1)(A), 4532(d)(1), and 4533(a)(6)) are waived for purposes of this section until the termination date described in subsection (a)(6).

(f) FUNDING.—Amounts available in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) shall be available for purchases made under this section.

(g) DEFINITIONS.—In this section:

(1) INDIAN TRIBE.—The term ''Indian Tribe'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) INDIAN HEALTH SERVICE AREA.—The term ''Indian Health Service area'' has the meaning given the term ''Service area'' in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

(3) STATE.—The term ''State'' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory or possession of the United States.

(4) UNIFORMED SERVICES.—The term ''uniformed services'' has the meaning given that term in section 101 of title 37, United States Code.

SEC. 1093. ANNUAL COMPTROLLER GENERAL REPORT.

Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall submit to Congress a report assessing the Strategic National Stockpile, including—

(1) recommendations for preparing for and responding to future pandemics;

(2) recommendations for changes to the Strategic National Stockpile, including to the management of the stockpile;

(3) in the case of the first report required to be submitted under this section—

(A) an assessment with respect to how much personal protective equipment used for the COVID–19 response was sourced within the United States and how much was sourced from the People's Republic of China and other foreign countries; and

(B) recommendations with respect to how to ensure that the United States supply chain for personal protective equipment is better equipped to respond to emergencies, including through the use of funds in the Defense Production Act Fund under section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534) to address shortages in that supply chain; and

(4) in the case of each subsequent report required to be submitted under this section—

(A) an assessment with respect to how much personal protective equipment was imported into the United States in the year preceding submission of the report and, of that equipment, how much would be used to prepare for and respond to a future pandemic; and

(B) a review of the implementation during that year of the recommendations required by paragraph (3)(B).

SEC. 1094. OVERSIGHT.

(a) IN GENERAL.—The Chairperson of the Council of the Inspectors General on Integrity and Efficiency shall designate any Inspector General responsible for conducting oversight of any program or operation performed in support of this subtitle to oversee the implementation of this subtitle, to the maximum extent practicable and consistent with the duties, responsibilities, policies, and procedures of that Inspector General.

(b) REMOVAL.—The designation of an Inspector General under subsection (a) may be terminated only for permanent incapacity, inefficiency, neglect of duty, malfeasance, or conviction of a felony or conduct involving moral turpitude.

SA 2213. Mr. TILLIS submitted an amendment intended to be proposed by him to the bill S. 4049, to authorize appropriations for fiscal year 2021 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 2865. LEASE EXTENSION FOR BRYAN MULTI-SPORTS COMPLEX, WAYNE COUNTY, NORTH CAROLINA.

(a) AUTHORITY.—The Secretary of the Air Force may extend to the City of Goldsboro the existing lease of the approximately 62-acre Bryan Multi-Sports Complex located in Wayne County, North Carolina, for the purpose of operating a sports and recreation facility for the benefit of both the Air Force and the community.

(b) DURATION.—At the option of the Secretary of the Air Force, the lease entered into under this section may be extended for up to 30 additional years with a total lease period not to exceed 50 years.

(c) PAYMENTS UNDER THE LEASE.—The Secretary of the Air Force may waive the requirement under section 2667(b)(4) of title 10, United States Code, with respect to the lease entered into under this section if the Secretary determines that the lease enhances the quality of life of members of the Armed Forces.

(d) SENSE OF SENATE.—It is the Sense of the Senate regarding the conditions governing the extension of the current lease for the Bryan Multi-Sports Complex that—

(1) the Senate has determined it is in the best interest of the community and the Air Force to extend the lease at no cost;

(2) the current lease allowed the Air Force to close their sports field on Seymour-Johnson Air Force Base and resulted in a savings of $15,000 per year in utilities and grounds maintenance costs;

(3) the current sports complex reduces force protection vulnerability now that the sports complex is located outside the fence line of the installation; and

(4) the facility has improved the quality of life for military families stationed at Seymour-Johnson Air Force Base by allowing members of the Armed Forces and their families to have access to world class sports facilities located adjacent to the installation and on-base privatized housing with easy access by junior enlisted members residing in the dorms.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President. I have 3 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 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, June 25, 2020, at 9:30 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, June 25, 2020, at 10 a.m., to conduct a hearing on nominations.

NATIONAL POST-TRAUMATIC STRESS AWARENESS MONTH

NATIONAL POST-TRAUMATIC STRESS AWARENESS DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 618.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 618) designating June 2020 as ''National Post-Traumatic Stress Awareness Month'' and June 27, 2020, as ''National Post-Traumatic Stress Awareness Day''.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 618) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 15, 2020, under ''Submitted Resolutions.'')

ANTITRUST CRIMINAL PENALTY ENHANCEMENT AND REFORM PERMANENT EXTENSION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged and the Senate proceed to the immediate consideration of S. 3377.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3377) to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

There being no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3377) was passed, as follows:

S. 3377

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 ''Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act''.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) Conspiracies among competitors to fix prices, rig bids, and allocate markets are categorically and irredeemably anticompetitive and contravene the competition policy of the United States.

(2) Cooperation incentives are important to the efforts of the Antitrust Division of the Department of Justice to prosecute and deter the offenses described in paragraph (1).

(b) PURPOSE.—The purpose of this Act, and the amendments made by this Act, is to strengthen public and private antitrust enforcement by providing incentives for antitrust violators to cooperate fully with government prosecutors and private litigants through the repeal of the sunset provision of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note).

SEC. 3. REPEAL OF SUNSET PROVISION.

(a) IN GENERAL.—Section 211 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 212 of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 (15 U.S.C. 1 note) is amended—

(1) by striking paragraph (6); and

(2) by redesignating paragraph (7) as paragraph (6).

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

ORDERS FOR MONDAY, JUNE 29, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Monday, June 29; further, 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; further, that following leader remarks, the Senate resume consideration of the motion to proceed to Calendar No. 483, S. 4049; and, finally, that notwithstanding rule XXII, all postcloture time on the motion to proceed to S. 4049 expire at 5:30 p.m.

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

ADJOURNMENT UNTIL MONDAY, JUNE 29, 2020, AT 3 P.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:14 p.m., adjourned until Monday, June 29, 2020, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 7433(B) AND 7436(A):

To be colonel

PETER H. CHAPMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 7433(B) AND 7436(A):

To be lieutenant colonel

HEIDI B. DEMAREST

UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION

DEVEN J. PAREKH, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION FOR A TERM OF THREE YEARS. (NEW POSITION)

THE JUDICIARY

JOHN P. HOWARD III, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS, VICE KATHRYN A. OBERLY, RETIRED.

VIJAY SHANKER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE DISTRICT OF COLUMBIA COURT OF APPEALS FOR THE TERM OF FIFTEEN YEARS, VICE JOHN R. FISHER, RETIRING.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 25, 2020:

IN THE COAST GUARD

COAST GUARD NOMINATIONS BEGINNING WITH ERIN N. ADLER AND ENDING WITH MARC A. ZLOMEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 3, 2020.

DISCHARGED NOMINATIONS

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

COAST GUARD NOMINATIONS BEGINNING WITH ERIN N. ADLER AND ENDING WITH MARC A. ZLOMEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 3, 2020.

EXTENSIONS OF REMARKS

HONORING PFC ROBERT WALKER, U.S. MARINE CORPS

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. PALAZZO. Madam Speaker, I rise today to honor the outstanding work of PFC Robert Walker who celebrates 100 years of life on June 25, 2020.

Mr. Walker hails from Spokane, Washington, and worked many jobs before a call to serve his country during its hour of need inspired him to join the Marine Corps. After completing basic training and being assigned to the 4th Marine Division, he was sent to the Pacific Theatre where he fought in the battle for Iwo Jima from February 19, until March 4, 1945.

On March 4, 1945, Mr. Walker was severely wounded by shrapnel and immediately evacuated to Hawaii to be given proper medical care. On September 28, 1945, Mr. Walker was discharged from the Marines and began his civilian life again. His wife of over 50 years, Betty, whom he met in San Francisco where he spent most of his life prior to the war, was waiting for him when he returned.

