S. 1536

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1536, a bill to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes.

S. 1558

At the request of Mr. RISCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1558, a bill to amend section 203 of Public Law 94–305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes.

S. 1568

At the request of Mr. MARKEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1568, a bill to require the Secretary of the Treasury to mint coins in commemoration of President John F. Kennedy.

S. 1598

At the request of Mr. TESTER, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1615

At the request of Mr. GRAHAM, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from California (Ms. HARRIS) were added as cosponsors of S. 1615, a bill to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 1636

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1636, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 1685

At the request of Mr. SCOTT, the name of the Senator from Virginia (Mr. KAINE) was added as a cosponsor of S. 1685, a bill to require Fannie Mae and Freddie Mac to establish procedures for considering certain credit scores in making a determination whether to purchase a residential mortgage, and for other purposes.

S. 1688

At the request of Ms. KLOBUCHAR, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1688, a bill to amend title XVIII of the Social Security Act to allow the Secretary of Health and Human Services to negotiate fair prescription drug prices under part D of the Medicare program.

S. 1693

At the request of Mr. PORTMAN, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 1693, a bill to amend the Communications Act of 1934 to clarify that section 230 of that Act does not prohibit the enforcement against providers and users of interactive computer services of Federal and State criminal and civil law relating to sex trafficking.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

AMENDMENT NO. 575

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 575 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for 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. 592

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of amendment No. 592 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for 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. 680

At the request of Mr. BOOZMAN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of amendment No. 680 intended to be proposed to H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for 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. CORNYN (for himself and Mr. WYDEN):

S. 1701. A bill to provide for Federal agencies to develop public access policies relating to research conducted by employees of that agency or from funds administered by that agency; to the Committee on Homeland Security and Governmental Affairs.

Mr. CORNYN. 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. 1701

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 ''Fair Access to Science and Technology Research Act of 2017''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Federal Government funds basic and applied research with the expectation that new ideas and discoveries that result from the research, if shared and effectively disseminated, will advance science and improve the lives and welfare of people of the United States and around the world;

(2) the Internet makes it possible for this information to be promptly available to every scientist, physician, educator, and citizen at home, in school, or in a library;

(3) the United States has a substantial interest in maximizing the impact and utility of the research it funds by enabling a wide range of reuses of the peer-reviewed literature that reports the results of such research, including by enabling computational analysis by state-of-the-art technologies;

(4) the Office of Science and Technology Policy issued a policy memorandum dated February 22, 2013, which established the commitment of the executive branch of the Federal Government to ensuring that ''the direct results of Federally funded scientific research are made available to and useful for the public, industry, and the scientific community''; and

(5) the executive branch advises that such public access should be implemented ''with the fewest constraints possible''.

SEC. 3. DEFINITION OF FEDERAL AGENCY.

In this Act, the term ''Federal agency'' means an Executive agency, as defined under section 105 of title 5, United States Code.

SEC. 4. FEDERAL RESEARCH PUBLIC ACCESS POLICY.

(a) REQUIREMENT TO DEVELOP POLICY.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, each Federal agency with annual extramural research expenditures of over $100,000,000 shall develop a Federal research public access policy that is consistent with and advances the purposes of the Federal agency.

(2) COMMON PROCEDURES.—To the extent practicable, Federal agencies required to develop a policy under paragraph (1) shall follow common procedures for the collection and depositing of research papers.

(b) CONTENT.—Each Federal research public access policy shall provide for—

(1) submission to a digital repository designated or maintained by the Federal agency of an electronic version of the author's final manuscript of original research papers that have been accepted for publication in peer-reviewed journals and that result from research supported, in whole or in part, from funding by the Federal Government;

(2) the incorporation of all changes resulting from the peer review publication process in the manuscript described under paragraph (1);

(3) the replacement of the final manuscript with the final published version if—

(A) the publisher consents to the replacement; and

(B) the goals of the Federal agency for functionality and interoperability are retained;

(4) free online public access to such final peer-reviewed manuscripts or published versions within a time period that is appropriate for each type of research conducted or sponsored by the Federal agency, not later than 12 months after publication in peer-reviewed journals, preferably sooner, or as adjusted under established mechanisms;

(5) a means, using established mechanisms for making requests to the applicable Federal agency, for members of the public and other stakeholders to request to adjust the period before such a final peer-reviewed manuscript or published version is made publicly available by presenting evidence demonstrating that the period is inconsistent with the objectives of the Federal research public access policy or the needs of the public, industry, or the scientific community;

(6) providing research papers as described in paragraph (4) in formats and under terms that enable productive reuse of the research and computational analysis by state-of-the-art technologies;

(7) improving the ability of the public to locate and access research papers made accessible under the Federal research public access policy; and

(8) long-term preservation of, and free public access to, published research findings—

(A) in a stable digital repository maintained by the Federal agency; or

(B) if consistent with the purposes of the Federal agency, in any repository meeting conditions determined favorable by the Federal agency (including free public access), interoperability, and long-term preservation.

(c) APPLICATION OF POLICY.—Each Federal research public access policy shall—

(1) apply to—

(A) researchers employed by the Federal agency whose works remain in the public domain; and

(B) researchers funded by the Federal agency;

(2) provide that works described under paragraph (1)(A) shall be—

(A) marked as being public domain material when published; and

(B) made available at the same time such works are made available under subsection (b)(4); and

(3) make effective use of any law or guidance relating to the creation and reservation of a Government license that provides for the reproduction, publication, release, or other uses of a final manuscript for Federal purposes.

(d) EXCLUSIONS.—Each Federal research public access policy shall not apply to—

(1) research progress reports presented at professional meetings or conferences;

(2) laboratory notes, preliminary data analyses, notes of the author, phone logs, or other information used to produce final manuscripts;

(3) classified research, research resulting in works that generate revenue or royalties for authors (such as books) or patentable discoveries, to the extent necessary to protect a copyright or patent; or

(4) authors who do not submit their work to a journal or works that are rejected by journals.

