

(Mr. BOOZMAN) was added as a cosponsor of S. 952, a bill to provide that the Federal Communications Commission may not prevent a State or Federal correctional facility from utilizing jamming equipment, and for other purposes.

S. 962

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 962, a bill to provide funding for Federally qualified health centers and the National Health Service Corps.

S. 995

At the request of Ms. COLLINS, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 995, a bill to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to lifespan respite care.

S. 1022

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1022, a bill to clarify the effect of certain final rules and determinations of the Environmental Protection Agency relating to greenhouse gas emissions standards for light-duty vehicles.

S.J. RES. 13

At the request of Mr. KAINE, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S.J. Res. 13, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

S. CON. RES. 9

At the request of Mr. ROBERTS, the names of the Senator from Minnesota (Ms. SMITH) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. Con. Res. 9, 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.

S. RES. 98

At the request of Mrs. BLACKBURN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. Res. 98, a resolution establishing the Congressional Gold Star Family Fellowship Program for the placement in offices of Senators of children, spouses, and siblings of members of the Armed Forces who are hostile casualties or who have died from a training-related injury.

S. RES. 120

At the request of Mr. CARDIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 120, a resolution opposing efforts to delegitimize the State of Israel and the Global Boycott, Divestment, and Sanctions Movement targeting Israel.

S. RES. 123

At the request of Mr. RISCH, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Iowa (Ms.

ERNST) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 123, a resolution supporting the North Atlantic Treaty Organization and recognizing its 70 years of accomplishments.

S. RES. 135

At the request of Mr. BOOZMAN, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Missouri (Mr. BLUNT), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), the Senator from Washington (Ms. CANTWELL), the Senator from New Mexico (Mr. UDALL), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Maine (Ms. COLLINS), the Senator from Indiana (Mr. BRAUN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Wyoming (Mr. BAR-RASSO), the Senator from Connecticut (Mr. MURPHY), the Senator from Illinois (Mr. DURBIN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Res. 135, a resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and valor by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending those individuals for leadership and bravery in an operation that helped bring an end to World War II.

AMENDMENT NO. 246

At the request of Mr. LEAHY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 246 intended to be proposed to H.R. 268, a bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. KING, Ms. SMITH, and Ms. SINEMA):

S. 1036. A bill to expand the use of open textbooks in order to achieve savings for students and improve textbook price information; to the Committee on Health, Education, Labor, and Pensions.

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. 1036

*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 "Affordable College Textbook Act".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The high cost of college textbooks continues to be a barrier for many students in achieving higher education.

(2) According to the College Board, during the 2017–2018 academic year, the average student budget for college books and supplies at 4-year public institutions of higher education was \$1,240.

(3) The Government Accountability Office found that new textbook prices increased 82 percent between 2002 and 2012 and that although Federal efforts to increase price transparency have provided students and families with more and better information, more must be done to address rising costs.

(4) The growth of the internet has enabled the creation and sharing of digital content, including open educational resources that can be freely used by students, teachers, and members of the public.

(5) According to the Student PIRGs, expanded use of open educational resources has the potential to save students more than a billion dollars annually.

(6) Federal investment in expanding the use of open educational resources could significantly lower college textbook costs and reduce financial barriers to higher education, while making efficient use of taxpayer funds.

(7) Educational materials, including open educational resources, must be accessible to the widest possible range of individuals, including those with disabilities.

#### SEC. 3. OPEN TEXTBOOK GRANT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) OPEN EDUCATIONAL RESOURCE.—The term "open educational resource" has the meaning given the term in section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b).

(3) OPEN TEXTBOOK.—The term "open textbook" means an open educational resource or set of open educational resources that either is a textbook or can be used in place of a textbook for a postsecondary course at an institution of higher education.

(4) RELEVANT FACULTY.—The term "relevant faculty" means both tenure track and contingent faculty members who may be involved in the creation or use of open textbooks created as part of an application under subsection (d).

(5) SECRETARY.—The term "Secretary" means the Secretary of Education.

(6) SUPPLEMENTAL MATERIAL.—The term "supplemental material" has the meaning given the term in section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b).

(b) GRANTS AUTHORIZED.—From the amounts appropriated under subsection (k), the Secretary shall make grants, on a competitive basis, to eligible entities to support projects that expand the use of open textbooks in order to achieve savings for students while maintaining or improving instruction and student learning outcomes.