The Battle of Iwo Jima was one of the bloodiest and most ferociously fought battles of World War II. Mr. Walker was one of nearly 70,000 Marines who bravely battled entrenched Japanese forces knowing full well that casualties would be high.

For his service, Mr. Walker was awarded the Purple Heart Medal, Asiatic Pacific Campaign Medal with star, the American Campaign Medal, and the World War II Victory Medal. After his decorated service in the Marine Corps, Mr. Walker began working for the California Department of Motor Vehicles where he retired from a supervising position.

Mr. Walker has said that one of the happiest days of his life was when he was released from the Marine Corps, but he will also testify that his time in the Corps changed and defined his life. The phrase, ''once a Marine, always a Marine'' comes to mind when one thinks of the valiant heart and storied life of our friend, Robert Francis Walker.

HONORING LORNA C. HILL

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. HIGGINS of New York. Madam Speaker, I rise today to recognize the life and accomplishments of Lorna C. Hill, who is the founder of Ujima Theatre Co. in Buffalo, NY and has been a leader in the Western New York community for many decades.

Ms. Hill has broken all types of barriers throughout her life. She was the first woman accepted into Dartmouth College, graduating in 1973. For this accomplishment, Ms. Hill has been honored by the Black Alumni of Dartmouth Association and the Office of the Dean of the College with a celebration in her name. After earning her bachelor's degree, Hill pursued her M.A. in Theatre at the State University of New York at Buffalo in 1978.

In 1978, Ms. Hill founded the Ujima Theatre Company currently located on the West Side of Buffalo. Through the years, Ujima has been a center for cultural acceptance, justice, and racial equality, as well as a hub for artistic vision, especially within the African American community. Ms. Hill continued her career in theatre and the arts as a poet, playwright, and performing on stage, in commercials, and in television.

While operating Ujima Theatre Co., Ms. Hill continued to share her artistic and theatrical talents at the Buffalo Academy of Visual and Performing Arts. As a dedicated public school teacher from 2008 to 2015, Ms. Hill touched the lives of her many students. Her passion for the art of storytelling fused perfectly with her role as an educator.

For her entire adult life, Ms. Hill fought for the rights of women and people of color. Ms. Hill is looked up to by many for her entrepreneurial spirit, service to Western New York, and dedication to cultural theatre and the arts. As such, she has been honored and awarded for her work by a multitude of local organizations including Buffalo Business First, Community Action Organization of Erie County, Erie County Chapter of the Links, YWCA, YMCA, Grass Roots, Inc., Zonta Club, Senator Hillary Rodham Clinton, Artvoice, Arts Council, National Organization for Women, National Conference for Community and Justice, Alpha Kappa Alpha Sorority, Buffalo Urban League, Inc., The Women for Human Rights and Dignity Inc., and Langston Hughes Institute.

Ms. Hill's most cherished accomplishment is raising two children, Amilcar Cabral and Zoë Viola, as a single head of household.

Madam Speaker, I take this moment to recognize Lorna C. Hill, a dedicated performer, director, artist, community servant and educator. Her work and presence created an irreplaceable legacy that is felt deeply throughout Western New York and beyond.

HONORING THE LIFE AND LEGACY OF JUDGE CHARLES LLOYD ELLOIE

HON. CEDRIC L. RICHMOND

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. RICHMOND. Madam Speaker, I rise to honor the life and legacy of Judge Charles Lloyd Elloie, a retired Orleans Parish Criminal Court judge, who passed away on Sunday, May 31, 2020 at the age of 82.

Born in New Orleans, Louisiana on April 6, 1938 to Joseph and Elizabeth Fredricks Elloie, Judge Elloie was one of five children and was raised in the Lafitte Public Housing Development. A Pullman porter, his father worked on the Sunset Limited railroad while his mother was a domestic worker.

A student of public school throughout grade school, Judge Elloie attended Dillard University and graduated with a BA degree in Education. He was the first of five in his family to graduate from college. Following his graduation from 1960 to 1966, he served as a biology and math teacher in the Orleans Parish School System.

After his tenure teaching, Judge Elloie became an agent for the Prudential Insurance Company where he became the first African American hired in his region. In this role, he was successful in assisting individuals and expanding this critical service to many who did not have access prior. However, despite his success, he still yearned to address some of the unsettling societal inequalities he had seen and experienced throughout his life.

Naturally, Judge Elloie's desire to make an impact in his community led him to get involved in New Orleans politics. In 1968, he pursued a seat on the local school board, but ultimately fell short. However, he stayed determined and refused to allow this loss to deter him.

In 1969, Judge Elloie founded the Community Organization for Urban Politics (COUP) in partnership with his close friend, Attorney Robert Collins. Almost immediately, COUP became extremely influential in New Orleans and particularly powerful in the 6th and 7th wards.

That same year, he ran unsuccessfully for the House of Representatives, but just a few years later he served as Assistant to the Mayor and Director of Youth Opportunities. In those roles, he successfully promoted political engagement, provided recreational and workforce opportunities for young people, and held politicians accountable to ensure they addressed obstacles faced by people of color both economically and socially.

Prior to the election of former Louisiana Governor Edwin W. Edwards, Judge Elloie worked on his campaign and served as Assistant to the Governor from 1972 to 1975. Upon his departure, he ran for State Representative to represent an uptown district, but unfortunately did not garner enough votes needed to win.

Soon after, Judge Elloie decided to enroll in Southern University Law Center to pursue a career in law. During his tenure as a student, he served as Student Bar Association President. Upon graduating in 1979, Judge Elloie was prepared to become a legal servant of the people.

Beginning in 1980, for sixteen years Judge Elloie had a successful criminal law practice. His legal knowledge, his ability to connect with people, and his passionate pursuit of justice and equity for his clients all played key roles in his career as an effective criminal lawyer.

In 1995, Judge Elloie ran a successful campaign for the Orleans Parish Criminal District Court judge. In 2002, he was re-elected without opposition for a second term. In 2007,

Judge Elloie retired following a tenure of service that brought justice and provided numerous opportunities for second chances, all while making his courtroom accessible to the community.

Judge Elloie lived an extraordinary life, founded on bringing justice for all, that cannot be overstated. He was dedicated to elevating his community, maximizing his potential, and being an agent for social change. Judge Elloie was a trailblazer and his life, legacy, and spirit will remain a guiding force to the city of New Orleans. I am grateful for his service. I send my sincere prayers, condolences, and strength to the Elloie family during this difficult time. May his soul rest in peace.

Judge Charles Lloyd Elloie is survived by his wife of more than 30 years, Dr. Pearlie Hardin Elloie, two sons, Charles L. Elloie, Jr. and Joseph C. Elloie, one brother, Wilbur Ronald Elloie, nine grandchildren, one great grandchild, numerous nephews, nieces, family members, friends, and colleagues. Judge Elloie was a member of the St. Katharine Drexel Catholic Church, serving as Lector. He was also a life-time member of Omega Psi Phi Fraternity, Inc.

Madam Speaker, I celebrate the life and legacy of Judge Charles Lloyd Elloie.

ITA NEYMOTIN

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. ROONEY of Florida. Madam Speaker, I rise today to congratulate Ita Neymotin on her appointment to be the chair of the Florida Bar's Committee on Professionalism, following her nomination by Florida Bar President Dori Foster Morales.

Ms. Neymotin has an outstanding career in litigation in both the public and private sector. Beginning her career as a prosecutor for the state's attorneys office, Ita has prosecuted a wide variation of cases over the course of her career. In recent years she has been a member of the Committee on Professionalism. Ms. Neymotin currently serves as Regional Counsel of the office of Criminal Conflict, and Civil Regional Counsel for the 2nd District Court of Appeals in Ft. Myers, Florida.