(e) PATENT OR COPYRIGHT LAW.—Nothing in this Act shall be construed to affect any right under the provisions of title 17 or 35, United States Code.

(f) GAO REPORT.—Not later than 3 years after the date of enactment of this Act, and every 5 years thereafter, the Comptroller General of the United States shall submit to Congress a report that—

(1) includes an analysis of the period between the date on which each paper becomes publicly available in a journal and the date on which the paper is in the online repository of the applicable Federal agency; and

(2) examines the effectiveness of the Federal research public access policy in providing the public with free online access to papers on research funded by each Federal agency required to develop a policy under subsection (a)(1), including—

(A) whether the terms of use applicable to such research papers in effect are effective in enabling productive reuse of the research and computational analysis by state-of-the-art technologies; and

(B) examines whether such research papers should include a royalty-free copyright license that is available to the public and that permits the reuse of those research papers, on the condition that attribution is given to the author or authors of the research and any others designated by the copyright owner.

By Mr. WYDEN (for himself and Mr. RUBIO):

S. 1717. A bill to amend title 31, United States Code, to ensure that persons who form corporations or limited liability companies in the United States disclose the beneficial owners of those corporations or limited liability companies, in order to prevent wrongdoers from exploiting United States corporations and limited liability companies for criminal gain, to assist law enforcement in detecting, preventing, and punishing terrorism, money laundering, and other misconduct involving United States corporations and limited liability companies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. WYDEN. Mr. President, today I am, along with Senator RUBIO, introducing the Corporate Transparency Act of 2017. This bill will help us end the abuse of anonymous shell companies by criminals who use these entities to launder money, finance terrorism, promote sex trafficking, and evade taxes.

Each year criminals use anonymous shell companies to carry out their elicit schemes. Viktor Bout, the so-called ''merchant of death,'' utilized a vast network of shell corporations, several of which were in the United States, including one suspected of having provided weapons to the Taliban. Another anonymous U.S. company owned a large share of a Manhattan skyscraper and used its anonymity to facilitate $4.5 million in payments to an Iranian bank that was designated by OFAC as a key financier to Iran's nuclear and ballistic missiles program. Anonymous shell companies have been used to rip off taxpayers as well. In 2010, Michel Huarte was sentenced to 22 years in prison after using a network of 29 shell companies in several States to defraud Medicare, using the entities to submit claims of more than $50 million.

Last year, the release of documents known as the Panama Papers leaked from the Panamanian law firm Mossack Fonseca highlighted the use of American shell companies to carry out potential crimes. Shell company abuse is not just in occurring in offshore tax havens, but right here in the United States, and this bill seeks to put a stop to that.

In the United States, company registrations take place at the State-level. The Corporate Transparency Act of 2017 directs the Treasury Department to issue regulations requiring entities formed in the United States to declare their beneficial owners—the real, natural persons who control each company and benefit from it financially. The bill would do this by setting minimum disclosure standards for States to follow. If individual States choose to collect this information on behalf of businesses formed there, then that's all that a new business would need to do to comply. Participation by the States is completely voluntary. If companies are formed in States that do not collect this information consistent with the new minimum standards, they will need to disclose their beneficial owners directly to the U.S. Treasury Department's Financial Crimes Enforcement Network.

Collecting beneficial ownership information at the time a company is formed will offer the transparency law enforcement needs to investigate these kinds of financial crimes. Under the bill, the new beneficial ownership information would not be available to the public, but available only to appropriate state and federal authorities. Finally, the bill provides civil and criminal penalties for improper disclosure.

The bill is constructed to exempt many legitimate businesses, and the information requested is already provided by most companies in the normal course of business. Collecting beneficial ownership information at the time of incorporation relieves later compliance burdens for legitimate businesses, while at the same time prevents illegitimate businesses from operating in secrecy.

The House companion to this bill, H.R. 3089, was introduced with bipartisan support and efforts to identify the true owners of shell companies have the support of business groups like the Clearing House Association and the B-Team, law enforcement groups like the Fraternal Order of Police, and anti-corruption advocacy groups like the Financial Accountability and Corporate Transparency (FACT) Coalition and Global Witness.

The Corporate Transparency Act of 2017 is a much needed step in stopping financial crimes and the abuse of anonymous shell companies. I thank Senator RUBIO for joining me in introducing this bill, and I ask my colleagues to join me in supporting this bipartisan bill.

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. 1717

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 ''Corporate Transparency Act of 2017''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Nearly 2,000,000 corporations and limited liability companies are being formed under the laws of the States each year.

(2) Very few States obtain meaningful information about the beneficial owners of the corporations and limited liability companies formed under their laws.

(3) A person forming a corporation or limited liability company within the United States typically provides less information to the State of incorporation than is needed to obtain a bank account or driver's license and typically does not name a single beneficial owner.

(4) Criminals have exploited the weaknesses in State formation procedures to conceal their identities when forming corporations or limited liability companies in the United States, and have then used the newly created entities to commit crimes affecting interstate and international commerce such as terrorism, drug trafficking, money laundering, tax evasion, securities fraud, financial fraud, and acts of foreign corruption.

(5) Law enforcement efforts to investigate corporations and limited liability companies suspected of committing crimes have been impeded by the lack of available beneficial ownership information, as documented in reports and testimony by officials from the Department of Justice, the Department of Homeland Security, the Financial Crimes Enforcement Network of the Department of the Treasury, the Internal Revenue Service, and the Government Accountability Office, and others.

(6) In July 2006, a leading international anti-money laundering organization, the Financial Action Task Force on Money Laundering (in this section referred to as the ''FATF''), of which the United States is a member, issued a report that criticizes 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. In December 2016, FATF issued another evaluation of the U.S., which found that little progress has been made over the last ten years to address this problem. It identified the ''lack of timely access to adequate, accurate and current beneficial ownership information'' as a fundamental gap in U.S. efforts to combat money laundering and terrorist finance.