(c) ELIGIBLE ENTITY.—In this section, the term "eligible entity" means an institution of higher education, a group of institutions of higher education, or States on behalf of institutions of higher education.

(d) APPLICATIONS.—

(1) IN GENERAL.—Each eligible entity desiring a grant under this section, after consultation with relevant faculty, shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of the project to be completed with grant funds and—

(A) a plan for promoting and tracking the use of open textbooks in postsecondary

courses offered by the eligible entity, including an estimate of the projected savings that will be achieved for students;

(B) a plan for evaluating, before creating new open textbooks, whether existing open textbooks could be used or adapted for the same purpose;

(C) a plan for quality review and review of accuracy of any open textbooks to be created or adapted through the grant;

(D) a plan for assessing the impact of open textbooks on instruction and student learning outcomes at the eligible entity;

(E) a plan for disseminating information about the results of the project to institutions of higher education outside of the eligible entity, including promoting the adoption of any open textbooks created or adapted through the grant; and

(F) a statement on consultation with relevant faculty, including those engaged in the creation of open textbooks, in the development of the application.

(e) **SPECIAL CONSIDERATION.**—In awarding grants under this section, the Secretary shall give special consideration to applications that demonstrate the greatest potential to—

(1) achieve the highest level of savings for students through sustainable expanded use of open textbooks in postsecondary courses offered by the eligible entity;

(2) expand the use of open textbooks at institutions of higher education outside of the eligible entity; and

(3) produce—

(A) the highest quality open textbooks;

(B) open textbooks that can be most easily utilized and adapted by faculty members at institutions of higher education;

(C) open textbooks that correspond to the highest enrollment courses at institutions of higher education;

(D) open textbooks created or adapted in partnership with entities within institutions of higher education, including campus bookstores, that will assist in marketing and distribution of the open textbook; and

(E) open textbooks that are accessible to students with disabilities.

(f) **USE OF FUNDS.**—An eligible entity that receives a grant under this section shall use the grant funds to carry out any of the following activities to expand the use of open textbooks:

(1) Professional development for any faculty and staff members at institutions of higher education, including the search for and review of open textbooks.

(2) Creation or adaptation of open textbooks.

(3) Development or improvement of supplemental materials and informational resources that are necessary to support the use of open textbooks, including accessible instructional materials for students with disabilities.

(4) Research evaluating the efficacy of the use of open textbooks for achieving savings for students and the impact on instruction and student learning outcomes.

(g) **LICENSE.**—For each open textbook, supplemental material, or informational resource created or adapted wholly or in part under this section that constitutes a new copyrightable work, the eligible entity receiving the grant shall release such textbook, material, or resource to the public under a non-exclusive, royalty-free, perpetual, and irrevocable license to exercise any of the rights under copyright conditioned only on the requirement that attribution be given as directed by the copyright owner.

(h) **ACCESS AND DISTRIBUTION.**—The full and complete digital content of each open textbook, supplemental material, or informational resource created or adapted wholly or

in part under this section shall be made available free of charge to the public—

(1) on an easily accessible and interoperable website, which shall be identified to the Secretary by the eligible entity;

(2) in a machine readable, digital format that anyone can directly download, edit with attribution, and redistribute; and

(3) in a format that conforms to accessibility standards under section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d), where feasible.

(i) **REPORT.**—Upon an eligible entity's completion of a project supported under this section, the eligible entity shall prepare and submit a report to the Secretary regarding—

(1) the effectiveness of the project in expanding the use of open textbooks and in achieving savings for students;

(2) the impact of the project on expanding the use of open textbooks at institutions of higher education outside of the eligible entity;

(3) open textbooks, supplemental materials, and informational resources created or adapted wholly or in part under the grant, including instructions on where the public can access each educational resource under the terms of subsection (h);

(4) the impact of the project on instruction and student learning outcomes; and

(5) all project costs, including the value of any volunteer labor and institutional capital used for the project.

(j) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives detailing—

(1) the open textbooks, supplemental materials, and informational resources created or adapted wholly or in part under this section;

(2) the adoption of such open textbooks, including outside of the eligible entity;

(3) the savings generated for students, States, and the Federal Government through projects supported under this section; and

(4) the impact of projects supported under this section on instruction and student learning outcomes.

(k) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section such sums as are necessary.