I am confident that Ms. Neymotin will continue to uphold the law with the utmost standards and will be a great asset to the Florida Bar as it oversees nearly 107,000 attorneys in the State of Florida.

IN RECOGNITION OF MICHAEL PENALUNA

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. BURGESS. Madam Speaker, I rise today to celebrate the achievements of Michael Penaluna, Emergency Management Coordinator for the City of Denton, Texas. Mr. Penaluna is retiring after serving the public for over thirty years.

Penaluna began his education at North Central Texas College, where he earned his Associate of Science degree and training as an Emergency Medical Technician. He served an internship with the City of Bowie and received his Bachelor of Science degree in Crisis/Emergency/Disaster Management from the University of North Texas (UNT) in 1988. This milestone was the foundation for two of his lifelong professional passions: Emergency Management and the University of North Texas. His first position in this field was with the Caddo-Bossier Office of Homeland Security and Emergency Preparedness in Shreveport, Louisiana. During his fifteen year tenure with this department, he rose to the position of Assistant Director, served as President of the Louisiana Emergency Preparedness Association, and earned a Masters degree at Louisiana Baptist University & Theological Seminary.

The second chapter in Penaluna's career began in 2004, when he becamed the Emergency Management Coordinator for the City of Denton. Over the next fifteen years, he was instrumental in broadening and strengthening the city's Emergency Management Program. Penaluna is well-respected by his peers, and he has served as Chair of the Denton Emergency Preparedness Advisory Committee and Co-Chair of the North Central Texas Council of Government's Emergency Management Working Group. He has been a sought after guest lecturer at UNT and Texas Woman's University.

Penaluna has been an esteemed mentor and intern supervisor for many students over the years who are now his professional colleagues. In 2015, he was recognized by UNT as the Outstanding Alumnus in Emegency Administration & Planning. Penaluna's legacy will continue to shine brightly as his namesake Michael A. Penaluna Endowed Scholarship in Emergency Administration & Planning at UNT will afford many more students the opportunity to train for the profession he holds so dear.

Throughout his career, Michael Penaluna dedicated over three decades of his life to public service. His expertise and leadership will be sorely missed not only by the citizens of Denton, but also by his colleagues across Texas and beyond. He has truly been an outstanding public servant, and on behalf of the 26th District, I wish him all the best in retirement.

SWITZERLAND IS UNIQUE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, the United States of America is grateful for the partnership with the leadership of the Swiss Confederation in partnership with our shared resolve to eradicate the Wuhan Virus.

The Swiss Confederation worked tirelessly through the leadership of the Federal Council, notably Minister of Health, Alain Berset; Foreign Minister, Ignazio Cassis; Minister of Finance, Ueli Mauer and Minister of Economics, Guy Parmelin. Their efforts to end the pandemic, stabilize the economy, and lead through the principles of freedom and democracy enable the United States and Swiss business, scientific, and economic leaders to work together for vaccine, cures, ventilators, masks, and other critical lifesaving efforts. The Cantonal leadership was also a testament to the success of federalism that the United States and The Swiss Confederation historically share.

The Swiss Confederation is recognized as an international leader in the fight against the pandemic and its Spietz lab has made valuable contributions to the international research that made this recognition possible. Americans are grateful to the people and the Confederation of Switzerland for their unique contribution in fighting this tragic pandemic.

The partnership of Switzerland and the United States is enhanced with the dynamic leadership of Ambassador Ed McMullen, appointed by President Donald Trump.

PERSONAL EXPLANATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. MARCHANT. Madam Speaker, after consulting with physicians about traveling during the COVID–19 pandemic, I was not able to make it to Washington for this vote, but I would have voted NO on H.R. 7120, the George Floyd Justice in Policing Act of 2020. Instituting common-sense police reforms is a bipartisan goal, but this bill is unfortunately an exercise in partisan politics. I continue to support the JUSTICE Act put forth by Senator TIM SCOTT, which contains many bipartisan reform measures, and urge the Speaker to bring it before the House for a vote.

RAE ANN WESSEL

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. ROONEY of Florida. Madam Speaker, I rise today to congratulate my friend, and longtime Southwest Florida environmental Advocate Rae Ann Wessel on her retirement today from the Sanibel Captiva Conservation Foundation.

Over the course of her entire career, and especially during her 14 year tenure at the SCCF, Rae Ann has worked tirelessly for the ecosystems of southwest Florida and was major advocate for clean water after the harmful Blue Green Algae Blooms ravaged the precious marine ecosystems, estuaries, and fisheries of the Southwest Florida coastline, as well as being a major factor in restoring Southwest Florida's natural wetlands.

On behalf of myself and the citizens of the Florida 19th Congressional District, and the rest of the Southwest Florida community, we are extremely grateful for the tireless, and resolute work Rae Ann has done to clean up the Environment of not only Southwest Florida, but of the entire State of Florida.

I thank Rae, and we wish her a long, joyful, and blessed retirement.

RECOGNIZING DANIELLE BLACK LYONS AS CONSTITUENT OF THE MONTH

HON. MIKE LEVIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. LEVIN of California. Madam Speaker, it is my honor to recognize Danielle Black Lyons, co-founder of Textured Waves and diversity activist in the surfing industry, as the Constituent of the Month for June.

At a time when our country is undergoing a nationwide uprising to address police brutality and systemic racism in America, Ms. Lyons brought the heart of the Textured Waves community, the love of her culture, and surfing together to help organize a memorial paddle out in which thousands of fellow surfers recognized the life of George Floyd and others who have been killed at the hands of police. This powerful traditional surfing demonstration paid tribute to the Black Lives Matter movement and gave hope to our community as it struggles to address these critically important issues.

A surfer herself, Danielle was tired of seeing only one image of surfers that didn't fit her own experience in the sport. Seeking to bridge the divide and show a more inclusive representation of women of color in the surfing community, Textured Waves was formed.

The platform is an inclusive space for women of color surfers to come together for community, kinship, and camaraderie. It is a space that gives insights into diversifying the surf world with relevant resources, featured stories, imagery of women of color riding waves, and more.

I applaud Danielle's spirit and activism and look forward to seeing what else she will do to make a positive impact on our community, the surfing industry, and this important movement going forward.

I launched a Constituent of the Month program to recognize individuals who have gone above and beyond to make our region and our country a stronger place for everyone to live and thrive. As our nation and community works toward long overdue racial change and healing, voices like Danielle's must be lifted and echoed. I am honored to recognize Ms. Lyons as my Constituent of the Month, and I thank her for being a prominent actor in amplifying diversity in our surf culture and shining her light on this historic movement of change for America.

TRIBUTE TO GENERAL WILLIAM LYON

HON. KEN CALVERT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. CALVERT. Madam Speaker, I rise today to honor and pay tribute to an outstanding individual, General William Lyon, who passed away at the age of 97 on May 22, 2020. ''The General,'' as his friends knew him, was a loving husband, father, grandfather, great-grandfather, a decorated military veteran, a dedicated philanthropist, and an esteemed community leader in Southern California. He will be deeply missed.

William Lyon was born March 9, 1923, in Los Angeles, California. Throughout the 1940s Lyon studied business at the University of Southern California and attended the Dallas Aviation School and Air College. While there, he trained military pilots as a civilian instructor before joining the U.S. Army Air Corps in 1943. During World War II he served as a pilot in Europe, the Pacific, and North Africa and after the war he joined the Air Force Reserve in 1946. During the early 1950s, he returned to active duty and flew 75 combat missions throughout the Korean War. In 1975, Lyon was appointed Chief of the Air Force Reserve by President Ford, a title he held until he retired from the military in 1979. Throughout his years of service, Lyon received numerous awards and decorations including the Distinguished Service Medal, Legion of Merit, Distinguished Flying Cross, Air Medal with three oak clusters, and the Presidential Unit Citation.