(7) In response to the 2006 FATF report, the United States has repeatedly urged the States to strengthen their incorporation practices by obtaining beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

(8) Many States have established automated procedures that allow a person to form a new corporation or limited liability company within the State within 24 hours of filing an online application, without any prior review of the application by a State official. In exchange for a substantial fee, 2 States will form a corporation within 1 hour of a request.

(9) Dozens of Internet Web sites highlight the anonymity of beneficial owners allowed under the incorporation practices of some States, point to those practices as a reason to incorporate in those States, and list those States together with offshore jurisdictions as preferred locations for the formation of new corporations, essentially providing an open invitation to criminals and other wrongdoers to form entities within the United States.

(10) In contrast to practices in the United States, all 28 countries in the European Union are required to have formation agents identify the beneficial owners of the corporations formed under the laws of the country.

(11) To reduce the vulnerability of the United States to wrongdoing by United States corporations and limited liability companies with hidden owners, to protect interstate and international commerce from criminals misusing United States corporations and limited liability companies, to strengthen law enforcement investigations of suspect corporations and limited liability companies, to set minimum standards for and level the playing field among State incorporation practices, and to bring the United States into compliance with its international anti-money laundering standards, Federal legislation is needed to require the collection of beneficial ownership information for the corporations and limited liability companies formed under the laws of such States.

SEC. 3. TRANSPARENT INCORPORATION PRACTICES.

(a) TRANSPARENT INCORPORATION PRACTICES.—

(1) IN GENERAL.—Chapter 53 of title 31, United States Code, is amended by inserting after section 5332 the following new section:

''§ 5333. Transparent incorporation practices

''(a) REPORTING REQUIREMENTS.—

''(1) IN GENERAL.—Not later than the beginning of fiscal year 2019, the Secretary of the Treasury shall issue regulations requiring each corporation and limited liability company formed in a State that does not have a formation system described under subsection (b) to file with the Financial Crimes Enforcement Network such information as the corporation or limited liability company would be required to provide the State if such State had a formation system described under subsection (b).

''(2) DISCLOSURE OF BENEFICIAL OWNERSHIP INFORMATION.—Beneficial ownership information reported to the Financial Crimes Enforcement Network pursuant to paragraph (1) shall be provided by the Financial Crimes Enforcement Network upon receipt of—

''(A) a civil or criminal subpoena or summons from a State agency, Federal agency, or congressional committee or subcommittee requesting such information;

''(B) a written request made by a Federal agency on behalf of another country under an international treaty, agreement, or convention, or an order under section 3512 of title 18 or section 1782 of title 28 issued in response to a request for assistance from a foreign country; or

''(C) a written request made by a financial institution, with customer consent, as part of the institution's compliance with due diligence requirements imposed under the Bank Secrecy Act (Public Law 91508; 84 Stat. 1114), the USA PATRIOT Act (Public Law 10756; 115 Stat. 272), or other applicable Federal or State law.

''(3) LIMITATION.—In issuing regulations pursuant to paragraph (1), the Secretary shall not require such information to be filed with the Internal Revenue Service.

''(b) FORMATION SYSTEM.—

''(1) IN GENERAL.—With respect to a State, a formation system is described under this subsection if it meets the following requirements:

''(A) IDENTIFICATION OF BENEFICIAL OWNERS.—Except as provided in paragraphs (2) and (4), and subject to paragraph (3), each applicant to form a corporation or limited liability company under the laws of the State is required to provide to the State during the formation process a list of the beneficial owners of the corporation or limited liability company that—

''(i) except as provided in subparagraph (F), identifies each beneficial owner by—

''(I) name;

''(II) current residential or business street address; and

''(III) a unique identifying number from a non-expired passport issued by the United States or a non-expired driver's license issued by a State; and

''(ii) if the applicant is not the beneficial owner, provides the identification information described in clause (i) relating to the applicant.

''(B) UPDATED INFORMATION.—For each corporation or limited liability company formed under the laws of the State—

''(i) the corporation or limited liability company is required by the State to update the list of the beneficial owners of the corporation or limited liability company by providing the information described in subparagraph (A) to the State not later than 60 days after the date of any change in the list of beneficial owners or the information required to be provided relating to each beneficial owner;

''(ii) in the case of a corporation or limited liability company formed or acquired by a formation agent and retained by the formation agent as a beneficial owner for transfer to another person, the formation agent is required by the State to submit to the State an updated list of the beneficial owners and the information described in subparagraph (A) for each such beneficial owner not later than 10 days after date on which the formation agent transfers the corporation or limited liability company to another person; and

''(iii) the corporation or limited liability company is required by the State to submit to the State an annual filing containing the list of the beneficial owners of the corporation or limited liability company and the information described in subparagraph (A) for each such beneficial owner.

''(C) RETENTION OF INFORMATION.—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State is required to be maintained by the State until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State.

''(D) INFORMATION REQUESTS.—Beneficial ownership information relating to each corporation or limited liability company formed under the laws of the State shall be provided by the State upon receipt of—

''(i) a civil or criminal subpoena or summons from a State agency, Federal agency, or congressional committee or subcommittee requesting such information;

''(ii) a written request made by a Federal agency on behalf of another country under an international treaty, agreement, or convention, or section 1782 of title 28;

''(iii) a written request made by the Financial Crimes Enforcement Network; or

''(iv) a written request made by a financial institution, with customer consent, as part of the institution's compliance with due diligence requirements imposed under the Bank Secrecy Act (Public Law 91508; 84 Stat. 1114), the USA PATRIOT Act (Public Law 10756; 115 Stat. 272), or other applicable Federal or State law.

''(E) NOTICE.—The State discloses clearly and conspicuously that the beneficial ownership information collected under the formation system may be provided to the entities described in subparagraph (D), pursuant to the requirements of such subparagraph.