#### SEC. 4. TEXTBOOK PRICE INFORMATION.

Section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b) is amended—

(1) in subsection (b)—

(A) by striking paragraph (6) and inserting the following:

“(6) **OPEN EDUCATIONAL RESOURCE.**—The term ‘open educational resource’ means a teaching, learning, or research resource that is offered freely to users in at least one form and that resides in the public domain or has been released under an open copyright license that allows for its free use, reuse, modification, and sharing with attribution.”;

(B) in paragraph (9), by striking “textbook that” and all that follows through the period at the end and inserting “textbook that may include printed materials, computer disks, website access, and electronically distributed materials.”;

(2) in subsection (c)(1)—

(A) in the matter preceding subparagraph (A), by striking “or other person or adopting entity in charge of selecting course materials” and inserting “or other person or entity in charge of selecting or aiding in the discovery and procurement of course materials”;

(B) by adding at the end the following:

“(E) Whether the college textbook or supplemental material is an open educational resource.”;

(3) in subsection (d)—

(A) in the subsection heading, by striking “ISBN”;

and

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “disclose, on the institution's Internet course schedule and in a manner of the institution's choosing, the International Standard Book Number and retail price information” and inserting “verify and disclose (on, or through a link from, the institution's Internet course schedule and in a manner of the institution's choosing) the International Standard Book Number and retail price information”;

(II) by striking “and retail price” and inserting “, retail price, and any applicable fee”;

(III) by inserting “, and whether each required and recommended textbook and supplemental material is an open educational resource,” after “supplemental materials”;

(IV) by striking “used for preregistration and registration purposes”;

and

(ii) in subparagraph (B), by striking “for a college textbook or supplemental material, then the institution shall so indicate by placing the designation ‘To Be Determined’” and inserting “or available for a college textbook or supplemental material, then the institution shall indicate the status of such information”;

(4) by striking subsection (e) and inserting the following:

“(e) **AVAILABILITY OF INFORMATION FOR COLLEGE BOOKSTORES.**—

“(1) **IN GENERAL.**—An institution of higher education receiving Federal financial assistance shall assist a college bookstore that is operated by, or in a contractual relationship or otherwise affiliated with, the institution, in obtaining required and recommended course materials information and such course schedule and enrollment information as is reasonably required to implement this section so that such bookstore may—

“(A) verify availability of such materials;

“(B) source lower cost options, including presenting lower cost alternatives to faculty for faculty to consider, when practicable; and

“(C) maximize the availability of format options for students.

“(2) **DUE DATES.**—In carrying out paragraph (1), an institution of higher education may establish due dates for faculty or departments to notify the campus bookstore of required and recommended course materials.”;

(5) in subsection (f)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5); and

(B) by inserting after paragraph (2) the following:

“(3) available open educational resources”;

(6) by striking subsection (g) and redesignating subsections (h) and (i) as subsections (g) and (h), respectively.

#### SEC. 5. SENSE OF CONGRESS.

It is the sense of Congress that institutions of higher education should encourage the consideration of open textbooks by faculty within the generally accepted principles of academic freedom that establishes the right and responsibility of faculty members, individually and collectively, to select course materials that are pedagogically most appropriate for their classes.

#### SEC. 6. GAO REPORT.

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the Committee on Health,

Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives on the cost of textbooks to students at institutions of higher education. The report shall particularly examine—

(1) the implementation of section 133 of the Higher Education Act of 1965 (20 U.S.C. 1015b), as amended by section 4, including—

(A) the availability of college textbook and open educational resource information on course schedules;

(B) the compliance of publishers with applicable requirements under such section; and

(C) the costs and benefits to institutions of higher education and to students;

(2) the change in the cost of textbooks;

(3) the factors, including open textbooks, that have contributed to the change of the cost of textbooks;

(4) the extent to which open textbooks are used at institutions of higher education; and

(5) how institutions are tracking the impact of open textbooks on instruction and student learning outcomes.

By Mr. SCHUMER (for himself, Mr. COTTON, Mr. BROWN, Mr. RUBIO, Mr. MENENDEZ, Mrs. SHAHEEN, and Mr. TOOMEY):

S. 1044. A bill to impose sanctions with respect to foreign traffickers of illicit opioids, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SCHUMER. 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. 1044

*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 “Fentanyl Sanctions Act”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Sense of Congress.
- Sec. 4. Definitions.

#### TITLE I—SANCTIONS WITH RESPECT TO FOREIGN OPIOID TRAFFICKERS

Sec. 101. Identification of foreign opioid traffickers.