In addition to his military accolades, Lyon was best known for his successful career in home building, real estate, and commercial aviation. He began his business as a modest effort to provide homes for military personnel returning from service and others across California. His efforts eventually evolved into William Lyon Homes, Inc. which grew into one of the nation's largest homebuilders responsible for constructing more than 100,000 homes across the western United States. Throughout his life, Lyon remained an active pilot and often flew his own jet and functional World War II-era planes. In 2008, he flew a vintage B–17 Flying Fortress to Washington D.C. to participate in a memorial ceremony.

A proud Trojan, Lyon's undergraduate degree was only the beginning of his involvement with USC. In 1986, he was elected to the university's Board of Trustees and remained a longtime advocate and supporter of USC's research and programs throughout his life. An active philanthropist and community leader, Lyons donated to organizations such as the Orangewood Children's Foundation and the Segerstrom Center for the Arts where he served for 30 years as a director of the board and formerly as chairman. Additionally, he was a chairman of the Boy Scouts of America, the Orange County Council, and served as the board chairman of the Alexis de Tocqueville Society of the United Way. He founded the Lyon Air Museum, located next to John Wayne Airport which exhibits authentic aircraft, vehicles, and memorabilia from the World War II era.

I had the pleasure of knowing the General through his service to Southern California and can personally attest to his numerous achievements and the countless lives he touched. He was a great American, a true patriot, an esteemed leader, and a dedicated husband, father, and friend. I extend my heartfelt condolences to his wife of 48 years, Willa Dean, to their children, Susan, Christine, Marcia, and Bill, their grandchildren, and the rest of his family and friends. Although the General may no longer be with us, he will continue to have a lasting impact on the lives of his family and community.

HONORING THE LIFE OF WILLIAM LYON

HON. HARLEY ROUDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. ROUDA. Madam Speaker, I rise today to recognize the life of William Lyon, who passed away on May 22, 2020 at the age of 97. For 50 years, his work as a real estate magnate revolutionized the housing industry in both Orange County and around the country.

In 1954, Lyon began working in construction with a 66-home project in Anaheim, California. Lyon foresaw the region's growth, and capitalized on the post-World War II economic boom. Less than a decade after his first construction project, he became one of the biggest names in the homebuilding industry. His company, William Lyon Homes, was based in Newport Beach. Lyon and his combined companies were responsible for creating by than 72,000 residential living spaces by the end of his career.

Lyon's aptitude for reading the housing market and maximizing development opportunities in Orange County are what truly set him apart from his peers and justified his title as a real estate titan. Known as ''the General'' by friends and family, his leadership and accomplishments sparked great change in our community.

I ask that all Members join me in honoring the accomplished life of William Lyon.

RETIREMENT OF DR. BENNY LILE

HON. JAMES COMER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. COMER. Madam Speaker, I rise today to recognize the extraordinary career of Dr. Benny Lile who recently retired from 35 years of service as an educator in the public-school system.

Throughout the last thirty-five years he has served as a substitute teacher, taught in the classroom, worked in central office, the Technology Service Center in Bowling Green, and finished a stellar career serving as the superintendent of Metcalfe County Schools for the last seven years. The span of roles shows how widely his passion for education runs in the public-school system.

Through Dr. Lile's dedication he incorporated many activities that allowed his students to excel in the classroom. In 1988, he secured a grant that allowed the school to go from having two computers to a fifteen-computer lab—quite an accomplishment for a rural school during that time. Dr. Lile made the computer program Oregon Trail go from the computer screen to a real-life event, where the students dressed up in pioneer clothes and he even secured a horse to bring to school.

I join with Dr. Lile's family and friends, as well as all those he has impacted during his years in the school system, in honoring his incredible career and devotion to education. I wish him the best as he begins the next phase of life and express my gratitude for his service to the 1st District of Kentucky.

GEORGIA ADVANCES DEMOCRACY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, this week was extraordinary for the advancement of democracy in the Republic of Georgia with the first step of adoption of important electoral reforms by the Parliament, led by Prime Minister Giorgi Gakharia. The constitutional amendment approved by Georgian lawmakers this week will lead to a mixed electoral system in Georgia, a compromise brokered between the country's political rivals pursuant to the March 8th agreement. The Parliament's approval of this crucial reform signals Georgia's serious commitment to democratic consolidation and Euro-Atlantic integration.

The people of America appreciate the courageous Georgian lawmakers supporting the March 8th agreement. This includes this week's important electoral reforms but also efforts addressing political interference in the judicial system. In doing so, Georgia will safeguard the progress it has made and prove itself once again as an undeniably successful regional model of democratic transition.

Georgia is well represented in Washington with Ambassador David Bakradze. South Carolina has a special warm relationship developed by Honorary Consul of Georgia, Admiral David Shimp, of Charleston.

HONORING THE TX03 CONGRESSIONAL YOUTH ADVISORY COUNCIL

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. TAYLOR. Madam Speaker, I ask my colleagues to join me in congratulating the 2019–2020 Congressional Youth Advisory Council (CYAC). Over the past year, students from public, private, and home schools in grades 9th through 12th across Texas' Third Congressional District participated in my inaugural youth program.

From student governments, athletics, fine arts, honor societies, and a multitude of community and civic organizations, these servant leaders proved to be engaged members of our community as they learned more about our democracy.

During the past school year, students assembled on multiple occasions to discuss issues of importance to their generation and our country as a whole. In addition to attending various interactive information sessions, students shared their feedback by completing multiple assignments on current events and topics associated with our meetings. These young leaders truly capitalized on their experience by engaging in policy discussions while offering innovative solutions on issues of the day.

Despite the hardships posed from the COVID–19 pandemic, members of my CYAC continued to participate virtually in discussion regarding Congressional efforts to provide relief for those impacted by coronavirus while sharing multi-faceted concerns on effects of the virus.

These students consistently impressed me with their knowledge and willingness to engage in thoughtful and constructive dialogue, even when their opinions differed from one another. It is a reminder, when we come to the table with the desire to improve America, there is nothing we can't achieve.

Now as I conclude my inaugural Congressional Youth Advisory Council, I am filled with conviction knowing this next generation of leaders will continue to propel our country forward through their commitment to finding productive solutions.

I thank every member of the Congressional Youth Advisory Council for their unwavering commitment to this program even amidst great adversity. Each of them has the potential to shape our nation in bold new ways while serving their community. It has been an honor to know and serve them in Congress.

Anna Aasen, Gabriella Abraham, Benjamin Ai, Luis Barajas, James Barta, Calame Brady, George Colandrea, Mason Daugherty, Tristan Espinoza, Zachary Evans, Ainsley Ford.

Tatiana Gong, Aalaya Gurram, Tristan Hassell, Austin Hoang, Allie Johnson, Jonah Johnson, Caroline Joyce, Daniel Jungerman, Ameya Khanapurkar, Elizabeth Klaysork.

Itxel Martin-Huesca, Cale Morrow, Aaron Myers, Sneha Nadella, Katherine Nelson-Ortiz, Katherine Novakovich, Rohan Raghav, Graham Robinson, Sierra Rodriguez, Inaki Romero-Garza.

Pierce Sandlin, Eli Scott, Tajvir Singh, Chase Stevens, Jennifer Su, Macy Su, Thomas Topping, CJ Ward, Samuel White, Reese Woertink.

SCOTLAND COUNTY HOSPITAL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Scotland County Hospital. Scotland County Hospital is an important Critical Access Hospital in my district that is celebrating their 50th anniversary and I stand today to celebrate with them and recognize their unwavering commitment to keeping rural Missourians healthy.

Established in 1970, Scotland County Hospital has met the healthcare needs of thousands of individuals over the past five decades. The only hospital in a five-county region, Scotland County Hospital has gone above and beyond in serving the area, continuing to expand their services to provide accessible healthcare. Located in Memphis, Missouri, Scotland County Hospital has continued to grow, transforming into a state-of-the-art facility with nearly 200 employees. In addition to their main facility, Scotland County Hospital has also opened several rural health clinics in surrounding counties. I firmly believe that Scotland County Hospital goes above and beyond in successfully fulfilling their mission ''to improve the healthcare of our communities with services close to home''.