''(F) NO BEARER SHARE CORPORATIONS OR LIMITED LIABILITY COMPANIES.—A corporation or limited liability company formed under the laws of the State may not issue a certificate in bearer form evidencing either a whole or fractional interest in the corporation or limited liability company.

''(2) STATES THAT LICENSE FORMATION AGENTS.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), a State described in subparagraph (B) may permit an applicant to form a corporation or limited liability company under the laws of the State, or a corporation or limited liability company formed under the laws of the State, to provide the required information to a licensed formation agent residing in the State, instead of to the State directly, if the application under paragraph (1)(A) or the update under paragraph (1)(B) contains—

''(i) the name, current business address, contact information, and licensing number of the licensed formation agent that has agreed to maintain the information required under this subsection; and

''(ii) a certification by the licensed formation agent that the licensed formation agent has possession of the information required under this subsection and will maintain the information in the State licensing the licensed formation agent in accordance with State law.

''(B) STATES DESCRIBED.—A State described in this subparagraph is a State that maintains a formal licensing system for formation agents that requires a formation agent to register with the State, meet standards for fitness and honesty, maintain a physical office and records within the State, undergo regular monitoring, and be subject to sanctions for noncompliance with State requirements.

''(C) LICENSED FORMATION AGENT DUTIES.—A licensed formation agent that receives beneficial ownership information under State law in accordance with this paragraph shall—

''(i) maintain the information in the State in which the corporation or limited liability company is being or has been formed in the same manner as required for States under paragraph (1)(C);

''(ii) provide the information under the same circumstances as required for States under paragraph (1)(D); and

''(iii) perform the duties of a formation agent under paragraph (3).

''(D) TERMINATION OF RELATIONSHIP.—

''(i) IN GENERAL.—Except as provided in clause (ii), a licensed formation agent that receives beneficial ownership information relating to a corporation or limited liability company under State law in accordance with this paragraph and that resigns, dissolves, or otherwise ends a relationship with the corporation or limited liability company shall promptly—

''(I) notify the State in writing that the licensed formation agent has resigned or ended the relationship; and

''(II) transmit all beneficial ownership information relating to the corporation or limited liability company in the possession of the licensed formation agent to the licensing State.

''(ii) EXCEPTION.—If a licensed formation agent receives written instructions from a corporation or limited liability company, the licensed formation agent may transmit the beneficial ownership information relating to the corporation or limited liability company to another licensed formation agent that is within the same State and has agreed to maintain the information in accordance with this section.

''(iii) NOTICE TO STATE.—If a licensed formation agent provides beneficial ownership information to another licensed formation agent under clause (ii), the licensed formation agent providing the information shall promptly notify in writing the State under the laws of which the corporation or limited liability company is formed of the identity of the licensed formation agent receiving the information.

''(3) CERTAIN BENEFICIAL OWNERS.—If an applicant to form a corporation or limited liability company or a beneficial owner, officer, director, or similar agent of a corporation or limited liability company who is required to provide identification information under this subsection does not have a non-expired passport issued by the United States or a non-expired driver's license or identification card issued by a State, each application described in paragraph (1)(A) and each update described in paragraph (1)(B) shall include a certification by a formation agent residing in the State that the formation agent—

''(A) has obtained for each such person a current residential or business street address and a legible and credible copy of the pages of a non-expired passport issued by the government of a foreign country bearing a photograph, date of birth, and unique identifying information for the person;

''(B) has verified the name, address, and identity of each such person;

''(C) will provide the information described in subparagraph (A) and the proof of verification described in subparagraph (B) upon request under the same circumstances as required for States under paragraph (1)(D); and

''(D) will retain the information and proof of verification under this paragraph in the State in which the corporation or limited liability company is being or has been formed until the end of the 5-year period beginning on the date that the corporation or limited liability company terminates under the laws of the State.

''(4) EXEMPT ENTITIES.—

''(A) IN GENERAL.—A formation system described in paragraph (1) shall require that an application for an entity described in subparagraph (C) or (D) of subsection (d)(2) that is proposed to be formed under the laws of a State and that will be exempt from the beneficial ownership disclosure requirements under this subsection shall include in the application a certification by the applicant, or a prospective officer, director, or similar agent of the entity—

''(i) identifying the specific provision of subsection (d)(2) under which the entity proposed to be formed would be exempt from the beneficial ownership disclosure requirements under paragraphs (1), (2), and (3);

''(ii) stating that the entity proposed to be formed meets the requirements for an entity described under such provision of subsection (d)(2); and

''(iii) providing identification information for the applicant or prospective officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (3).

''(B) EXISTING ENTITIES.—On and after the date that is 2 years after the effective date of the amendments to the formation system of a State made to comply with this section, an entity formed under the laws of the State before such effective date shall be considered to be a corporation or limited liability company for purposes of, and shall be subject to the requirements of, this subsection unless an officer, director, or similar agent of the entity submits to the State a certification—

''(i) identifying the specific provision of subsection (d)(2) under which the entity is exempt from the requirements under paragraphs (1), (2), and (3);

''(ii) stating that the entity meets the requirements for an entity described under such provision of subsection (d)(2); and

''(iii) providing identification information for the officer, director, or similar agent making the certification in the same manner as provided under paragraph (1) or (3).

''(C) EXEMPT ENTITIES HAVING OWNERSHIP INTEREST.—If an entity described in subparagraph (C) or (D) of subsection (d)(2) has or will have an ownership interest in a corporation or limited liability company formed or to be formed under the laws of a State, the applicant, corporation, or limited liability company in which the entity has or will have the ownership interest shall provide the information required under this subsection relating to the entity, except that the entity shall not be required to provide information regarding any natural person who has an ownership interest in, exercises substantial control over, or receives substantial economic benefits from the entity.