Sec. 102. Sense of Congress and reporting on international opioid control regime.

Sec. 103. Imposition of sanctions.

Sec. 104. Description of sanctions.

Sec. 105. Waivers.

Sec. 106. Procedures for judicial review of classified information.

Sec. 107. Briefings on implementation.

#### TITLE II—COMMISSION ON COMBATING SYNTHETIC OPIOID TRAFFICKING

Sec. 201. Commission on combating synthetic opioid trafficking.

#### TITLE III—OTHER MATTERS

Sec. 301. Director of National Intelligence program on use of intelligence resources in efforts to sanction foreign opioid traffickers.

Sec. 302. Department of Defense funding.

Sec. 303. Department of State funding.

Sec. 304. Department of the Treasury funding.

Sec. 305. Appropriate committees of Congress defined.

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Centers for Disease Control and Prevention estimate that from June 2017 through June 2018 more than 48,000 people in the United States died from an opioid overdose, with synthetic opioids (excluding methadone), contributing to a record 31,500 overdose deaths. While drug overdose deaths from methadone, semi-synthetic opioids, and heroin have decreased in recent months, overdose deaths from synthetic opioids have continued to increase.

(2) The objective of preventing the proliferation of synthetic opioids through existing multilateral and bilateral initiatives requires additional efforts to deny illicit actors the financial means to sustain their markets and distribution networks.

(3) The People's Republic of China is the world's largest producer of illicit fentanyl, fentanyl analogues, and their immediate precursors. From the People's Republic of China, those substances are shipped primarily through express consignment carriers or international mail directly to the United States, or, alternatively, shipped directly to transnational criminal organizations in Mexico, Canada, and the Caribbean.

(4) In 2015, Mexican heroin accounted for 93 percent of the total weight of heroin seized in the United States, transported to the United States by transnational criminal organizations that maintain territorial influence over large regions in Mexico and remain the greatest criminal drug threat to the United States.

(5) The United States and the People's Republic of China, Mexico, and Canada have made important strides in combating the illicit flow of opioids through bilateral efforts of their respective law enforcement agencies.

(6) Insufficient regulation of synthetic opioid production and export and insufficient law enforcement efforts to combat opioid trafficking in the People's Republic of China and Mexico continue to contribute to a flood of opioids into the United States.

(7) While the Department of the Treasury used the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1901 et seq.) to sanction the first synthetic opioid trafficking entity in April 2018, precision economic and financial sanctions policy tools are needed to address the flow of synthetic opioids.

#### SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the United States should apply economic and other financial sanctions to foreign traffickers of illicit opioids to protect the national security, foreign policy, and economy of the United States; and

(2) it is imperative that the People's Republic of China follow through on the commitments it made to the United States on December 6, 2018, through the Group of Twenty—

(A) to schedule the entire category of fentanyl-type substances as controlled substances; and

(B) to change its national and provincial laws and increase provincial law enforcement efforts to prosecute traffickers of fentanyl substances.

#### SEC. 4. 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 Rela-

tions, 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) CONTROLLED SUBSTANCE; LISTED CHEMICAL.—The terms “controlled substance”, “listed chemical”, “narcotic drug”, and “opioid” have the meanings given those terms in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(4) ENTITY.—The term “entity” means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any form of business collaboration.

(5) FOREIGN OPIOID TRAFFICKER.—The term “foreign opioid trafficker” means any foreign person that the President determines plays a significant role in opioid trafficking.

(6) FOREIGN PERSON.—The term “foreign person”—

(A) means—

(i) any citizen or national of a foreign country; or

(ii) any entity not organized under the laws of the United States or a jurisdiction within the United States; and

(B) does not include the government of a foreign country.

(7) 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.

(8) OPIOID TRAFFICKING.—The term “opioid trafficking” means any illicit activity—

(A) to cultivate, produce, manufacture, distribute, sell, or knowingly finance or transport illicit opioids, controlled substances that are opioids, listed chemicals that are opioids, or active pharmaceutical ingredients or chemicals that are used in the production of controlled substances that are opioids;

(B) to attempt to carry out an activity described in subparagraph (A); or

(C) to assist, abet, conspire, or collude with other persons to carry out such an activity.

(9) PERSON.—The term “person” means an individual or entity.

(10) 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.