Madam Speaker, I proudly ask you to join me in recognizing Scotland County Hospital for their tremendous service to the City of Memphis and Northeast Missouri over the past 50 years. I am honored to represent Scotland County Hospital in the United States Congress.

PERSONAL EXPLANATION

HON. JOHN R. CURTIS

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. CURTIS. Madam Speaker, had I been present on June 25, 2020, I would have voted nay on H.R. 7120, the George Floyd Justice in Policing Act. I missed this vote due to a scheduled surgery I needed to attend in Utah.

Our country needs police reforms to improve relationships between law enforcement and communities while also ensuring the police can enforce the law. To this end, I am a proud original cosponsor of the JUSTICE Act, which simultaneously promotes both needed change while still supporting law enforcement officers who act in good faith to protect and serve. Unfortunately, the bill before the House today falls short. Mandating locally-run police departments to make one-size-fits-all changes without providing adequate resources will inevitably make it more difficult to follow good community based policing practices and recruit highly qualified officers. I am hopeful that the Senate will soon hold a vote on the JUSTICE Act and that both chambers can work together to develop a solution we can all support.

PERSONAL EXPLANATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. FORTENBERRY. Madam Speaker, from Monday, March 9 through Wednesday, March 11, I missed votes due to illness. Had I been present, I would have voted ''yea'' on Nos. 91, 92, 93, 94, 97, 98, and 100 and ''nay'' on Nos. 95, 96, 99, and 101.

RECOGNIZING LIECHTENSTEIN'S SUCCESS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, as the world faces the Wuhan Virus Pandemic, a success has been the leadership of the Principality of Liechtenstein with America's shared resolve to eradicate the virus.

The Liechtenstein Government, through the leadership of His Serene Highness Prince Alois, worked together to make Liechtenstein one of the great international success stories by keeping Covid–19 infection rates at unseen lows. These effective policies also enabled Liechtenstein to suffer the death of only one of its citizens.

The United States recognizes His Serene Highness and his government for their success and embrace of our shared values of freedom and democracy in fighting this gruesome pandemic.

Ed McMullen, appointed by President Donald Trump, has been tireless in promoting our longtime alliance with the Principality.

TRIBUTE TO GLENDA SHRUM

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. ROGERS of Kentucky. Madam Speaker, I rise today to pay tribute to Glenda Shrum, one of Eastern Kentucky's earliest activists against the region's deadly drug abuse epidemic. As Glenda retires, I want to commend her for dedicating 16 years of service as Program Supervisor for the Knott and Magoffin County Drug Court Program, plus nearly 27 years of service as Administrator of the Knott County Health Department. Her leadership and courage of conviction has helped save lives in Eastern Kentucky.

In 2003, I launched Operation UNITE to combat the opioid crisis in Kentucky's Fifth Congressional District, utilizing a holistic approach through law enforcement investigations, treatment and education. One of the first people who joined our grassroots movement was Glenda Shrum. In fact, she had already formed the Knott Drug Abuse Council in 2002 with grant funding support, and she quickly became a trusted advisor for UNITE regarding community and family needs in and beyond the borders of Knott County. I distinctly remember Glenda presenting us with results of a local study that overwhelmingly validated our joint cause to combat drug abuse. The study revealed more than 50 percent of students in Knott County were living in homes without either parent as a result of drug overdose deaths, incarceration for a drug-related crime, or losing custody as a result of substance abuse. Later in life, Glenda personally experienced the reality of this statistic when she became the guardian of a young great-niece and nephew. However, it wasn't the first time that Glenda personally felt the impact of substance abuse within her family; the first came at the age of 9, when her father was tragically killed by a drunk driver. When you examine her life experiences, Glenda's courage of conviction and passion to drive out the stigma surrounding substance abuse is abundantly clear.

Through the Drug Court Program, Glenda has actively created local partnerships with employers who are willing to give graduates a second chance job opportunity. Others have found purpose and hope through the Appalachian Artisan Center where they are learning unique skills in pottery, blacksmithing and luthiery. She has also actively created educational programs for the entire family in hopes of reuniting and repairing relationships that suffered extensive damage prior to recovery. Glenda's work has not only helped save lives in Southern and Eastern Kentucky, but has helped rebuild families, and the local workforce where these individuals in recovery are now thriving.

In addition to a career centered around helping others, Glenda volunteers her spare time with the Knott County Drug Abuse Council, which was one of the very first organizations of its kind in the Appalachian region. As chairwoman since inception, Glenda has led community-wide events, including the annual Dad's Day Out at Carr Creek Lake in partnership with the U.S. Army Corps of Engineers; Project Grad, a drug-free after-prom event; free Christmas gifts for children in need during the holidays; and school supplies for children impacted by the opioid epidemic.

Had it not been for individuals, like Glenda Shrum, pounding the pavement for hope and change nearly 20 years ago, I fear what our communities would look like today. When others were hiding addiction problems and sweeping them under the rug, leaders like Glenda marched through our hills and hollows to help us raise awareness and spread a message of hope. It has been an honor to work with Glenda over the years and I personally appreciate her close interaction with our team at Operation UNITE, which now serves as a national model of success.

I want to wish Glenda many wonderful years of retirement with her family. She should rest easy knowing the countless individuals that she has empowered and inspired to make life changing decisions over the years. Her legacy will long be seen in the children that are now growing up to lead the way and continue the work she started some two decades ago. May God bless Glenda and her family for her incredible love she has shown to the people of Eastern Kentucky.

RECOGNIZING DR. LEE GOLDMAN, MD, MPH

HON. ADRIANO ESPAILLAT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. ESPAILLAT. Madam Speaker, I rise today to recognize and celebrate Dr. Lee Goldman, MD, MPH, Dean of the Faculties of Health Science and Medicine and Chief Executive of Columbia University Irving Medical Center (''CUIMC'') on his tremendous work and leadership at Columbia University over the last 14 years.

At the end of this month, Dr. Goldman will be stepping down from his leadership and academic position. Since joining CUIMC in 2006, the institution has seen remarkable growth and infusion of talent as an academic medical center and leader in clinical research while strengthening the relationship between CUIMC and NewYork Presbyterian Hospital.

Dr. Goldman has been integral to the establishment of new academic and research departments in the fields of Neuroscience, Systems Biology, Emergency Medicine, and Medical Humanities & Ethics. Growth in these fields have brought to CUIMC a more diverse faculty and staff of experts working in concert to further scientific advances. His example and leadership brought to fruition the Precision Medicine Initiative and establishment of the Institute for Genomic Medicine.

And we cannot speak of the institutional change Dr. Goldman has led without speaking of the ground-breaking Roy and Diana Vagelos Education Center providing graduate and medical students a state-of-the-art facility to better educate new generations of clinicians, scientists, and researchers.

Dr. Goldman has made an indelible imprint on CUIMC since his first day and I know the entire Columbia University family will join me in thanking him for his incredible contributions. On behalf of New York's 13th Congressional District, I thank Dr. Goldman for his tireless work and dedication to making our diverse community stronger, resilient, and an example that future leaders will strive to achieve.

HONORING THE 2020 UNITED STATES SERVICE ACADEMY-BOUND STUDENTS

HON. VAN TAYLOR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. TAYLOR. Madam Speaker, it is my great honor to recognize those young men and women from Texas' Third Congressional District who have accepted an appointment to one of our prestigious United States Service Academies.

The United States Services Academies have long been known for selecting well-rounded students who have achieved the highest standard of academics, athletics, and civic engagement. Each of these candidates have gone through a highly competitive and rigorous process to get where they are today. Their commitment to excellence both inside and outside of the classroom has set the stage for success as they train towards becoming future military leaders proudly representing Texas' Third Congressional District and our nation.