''(c) PENALTIES.—

''(1) IN GENERAL.—It shall be unlawful for—

''(A) any person to affect interstate or foreign commerce by—

''(i) knowingly providing, or attempting to provide, false or fraudulent beneficial ownership information, including a false or fraudulent identifying photograph, to a State or licensed formation agent under State law in accordance with this section;

''(ii) willfully failing to provide complete or updated beneficial ownership information to a State or licensed formation agent under State law in accordance with this section; or

''(iii) knowingly disclosing the existence of a subpoena, summons, or other request for beneficial ownership information, except—

''(I) to the extent necessary to fulfill the authorized request;

''(II) as authorized by the entity that issued the subpoena, summons, or other request; or

''(III) as prescribed by a State; or

''(B) in the case of a formation agent, knowingly failing to obtain or maintain credible, legible, and updated beneficial ownership information, including any required identifying photograph.

''(2) CIVIL AND CRIMINAL PENALTIES.—In addition to any civil or criminal penalty that may be imposed by a State, any person who violates paragraph (1)—

''(A) shall be liable to the United States for a civil penalty of not more than $10,000; and

''(B) may be fined under title 18, imprisoned for not more than 3 years, or both.

''(d) DEFINITIONS.—For the purposes of this section:

''(1) BENEFICIAL OWNER.—The term 'beneficial owner'—

''(A) means a natural person who, directly or indirectly—

''(i) exercises substantial control over a corporation or limited liability company; or

''(ii) has a substantial interest in or receives substantial economic benefits from the assets of a corporation or limited liability company; and

''(B) does not include—

''(i) a minor child;

''(ii) a person acting as a nominee, intermediary, custodian, or agent on behalf of another person;

''(iii) a person acting solely as an employee of a corporation or limited liability company and whose control over or economic benefits from the corporation or limited liability company derives solely from the employment status of the person;

''(iv) a person whose only interest in a corporation or limited liability company is through a right of inheritance, unless the person also meets the requirements of subparagraph (A); or

''(v) a creditor of a corporation or limited liability company, unless the creditor also meets the requirements of subparagraph (A).

''(2) CORPORATION; LIMITED LIABILITY COMPANY.—The terms 'corporation' and 'limited liability company'—

''(A) have the meanings given such terms under the laws of the applicable State;

''(B) include any non-United States entity eligible for registration or registered to do business as a corporation or limited liability

company under the laws of the applicable State;

''(C) do not include any entity that is, and discloses in the application by the entity to form under the laws of the State or, if the entity was formed before the date of the enactment of this section, in a filing with the State under State law—

''(i) a business concern that is an issuer of a class of securities registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 78l) or that is required to file reports under section 15(d) of that Act (15 U.S.C. 78o(d));

''(ii) a business concern constituted or sponsored by a State, a political subdivision of a State, under an interstate compact between 2 or more States, by a department or agency of the United States, or under the laws of the United States;

''(iii) a depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813));

''(iv) a credit union (as 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));

''(vi) a broker or dealer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)) that is registered under section 15 of the Securities Exchange Act of 1934 (15 U.S.C. 78o);

''(vii) an exchange or clearing agency (as 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 the Securities Exchange Act of 1934 (15 U.S.C. 78f and 78q–1);

''(viii) an investment company (as defined in section 3 of the Investment Company Act of 1940 (15 U.S.C. 80a–3)) or an investment advisor (as defined in section 202 of the Investment Advisers Act of 1940 (15 U.S.C. 80b–2)), if the company or adviser is registered with the Securities and Exchange Commission, or has filed an application for registration which has not been denied, 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.);

''(ix) an insurance company (as defined in section 2 of the Investment Company Act of 1940 (15 U.S.C. 80a–2));

''(x) a registered entity (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)), or a futures commission merchant, introducing broker, commodity pool operator, or commodity trading advisor (as defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) that is registered with the Commodity Futures Trading Commission;

''(xi) a public accounting firm registered in accordance with section 102 of the Sarbanes-Oxley Act (15 U.S.C. 7212);

''(xii) a public utility that provides telecommunications service, electrical power, natural gas, or water and sewer services, within the United States;

''(xiii) a church, charity, or nonprofit entity that is described in section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code of 1986, has not been denied tax exempt status, and has filed the most recently due annual information return with the Internal Revenue Service, if required to file such a return;

''(xiv) any business concern 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; and

''(III) has an operating presence at a physical office within the United States; or

''(xv) any corporation or limited liability company formed and owned by an entity described in clause (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), or (xiv); and

''(D) do not include any individual business concern or class of business concerns which the Secretary of the Treasury, with the written concurrence of the Attorney General of the United States, has determined in writing should be exempt from the requirements of subsection (a), because requiring beneficial ownership information from the business concern would not serve the public interest and would not assist law enforcement efforts to detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

''(3) FORMATION AGENT.—The term 'formation agent' means a person who, for compensation—

''(A) acts on behalf of another person to assist in the formation of a corporation or limited liability company under the laws of a State; or

''(B) purchases, sells, or transfers the public records that form a corporation or limited liability company.''.

(2) RULEMAKING.—To carry out this Act and the amendments made by this Act, the Secretary of the Treasury, in consultation with the Secretary of Homeland Security and the Attorney General of the United States, may issue guidance or a rule to—

(A) clarify the definitions under section 5333(d) of title 31, United States Code, as added by paragraph (1); and

(B) specify how to verify beneficial ownership information or other identification information for purposes of such section 5333, including whether the verification procedures specified in section 5333(b)(3) should apply to all applicants under section 5333(b)(1) or whether such verification process should require the notarization of signatures.

(3) CONFORMING AMENDMENTS.—Title 31, United States Code, is amended—

(A) in section 5321(a)—

(i) in paragraph (1), by striking ''sections 5314 and 5315'' each place it appears and inserting ''sections 5314, 5315, and 5333''; and

(ii) in paragraph (6), by inserting ''(except section 5333)'' after ''subchapter'' each place it appears; and

(B) in section 5322, by striking ''section 5315 or 5324'' each place it appears and inserting ''section 5315, 5324, or 5333''.

(4) TABLE OF CONTENTS.—The table of contents of chapter 53 of title 31, United States Code, is amended by inserting after the item relating to section 5332 the following:

''Sec. 5333. Transparent incorporation practices.''.

(5) RESTRICTIONS ON PUBLIC ACCESS.—A State may—

(A) restrict public access to all or any portion of the beneficial ownership information provided to the State as described under section 5332 of title 31, United States Code, as added by this Act; and

(B) by statute, regulation, order, or interpretation adopted or issued by the State after the date of enactment of this Act, provide for public access to all or any portion of such information.

(6) NO DUTY OF VERIFICATION.—This Act and the amendments made by this Act do not impose any obligation on a State to verify the name, address, or identity of a beneficial owner whose information is submitted to such State under section 5333 of title 31, United States Code, as added by this Act.

(b) FUNDING AUTHORIZATION.—

(1) IN GENERAL.—To carry out section 5333 of title 31, United States Code, during the 3-year period beginning on the date of enactment of this Act, funds shall be made available to each State to pay reasonable costs relating to compliance with the requirements of such section.

(2) FUNDING SOURCES.—To protect the United States against the misuse of United States corporations and limited liability companies with hidden owners, funds shall be provided to each State to carry out the purposes described in paragraph (1) from one or more of the following sources:

(A) Upon application by a State, and without further appropriation, the Secretary of the Treasury shall make available to the State unobligated balances described in section 9703(g)(4)(B) of title 31, United States Code, in the Department of the Treasury Forfeiture Fund established under section 9703(a) of title 31, United States Code.

(B) Upon application by a State, after consultation with the Secretary of the Treasury, and without further appropriation, the Attorney General of the United States shall make available to the State excess unobligated balances (as defined in section 524(c)(8)(D) of title 28, United States Code) in the Department of Justice Assets Forfeiture Fund established under section 524(c) of title 28, United States Code.

(3) MAXIMUM AMOUNTS.—

(A) DEPARTMENT OF THE TREASURY.—The Secretary of the Treasury may not make available to States a total of more than $30,000,000 under paragraph (2)(A).

(B) DEPARTMENT OF JUSTICE.—The Attorney General of the United States may not make available to States a total of more than $10,000,000 under paragraph (2)(B).

(4) RULEMAKING.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Secretary of the Treasury and the Attorney General shall, jointly, issue regulations setting forth the procedures for States to apply for funds under this subsection, including determining which State measures should be funded to assess, plan, develop, test, or implement relevant policies, procedures, or system modifications.

(c) COMPLIANCE REPORT.—Nothing in this section or the amendments made by this section authorizes the Secretary of the Treasury to withhold from a State any funding otherwise available to the State because of a failure by that State to comply with section 5333 of title 31, United States Code. Not later than the end of the 42-month period beginning on the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Financial Services of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report—

(1) identifying which States obtain beneficial ownership information as described in such section 5333;

(2) with respect to each State that does not obtain such information, whether corporations and limited liability companies formed under the laws of such State are in compliance with such section 5333 and providing the specified beneficial ownership information to the Financial Crimes Enforcement Network; and

(3) whether the Department of the Treasury is in compliance with such section 5333 and, if not, what steps it must take to come into compliance with this section.

(d) FEDERAL CONTRACTORS.—Not later than the first day of the first full fiscal year beginning at least 1 year 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 who

is subject to the requirement to disclose beneficial ownership information under section 5333 of title 31, United States Code, 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.

(e) ANTI-MONEY LAUNDERING OBLIGATIONS OF FORMATION AGENTS.—

(1) IN GENERAL.—Section 5312(a)(2) of title 31, United States Code, is amended—

(A) in subparagraph (Y), by striking ''or'' at the end;

(B) by redesignating subparagraph (Z) as subparagraph (AA); and

(C) by inserting after subparagraph (Y) the following:

''(Z) any person who, for compensation—

''(i) acts on behalf of another person to form, or assist in formation of, a corporation or limited liability company under the laws of a State; or

''(ii) purchases, sells, or transfers the public records that form a corporation or limited liability company; or''.

(2) DEADLINE FOR ANTI-MONEY LAUNDERING RULE FOR FORMATION AGENTS.—

(A) PROPOSED RULE.—Not later than 120 days after the date of enactment of this Act, the Secretary of the Treasury, in consultation with the Attorney General of the United States and the Commissioner of the Internal Revenue Service, shall publish a proposed rule in the Federal Register requiring persons described in section 5312(a)(2)(Z) of title 31, United States Code, as amended by this subsection, to establish anti-money laundering programs under subsection (h) of section 5318 of that title.

(B) FINAL RULE.—Not later than 270 days after the date of enactment of this Act, the Secretary of the Treasury shall publish the rule described in this subsection in final form in the Federal Register.

(C) EXCLUSIONS.—Any rule promulgated under this subsection shall exclude from the category of persons involved in forming a corporation or limited liability company—

(i) any government agency; and

(ii) any attorney or law firm that uses a paid formation agent operating within the United States to form the corporation or limited liability company.

SEC. 4. STUDIES AND REPORTS.

(a) OTHER LEGAL ENTITIES.—Not later than 2 years 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) 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 information about the beneficial owners (as that term is defined in section 5333(d)(1) of title 31, United States Code, as added by this Act) or beneficiaries of such 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 such entities in terrorism, money laundering, tax evasion, securities fraud, or other misconduct; and

(B) has impeded investigations into entities suspected of such misconduct; and

(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 what steps, if any, the United States has taken or is planning to take in response.