In beginning this new chapter of service, I am certain these patriots will obtain the finest education and military training available. It is with great hope for the future I thank these students for their selfless commitment and the sacrifices they will make in the years to come.

As one who has worn the uniform, it is now my privilege to congratulate these students as they embark on this new mission, and I ask my colleagues to join me in celebrating our young leaders as they prepare to go forth in serving our nation with unwavering commitment and distinction.

CLASS OF 2024 APPOINTMENTS

U.S. AIR FORCE ACADEMY

Jason Ferguson; Liberty High School, McKinney.

Andrew Ferkany; Plano Senior High School/USAFA Preparatory School; Plano.

McKenzie Hochevar*; Plano Senior High School, Plano.

Daniel Jungerrnan; Plano East Senior High School, Allen.

Catherine Kim; Plano West Senior High School, Plano.

Tiffany Li; Prince of Peace Christian School; Frisco.

Brett Schraeder; Melissa High School, Melissa.

Jordan Simmons; Greenhill School/USAFA Preparatory School, McKinney.

U.S. NAVAL ACADEMY

Ryan Hogg; Prosper High School, Prosper.

Zane Smith; Deerfield Academy, Frisco.

U.S. MILITARY ACADEMY

Alexis Bradstreet; Plano East Senior High School, Richardson.

Ethan Hesson; Wylie High School, Lucas.

Nicholas Hughes; Plano Academy High School, Plano.

Mason Hutchins; Lovejoy High School, Fairview.

Stephen ''Drew'' Reynolds; McKinney Boyd High School, McKinney.

Natalie Russo; Lebanon High School, Frisco.

Zach Vernier; McKinney.

U.S. MERCHANT MARINE ACADEMY

Williams Bose*; McKinney Christian Academy, McKinney.

Bryce Bristow; Plano Senior High School, Plano.

Elizabeth Klaysork; Plano Senior High School, Plano.

*Denotes acceptance to one of the academy preparatory schools.

SOUTH CAROLINA STATE GUARD 350TH ANNIVERSARY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, congratulations to the members of the South Carolina State Guard on their 350th Anniversary.

The South Carolina military has a long and storied history since it was first organized as a Militia at Charles Town on Albermarle Point on the Ashley River in 1670. This Militia was the earliest manifestation of the South Carolina State Guard.

In the early days of the Province of Carolina, the Militia repulsed French and Spanish invasions, attacked St. Augustine in 1706 and won the Yemassee Indian War in 1715. The Militia invaded Spanish Florida once more in 1749 and repulsed frontier Indian attacks from 1716 to 1761, including the Cherokee Indian Wars.

During the American Revolution, South Carolina Militia units were formed into three brigades under General Francis Marion (the Swamp Fox) in the Lowcountry, General Thomas Sumter (the Fighting Gamecock) in the Midlands, and General Andrew Pickens in the Piedmont. They fought scores of engagements against the British during the American Revolutionary War. There were more skirmishes in the Province of South Carolina than any other Province during the Revolution, as its citizens were dedicated to Independence. The Militia also volunteered to defend the state in the War of 1812 and again in 1846 in the Mexican War.

During the period from 1917 to 1920 the South Carolina Militia was activated to replace the SC National Guard units serving in France. On March 21, 1941, Governor Burnet Maybank of Charleston signed a law establishing the ''South Carolina Defense Force''.

Now called the South Carolina State Guard, the still all-volunteer organization consists of highly trained and ready professionals.

When serious natural or man-made disasters strike our state, the mission of the State Guard is to quickly respond to protect people and property and to help communities recover. Acting in coordination with the National Guard, law enforcement, and other state, county, and municipal agencies during time of emergency, the State Guard is part of the South Carolina Military Department under the direction of the Adjutant General. Its Commander in Chief is the Governor.

When the State Guard was needed to respond to hurricanes Joaquin, Harvey, Matthew, and Florence, its personnel were there to answer the call. In 2018 alone, the nearly 1,000 members of the State Guard volunteered more than 90,000 hours protecting the lives and property of south Carolinians alongside federal, state, and local first responders.

State Guard members engage in activities such as Search and Rescue Operations, Medical assistance, legal transport, traffic and parking guidance, engineering expertise, chaplain and counseling services, direct distributions of supplies, and conducting military funeral honors to our veterans.

The State Guard's Commanding General is Brigadier General Leon Lott and its Deputy Commander is Brigadier General Michael Langston. The State Guard headquarters is in the historic Olympia Armory in Columbia. The State Guard's motto is ''Trained and Ready''.

HONORING AND CELEBRATING JUNETEENTH

HON. HARLEY ROUDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. ROUDA. Madam Speaker, I rise today to recognize and celebrate Juneteenth. On June 19, 1865, the Emancipation Proclamation was read to the last enslaved African Americans in Galveston, Texas.

Today, we reflect and honor the horror and hardship of those enslaved in the United States. In communities across America, we celebrate the contributions and sacrifices of African Americans who paved the way for future generations.

We know that the Emancipation Proclamation did not ensure equality for African Americans in our country, but the freedom from slavery was instead a first step in an ongoing and righteous battle for justice in the United States. Let us reflect today on how far we have come, and recognize how far we still have to go in our fight for true equality. Let us use this time to acknowledge the work that needs to be done to ensure a more equitable tomorrow.

Juneteenth is a time to reflect on our nation's fraught history and acknowledge that we can, and will, do better.

I ask that all Members join me in celebrating Juneteenth.

CELEBRATING THE ARMY SERVICE OF CORPORAL MARION ''MARK'' CARLTON

HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. BABIN. Madam Speaker, on this 70th Anniversary of the Korean War, I rise today to honor a great soldier and patriot, Corporal Marion ''Mark'' Herbert Carlton, United States Army, for his service as a Combat Motion Picture Cameraman in the 71st Signal Corps, ''the eyes and ears to the U.S. Army'' during combat in the Korean War.

After voluntarily enlisting in the Army on September 15, 1948, Private Carlton completed basic training at Fort Ord, California and later attended the Department of Army Signal School in Fort Monmouth, New Jersey. After graduation in May 1949, he was immediately stationed in Tokyo, Japan, just prior to the outbreak of the Korean War.

Corporal Carlton helped document the beachhead invasion on September 15, 1950 in Incheon, Korea, while carrying a colt 45, pistol on his side, grease gun and motion picture camera. He later went on to render the Department of Defense and the U.S. Airforce a great service in securing for the Department of Defense photographic material of enemy obtained while flying on the First B–29 Raid on the North Korean Peninsula with the Far East Air Forces.

According to Corporal Carlton's Citation for the Bronze Star Medal, during the period of July 23–24, 1950, PFC Carlton rendered meritorious service as an official Signal Corps Motion Picture Cameraman covering combat operations in Korea. Private Carlton, acting on his own initiative, exposed thousands of feet of motion picture film, achieving technically superior and historically significant results. With little regard for his own safety, he photographed frontline combat action as he toured the forward area of the 1st Cavalry Division, the 24th Infantry Division, and frontal positions of various elements of the Army of the Republic of Korea. Through his exceptional initiative, technical skill and courage under enemy fire, Private Carlton materially assisted in providing a photographic record of the Korean Campaign that has proven of inestimable value for tactical and logistical purposes in subsequent operations, and for historical recordings and news services. His exemplary performance of duty under extremely hazardous conditions reflects great credit on himself and the military service.

While accompanying a Marine Division north of the 38th parallel, Private Carlton was wounded by an incoming mortar, which tragically killed a Marine officer standing between him and the explosion. While sustaining shrapnel and percussive wounds to his legs and lower back, Carlton attributes his life to the nearby Marine officer whose body blocked most of the shrapnel and explosion. Carlton remains forever grateful for that officer's sacrifice. Private Carlton was immediately medivacked via helicopter to a Tokyo hospital and temporarily forced out of action. That Marine unit received decorations for their heroic achievement and gallantry.

After a short stent in the hospital Corporal Carlton returned to the battlefield and accompanied a Marine Division beachhead landing at Wonsan, North Korea. Corporal Carlton continued to document and report enemy troop movements and hostilities north of 38th parallel for the duration of his tour. In many instances, Corporal Carlton was ordered to report to General Headquarters in Tokyo to personally narrate his films for Supreme Commander for Far East Command General Douglas MacArthur and other military leaders.

Following his Honorable Discharge from the Army, Mr. Carlton continued in the motion picture field and served as a reporter at WFAA–TV in Dallas, Texas. He later went on to shoot motion pictures of medical procedures for Baylor Medical School in Dallas. Following his venture into medical motion pictures, Mr. Carlton had various roles in the motion picture industry, which included being President of the Texas Oklahoma Photo Supply. He also owned and operated his own television production studio in Dallas.

Several years later, Mr. Carlton finally found his true calling and went on to work for the University of Texas Health Science Center's

UT-Health to develop their telemedicine program. One of Mr. Carlton's most distinguished roles there was creating and managing Texas legend Dr. James "Red" Duke's Texas Health Reports. This nationally syndicated television program educated millions of Americans on health and nutrition matters. Mr. Carlton finished his career as Executive Director of International Telemedicine at MD Anderson the world-renowned Cancer Research Hospital in Houston, where he made many technological breakthroughs in documenting medical procedures and helped pioneer techniques in the field of telemedicine.

Mr. Carlton was married to the love of his life, Mrs. Patti Whitmire Carlton, for forty-years until her death in May 2020. They have 3 children: Dave, Brian, Craig. He has numerous grandchildren, and great-grandchildren. The Carlton/Whitmire family has a long history of career military and public service to our country spanning several generations.

Madam Speaker, I would like to thank Corporal Marion "Mark" Carlton for his selfless military service to this great nation.

SOUTH CAROLINA NATIONAL GUARD RESPONDS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2020

Mr. WILSON of South Carolina. Madam Speaker, two weeks ago as violent anarchy gripped our nation's capital, the South Carolina National Guard answered the call.

The South Carolina National Guard successfully mobilized and deployed nearly 450 Soldiers to the District of Columbia in support of the D.C. National Guard in less than 24 hours. This speaks to the preparedness of our service members and their willingness to support the citizens of the United States.

While on mission in the National Capital Region, Task Force Palmetto assisted the D.C. National Guard with crowd and traffic control, patrols to ensure citizen safety, and general security of the national monuments.

The support provided by the South Carolina National Guard enabled U.S. citizens to exercise their Constitutional rights and freedoms to peacefully protest.

With a history dating back 350 years, the men and women of the South Carolina National Guard continue to represent the state of South Carolina, the National Guard, and the U.S. Army with the utmost professionalism and honor. Their service in D.C. is yet another example of their commitment to State and Nation.

Special appreciation for Captain Brian Leister and First Sergeant Aaron Bittner, who survived being struck by lightning as they were serving.

Congratulations to 1–118 IN Battalion Commander Lieutenant Colonel Kenneth Snow for his honorable leadership on the ground as well as Colonel Jamie Fowler who liaised with the D.C. National Guard.

Lastly, South Carolina is grateful for Governor Henry McMaster and Adjutant General R. Van McCarty for their rapid response and service protecting families.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity for May 2020.

Senate

Chamber Action

Routine Proceedings, pages S3277–S3626

Measures Introduced: Twenty-three bills were introduced, as follows: S. 4068–4090. **Pages S3311–12**

Measures Reported:

H.R. 3675, to require a review of Department of Homeland Security trusted traveler programs. (S. Rept. No. 116–237) **Page S3311**

Measures Passed:

Commission on the Social Status of Black Men and Boys Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. 2163, to establish the Commission on the Social Status of Black Men and Boys, to study and make recommendations to address social problems affecting Black men and boys, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S3281–82**

Hawley (for Lankford) Amendment No. 1809, to require an equal number of Republicans and Democrats to serve on the Commission on the Social Status of Black Men and Boys. **Page S3281**

COVID–19: Committee on Foreign Relations was discharged from further consideration of S. Res. 579, encouraging the international community to remain committed to collaboration and coordination to mitigate and prevent the further spread of COVID–19 and urging renewed United States leadership and participation in global efforts on therapeutics and vaccine development and delivery to address COVID–19 and prevent further deaths, and the resolution was then agreed to, after agreeing to the following amendments proposed thereto: **Pages S3282–83**

Toomey (for Lee/Durbin) Amendment No. 1810, in the nature of a substitute. **Page S3282**

Toomey (for Lee/Durbin) Amendment No. 1811, to amend the preamble. **Pages S3282–83**

Toomey (for Lee/Durbin) Amendment No. 1812, to amend the title. **Page S3283**

Hong Kong: Committee on Foreign Relations was discharged from further consideration of S. Res. 596, expressing the sense of the Senate that the Hong Kong national security law proposed by the Government of the People's Republic of China would violate the obligations of that government under the 1984 Sino-British Joint Declaration and the Hong Kong Basic Law and calling upon all free nations of the world to stand with the people of Hong Kong, and the resolution was then agreed to. **Pages S3283–89**

Hong Kong Autonomy Act: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of S. 3798, to impose sanctions with respect to foreign persons involved in the erosion of certain obligations of China with respect to Hong Kong, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S3283–99**

Van Hollen (for Toomey/Van Hollen) Amendment No. 1821, in the nature of a substitute. **Pages S3285–89**

National Post-Traumatic Stress Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 618, designating June 2020 as ''National Post-Traumatic Stress Awareness Month'' and June 27, 2020, as ''National Post-Traumatic Stress Awareness Day'', and the resolution was then agreed to. **Page S3625**

Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act: Committee on the Judiciary was discharged from further consideration of S. 3377, to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision, and the bill was then passed. **Pages S3625–26**

Measures Considered:

National Defense Authorization Act—Agreement: Senate continued consideration of the motion to proceed to consideration of S. 4049, to authorize appropriations for fiscal year 2021 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.

Pages S3278–81, S3290–S3303

During consideration of this measure today, Senate also took the following action:

By 90 yeas to 7 nays (Vote No. 127), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the motion to proceed to consideration of the bill. **Page S3296**

A unanimous-consent agreement was reached providing that at approximately 3:00 p.m., on Monday, June 29, 2020, Senate resume consideration of the motion to proceed to consideration of the bill, post-cloture; and that notwithstanding Rule XXII, all post-cloture time on the motion to proceed to consideration of the bill expire at 5:30 p.m. **Page S3626**

Nominations Confirmed: Senate confirmed the following nominations:

A routine list in the Coast Guard.

Pages S3303, S3626

Nominations Received: Senate received the following nominations:

Deven J. Parekh, of New York, to be a Member of the Board of Directors of the United States International Development Finance Corporation for a term of three years.

John P. Howard III, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Vijay Shanker, of the District of Columbia, to be an Associate Judge of the District of Columbia Court of Appeals for the term of fifteen years.

Routine lists in the Army. **Page S3626**

Executive Communications: **Pages S3308–09**

Petitions and Memorials: **Pages S3309–11**

Executive Reports of Committees: **Page S3311**

Additional Cosponsors: **Pages S3312–14**

Statements on Introduced Bills/Resolutions: **Pages S3314–19**

Additional Statements: **Page S3308**

Amendments Submitted: **Pages S3319–S3625**

Authorities for Committees to Meet: **Page S3625**

Record Votes: One record vote was taken today. (Total—127) **Page S3296**

Adjournment: Senate convened at 10 a.m. and adjourned at 5:14 p.m., until 3 p.m. on Monday, June 29, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3626.)