(b) EFFECTIVENESS OF INCORPORATION PRACTICES.—Not later than 5 years after the date of enactment of this Act, 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 Act and the amendments made by this Act in—

(1) providing law enforcement agencies with prompt access to reliable, useful, and complete beneficial ownership information; and

(2) strengthening the capability of law enforcement agencies to combat incorporation abuses, civil and criminal misconduct, and detect, prevent, or punish terrorism, money laundering, tax evasion, or other misconduct.

By Ms. COLLINS (for herself, Mr. COONS, Mr. MORAN, Mrs. SHAHEEN, Mr. RUBIO, Mr. BLUMENTHAL, Mr. ENZI, Mr. ISAKSON, Mr. DURBIN, and Mr. MURPHY):

S. 1730. A bill to implement policies to end preventable maternal, newborn, and child deaths globally; to the Committee on Foreign Relations.

Ms. COLLINS. Mr. President, today I am pleased to be joined by my friend and colleague from Delaware, Senator CHRIS COONS, in introducing the Reach Every Mother and Child Act of 2017. Our legislation would make it the policy of the United States to lead an effort to end preventable deaths of mothers, newborns, and young children in the developing world by 2030.

Due in part to American leadership and generosity, many lives have already been saved. Since 1990, the annual number of deaths of children under the age of five has been cut in half. Nevertheless, far too many mothers, newborns, and young children under the age of five still succumb to disease and malnutrition that could easily be prevented, if only we could reach the mothers and children with simple, proven, cost-effective interventions that we know will help them survive.

Every day approximately 800 women will die from preventable causes related to pregnancy and childbirth. In addition, more than 16,000 children under the age of five will die each day of treatable conditions such as prematurity, pneumonia, and diarrhea—with malnutrition being the underlying cause in nearly half those deaths.

According to USAID, a concentrated effort could end preventable maternal and child deaths worldwide by the year 2030; however, U.S. leadership and support of the international community are critical to success.

To achieve this ambitious goal, our bill would require the implementation of a strategy to scale up the most effective interventions to save as many lives as possible. This idea is central to our bill. We do not have to guess at what interventions will work—the reality is that more than 16,000 children under 5 years old die each day of conditions we know today how to treat.

These life-saving interventions include clean birthing practices, vaccines, nutritional supplements, handwashing with soap, and other basic needs that remain elusive for far too many women and children in developing countries. This must change.

In addition, our bill would establish a Maternal and Child Survival Coordinator at USAID who would focus on implementing the ten-year strategy and verifying that the most effective interventions are being scaled up in target countries.

The bill would also establish an interagency working group to assist the Coordinator in promoting greater collaboration among all the federal agencies involved in this effort.

To promote transparency and greater accountability, our bill requires that detailed reporting be published on the Foreign Assistance Dashboard, where it can be assessed by the public, Congress, and non-governmental organizations to track the implementation of the strategy and the progress being made.

Finally, our bill would encourage USAID to pay for successful programs run by non-governmental entities. The message we want to send to all our partners in the private sector, the nonprofit sector, the faith community, and in local and international civil society groups is this: if you can figure out a way to increase the likelihood that mothers and their children will survive childbirth and the first five years of life, we want to reward you for your contribution.

Improving the health and well-being of mothers and children around the world has far-reaching social and economic benefits as well. An independent group of economists and global health experts from around the world, known as the Lancet Commission, found that for every $1 invested in health initiatives in the developing world, there is a return of $9 to $20 in growing the gross domestic product of the country receiving the investment.

Other bipartisan initiatives, such as the successful President's Emergency Plan for AIDS Relief, or PEPFAR, which was started by President George W. Bush, demonstrate that results-driven interventions can turn the tide for global health challenges. Applying lessons learned from past initiatives, our bill would provide the focus and the tools necessary to accelerate progress toward ending preventable maternal and child deaths.

I urge my colleagues to join Senator COONS and me in supporting this bill to save the lives of mothers and children around the world.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 242—EXPRESSING THE SENSE OF THE SENATE ABOUT A STRATEGY TO DEPLOY FIFTH GENERATION MOBILE NETWORKS (5G NETWORKS) AND NEXT-GENERATION WIRELESS AND WIRED TECHNOLOGIES TO PROMOTE ECONOMIC DEVELOPMENT AND DIGITAL INNOVATION THROUGHOUT THE UNITED STATES

Mr. WICKER (for himself, Mr. SCHATZ, Mr. GARDNER, Ms. HASSAN, Mr. MORAN, and Mr. PETERS) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 242

Whereas wireless and wired broadband networks are essential to economic growth, job creation, and the global competitiveness of the United States;

Whereas wireless and wired broadband networks provide connectivity to billions of devices, applications, and services that are increasing productivity and efficiency across every industry and economic sector;

Whereas wireless and wired broadband networks create and support millions of jobs;

Whereas wireless and wired broadband networks are vital to providing communications services and access to internet connectivity to people in the United States living in rural and remote geographic areas;

Whereas wireless and wired broadband networks are a platform for innovation and ingenuity, powering advancements in the Internet of Things and other revolutionary technologies;

Whereas 5G networks will have the capacity to deliver enhanced mobile broadband with significantly faster data transmission speeds, low latency, more reliable connections, and greater data capacity, which will provide for seamless internet connectivity throughout all regions across the United States;

Whereas 5G networks are expected to create more than 3,000,000 new jobs in the United States, generate $275,000,000,000 in investment from the wireless industry, and add $500,000,000,000 to the economy of the United States over the next decade;

Whereas next-generation, gigabit Wi-Fi solutions that rely on unlicensed spectrum bands are poised to unleash a new round of innovation and consumer benefit from an industry that generates an economic surplus of $547,000,000,000 and contributes $50,000,000,000 annually in gross domestic product to the economy of the United States;

Whereas 5G networks will enable innovative consumer and industrial applications that will enhance and maximize the capability, uses, and quality of technological developments, including telemedicine, precision agriculture, self-driving cars, virtual and augmented reality, robotics, smart communities, and advancements in public safety;