Committee Meetings

(Committees not listed did not meet)

CBP OVERSIGHT

Committee on Homeland Security and Governmental Affairs: Committee concluded an oversight hearing to examine Customs and Border Protection, focusing on evolving challenges facing the agency, after receiving testimony from Mark A. Morgan, Chief Operating Officer and Senior Official Performing the Duties of the Commissioner, Customs and Border Protection, Department of Homeland Security.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S.685, to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General; and

The nominations of Owen McCurdy Cypher, to be United States Marshal for the Eastern District of Michigan, Thomas L. Foster, to be United States Marshal for the Western District of Virginia, and Tyreece L. Miller, to be United States Marshal for the Western District of Tennessee, all of the Department of Justice.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 54 public bills, H.R. 7326–7379; and 3 resolutions, H.J. Res. 91; and H. Res. 1023–1024, were introduced. **Pages H2513–16**

Additional Cosponsors: **Pages H2517–18**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today. **Page H2423**

Recess: The House recessed at 9:49 a.m. and reconvened at 10 a.m. **Page H2428**

Recess: The House recessed at 1:14 p.m. and reconvened at 1:29 p.m. **Page H2439**

Antitrust Criminal Penalty Enhancement and Reform Permanent Extension Act: The House agreed to discharge from committee and pass H.R. 7036, to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to repeal the sunset provision. **Page H2439**

Suspensions: The House agreed to suspend the rules and pass the following measure:

Patents for Humanity Program Improvement Act: H.R. 7259, to allow acceleration certificates awarded under the Patents for Humanity Program to be transferable. **Pages H2503–04**

George Floyd Justice in Policing Act of 2020: The House passed H.R. 7120, to hold law enforcement accountable for misconduct in court, improve transparency through data collection, and reform police training and policies, by a yea-and-nay vote of 236 yeas to 181 nays, Roll No. 119. **Pages H2439–H2503, H2504–06**

Rejected the Stauber motion to recommit to the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yea-and-nay vote of 180 yeas to 236 nays, Roll No. 118. **Pages H2491–H2503, H2504–05**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, modified by the amendment printed in part D of H. Rept. 116–434, shall be considered as adopted. **Pages H2440–53**

H. Res. 1017, the rule providing for consideration of the bills (H.R. 51), (H.R. 1425), (H.R. 5332), (H.R. 7120), (H.R. 7301), and the joint resolution (H.J. Res. 90) was agreed to by a yea-and-nay vote of 230 yeas to 180 nays, Roll No. 117, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 176 nays, Roll No. 116. **Pages H2430–39**

Quorum Calls—Votes: Four yea-and-nay votes developed during the proceedings of today and appear on pages H2438, H2438–39, H2504–05, and H2505–06.

Adjournment: The House met at 9 a.m. and adjourned at 9:55 p.m.

Committee Meetings

CAPITAL MARKETS AND EMERGENCY LENDING IN THE COVID–19 ERA

Committee on Financial Services: Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets held a hearing entitled "Capital Markets and Emergency Lending in the COVID–19 Era". Testimony was heard from Jay Clayton, Chairman, U.S. Securities and Exchange Commission.

FEDERAL COURTS DURING THE COVID–19 PANDEMIC: BEST PRACTICES, OPPORTUNITIES FOR INNOVATION, AND LESSONS FOR THE FUTURE

Committee on the Judiciary: Subcommittee on Courts, Intellectual Property, and the Internet held a hearing entitled "Federal Courts During the Covid–19 Pandemic: Best Practices, Opportunities for Innovation, and Lessons for the Future". Testimony was heard from David G. Campbell, Senior Judge, United States District Court for the District of Arizona, and Chair, Committee on Rules and Practice and Procedure, Judicial Conference of the United States; Bridget M. McCormack, Chief Justice, Michigan Supreme Court; and public witnesses.

LEGISLATIVE MEASURES

Committee on Natural Resources: Subcommittee on Water, Oceans, and Wildlife held a hearing on H.R. 1776, the "Captive Primate Safety Act"; H.R. 2264, the "Bear Protection Act of 2019"; H.R. 2492, the "St. Mary's Reinvestment Act"; H.R. 2871, the "Aquifer Recharge Flexibility Act"; H.R. 3937, to redesignate the facility of the Bureau of Reclamation located at Highway-155, Coulee Dam, WA 99116, as the "Nathaniel 'Nat' Washington Power Plant"; and H.R. 6761, the "Murder Hornet Eradication Act". Testimony was heard from Chairman Grijalva, and Representatives Blumenauer, Gianforte, Fulcher, and Newhouse; and public witnesses.

FRONTLINE FEDS: SERVING THE PUBLIC DURING A PANDEMIC

Committee on Oversight and Reform: Subcommittee on Government Operations held a hearing entitled ''Frontline Feds: Serving the Public During a Pandemic''. Testimony was heard from J. Christopher Mihm, Managing Director for Strategic Issues, Government Accountability Office; and public witnesses.

EXAMINING THE COVID–19 NURSING HOME CRISIS

Committee on Ways and Means: Subcommittee on Health held a hearing entitled ''Examining the COVID–19 Nursing Home Crisis''. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR FRIDAY, JUNE 26, 2020

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

Committee on Oversight and Reform, Select Subcommittee on the Coronavirus Crisis, hearing entitled ''Accountability in Crisis: GAO's Recommendations to Improve the Federal Coronavirus Response'', 10 a.m., 1324 Longworth and Webex.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED SIXTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through May 31, 2020

	Senate	*House*	*Total*
Days in session	78	71	..
Time in session	390 hrs, 3′	193 hrs, 50′	..
Congressional Record:			
Pages of proceedings	2,621	2,360	..
Extensions of Remarks	..	503	..
Public bills enacted into law	14	22	36
Private bills enacted into law	..	..	..
Bills in conference	..	1	..
Measures passed, total	138	149	287
Senate bills	33	15	..
House bills	24	84	..
Senate joint resolutions	4	4	..
House joint resolutions	2	3	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	3	4	..
Simple resolutions	71	39	..
Measures reported, total	*45	59	104
Senate bills	34	1	..
House bills	11	43	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	..	..	..
House concurrent resolutions	..	..	..
Simple resolutions	..	14	..
Special reports	3	3	..
Conference reports	..	..	..
Measures pending on calendar	301	33	..
Measures introduced, total	853	1,763	2,616
Bills	696	1,526	..
Joint resolutions	12	8	..
Concurrent resolutions	7	17	..
Simple resolutions	138	212	..
Quorum calls	1	1	..
Yea-and-nay votes	102	80	..
Recorded votes	..	34	..
Bills vetoed	1	1	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 35 written reports have been filed in the Senate, 62 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through May 31, 2020

Civilian nominees, totaling 277 (including 87 nominees carried over from the First Session), disposed of as follows:	
Confirmed	48
Unconfirmed	222
Withdrawn	7
Other Civilian nominees, totaling 745 (including 1 nominees carried over from the First Session), disposed of as follows:	
Confirmed	455
Unconfirmed	290
Air Force nominees, totaling 4,151, disposed of as follows:	
Confirmed	3,994
Unconfirmed	157
Army nominees, totaling 3,364 (including 3 nominees carried over from the First Session), disposed of as follows:	
Confirmed	2,594
Unconfirmed	770
Navy nominees, totaling 582 (including 2 nominees carried over from the First Session), disposed of as follows:	
Confirmed	293
Unconfirmed	289
Marine Corps nominees, totaling 1,442, disposed of as follows:	
Confirmed	1,436
Unconfirmed	6

Summary

Total nominees carried over from the First Session	93
Total nominees received this Session	10,468
Total confirmed	8,820
Total unconfirmed	1,734
Total withdrawn	7
Total returned to the White House	0

Next Meeting of the **SENATE**

3 p.m., Monday, June 29

Senate Chamber

Program for Monday: Senate will resume consideration of the motion to proceed to consideration of S. 4049, National Defense Authorization Act, post-cloture, and vote on the motion to proceed to consideration of the bill at 5:30 p.m.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Friday, June 26

House Chamber

Program for Friday: Consideration of H.R. 51—Washington, D.C. Admission Act.

Extensions of Remarks, as inserted in this issue

HOUSE

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.govinfo.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.