Whereas the United States is a global leader in developing new technology and fostering digital innovation that has generated significant economic and social advancement and opportunity in the United States and around the world;

Whereas many states and localities are streamlining policies to facilitate siting and small cell deployment in support of 5G networks;

Whereas modernizing the infrastructure policies of the United States and securing adequate spectrum bands will be essential to the deployment of 5G networks and next-generation wireless technologies, and the realization of all its promised economic and social benefits;

Whereas wireless and wired broadband networks, in addition to other technologies, are essential to closing the digital divide, delivering broadband service to rural areas, creating jobs, and powering economic development and innovation across the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that the United States should—

(1) promote the deployment of 5G networks in a manner that encourages robust investment, job creation, economic growth, and continued United States leadership in developing next-generation wireless technologies;

(2) advance 5G networks as a way of closing the digital divide and reducing the disparity in quality communications services available in rural areas;

(3) recognize that 5G networks will facilitate the development of a new generation of technologies that will open opportunities for increased efficiency, mobility, accessibility, economic development, and prosperity in communities throughout the country;

(4) commit to modernizing the infrastructure policies of the United States and identifying additional spectrum in low, mid, and high bands for licensed and unlicensed uses and to support the deployment of 5G networks and meet the increasing demands for wireless broadband service;

(5) recognize that 5G networks will give consumers access to more choices and enable them to derive greater value from mobile connections;

(6) commit to deploying 5G networks that are resilient and secure;

(7) continue to participate in global efforts to create standards for 5G networks that improve user experiences, maximize use-cases, enable interoperability, sustain multiple, simultaneous connections, increase network capacity through virtualization or other software developments, and adapt to new technologies and future network applications; and

(8) promote the deployment of broadband technologies to expand the availability, affordability, and quality of broadband service throughout the United States.

SENATE RESOLUTION 243—EXPRESSING THE SENSE OF THE SENATE THAT JOSEPH LEON GEORGE SHOULD BE HONORED FOR HEROISM AT PEARL HARBOR, HAWAII, ON DECEMBER 7, 1941

Mr. FLAKE (for himself, Mr. GARDNER, Mr. LEE, Mr. COTTON, Mrs. MCCASKILL, and Mr. BENNET) submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 243

Whereas, on December 7, 1941, Boatswain's Mate Second Class Joseph Leon George was 26 years old;

Whereas Boatswain's Mate Second Class George was a crewmember aboard the U.S.S. Vestal (AR–4), a repair ship, on that day;

Whereas the U.S.S. Vestal was moored next to the U.S.S. Arizona (BB–39);

Whereas the Japanese began the attack on Pearl Harbor, Hawaii, at 7:48 a.m.;

Whereas 6 sailors on the U.S.S. Arizona, Seaman First Class Harold Kuhn, Seaman First Class Russell Lott, Gunner's Mate Third Class Earl Riner, Boatswain's Mate Second Class Alvin Dvork, Seaman First Class Donald Stratton, and Fire Controlman Third Class Lauren Bruner, were trapped in the control tower main mast after a massive explosion on the ship;

Whereas those 6 sailors suffered severe burns;

Whereas those wounded sailors searched for a way to escape the ship;

Whereas Boatswain's Mate Second Class George saw the 6 wounded sailors on the U.S.S. Arizona from the U.S.S. Vestal and threw a heaving line and a heavy line;

Whereas all 6 sailors climbed, nearly 40 feet in the air, hand over hand across the heavy line 70 feet to safety onboard the U.S.S. Vestal;

Whereas 2 sailors died shortly after from their injuries, but the remaining 4 survived;

Whereas Boatswain's Mate Second Class George was commended for his actions, but he was never given a medal for his role in the rescue of the 6 sailors;

Whereas the 2 surviving sailors rescued from the U.S.S. Arizona, Donald Stratton and Lauren Bruner, seek to honor Boatswain's Mate Second Class George;

Whereas U.S.S. Arizona survivor Donald Stratton stated, ''Joe George was never awarded anything for his bravery. He is no longer with us, but I believe in his memory, should be awarded the Navy Cross.''; and

Whereas U.S.S. Arizona survivor Lauren Bruner stated, ''The six of us would not have survived except for his courage, in spite of being at high risk himself. He fully deserves high commendations for his actions. I feel he should be recognized for this courage and presented the Navy Cross.'': Now, therefore, be it

Resolved, That the Senate—

(1) honors the heroism of Boatswain's Mate Second Class Joseph Leon George in saving the lives of 6 sailors on December 7, 1941; and

(2) believes the United States Navy, in light of new information, should consider revisiting decorating and honoring the heroism of Boatswain's Mate Second Class Joseph Leon George in saving the lives of 6 sailors on December 7, 1941.

Mr. FLAKE. Mr. President, recently, I was fortunate enough to have the opportunity to host several veterans who survived the sinking of the USS *Arizona* in the attack on Pearl Harbor.

I would like to briefly share an incredible story they told me about a true American hero named Joe George.

On December 7, 1941, Joe was a 26-year-old Boatswain's Mate Second Class aboard the repair ship USS *Vestal* in Pearl Harbor, HI, moored alongside the USS *Arizona*.

At 7:48 a.m., many sailors, including Joe, had finished their breakfast when the Imperial Japanese Navy Air Service attacked Pearl Harbor. As we know, the *Arizona* suffered a direct hit by a Japanese bomb that detonated in the ship's powder magazine. The resulting explosion sank the ship and claimed the lives of 1,177 servicemembers.

During the unimaginable chaos and carnage, Joe George displayed stunning composure and courage. Joe spotted six sailors trapped in the control tower of the sinking *Arizona*. These men were severely burned, and they were searching for a way to safety. The six wounded sailors were Seaman First Class Harold Kuhn, Seaman First Class Russell Lott, Gunner's Mate Third Class Earl Riner, Boatswain's Mate Second