#### TITLE I—SANCTIONS WITH RESPECT TO FOREIGN OPIOID TRAFFICKERS

##### SEC. 101. IDENTIFICATION OF FOREIGN OPIOID TRAFFICKERS.

(a) PUBLIC REPORT.—

(1) IN GENERAL.—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report—

(A) identifying the foreign persons that the President determines are foreign opioid traffickers;

(B) detailing progress the President has made in implementing this title; and

(C) providing an update on cooperative efforts with the Governments of Mexico and

the People's Republic of China with respect to combating foreign opioid traffickers.

(2) **IDENTIFICATION OF ADDITIONAL PERSONS.**—If, at any time after submitting a report required by paragraph (1) and before the submission of the next such report, the President determines that a foreign person not identified in the report is a foreign opioid trafficker, the President shall submit to the appropriate congressional committees and leadership an additional report containing the information required by paragraph (1) with respect to the foreign person.

(3) **EXCLUSION.**—The President shall not be required to include in a report under paragraph (1) or (2) any persons with respect to which the United States has imposed sanctions before the date of the report under this title or any other provision of law with respect to opioid trafficking.

(4) **FORM OF REPORT.**—

(A) **IN GENERAL.**—Each report required by paragraph (1) or (2) shall be submitted in unclassified form but may include a classified annex.

(B) **AVAILABILITY TO PUBLIC.**—The unclassified portion of a report required by paragraph (1) or (2) shall be made available to the public.

(b) **CLASSIFIED REPORT.**—

(1) **IN GENERAL.**—The President shall submit to the appropriate congressional committees and leadership, in accordance with subsection (c), a report, in classified form—

(A) describing in detail the status of sanctions imposed under this title, including the personnel and resources directed toward the imposition of such sanctions during the preceding fiscal year;

(B) providing background information with respect to persons newly identified as foreign opioid traffickers and their illicit activities;

(C) describing actions the President intends to undertake or has undertaken to implement this title; and

(D) providing a strategy for identifying additional foreign opioid traffickers.

(2) **EFFECT ON OTHER REPORTING REQUIREMENTS.**—The report required by paragraph (1) is in addition to the obligations of the President to keep Congress fully and currently informed pursuant to the provisions of the National Security Act of 1947 (50 U.S.C. 3001 et seq.).

(c) **SUBMISSION OF REPORTS.**—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 President shall submit the reports required by subsections (a) and (b) to the appropriate congressional committees and leadership.

(d) **EXCLUSION OF CERTAIN INFORMATION.**—

(1) **INTELLIGENCE.**—Notwithstanding any other provision of this section, a report required by subsection (a) or (b) shall not disclose the identity of any person 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.**—Notwithstanding any other provision of this section, a report required by subsection (a) or (b) shall not disclose the identity of any person if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the Administrator of the Drug Enforcement Administration, 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.

(e) **PROVISION OF INFORMATION REQUIRED FOR REPORTS.**—The Secretary of the Treasury, the Attorney General, the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence shall consult among themselves and provide to the President and the Director of the Office of National Drug Control Policy the appropriate and necessary information to enable the President to submit the reports required by subsection (a).

## **SEC. 102. SENSE OF CONGRESS AND REPORTING ON INTERNATIONAL OPIOID CONTROL REGIME.**

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that, in order to apply economic and other financial sanctions to foreign traffickers of illicit opioids to protect the national security, foreign policy, and economy of the United States—

(1) the President should instruct the Secretary of State to commence immediately diplomatic efforts, both in appropriate international fora such as the United Nations, the Group of Seven, the Group of Twenty, trilaterally and bilaterally with partners of the United States, to establish a multilateral sanctions regime against foreign opioid traffickers; and

(2) the Secretary of State, in consultation with the Secretary of the Treasury, may consider forming a new coalition of countries to establish a multilateral sanctions regime against foreign opioid traffickers if certain countries in existing multilateral fora fail to cooperate with respect to establishing such a regime.

(b) **REPORTS TO CONGRESS.**—

(1) **IN GENERAL.**—The President shall include, in each report required by section 101(b), an assessment conducted by the Secretary of State, in consultation with the Secretary of the Treasury, of the extent to which any diplomatic efforts described in subsection (a) have been successful.

(2) **ELEMENTS.**—Each assessment required by paragraph (1) shall include an identification of—

(A) the countries the governments of which have agreed to undertake measures to apply economic or other financial sanctions to foreign traffickers of illicit opioids and a description of those measures; and

(B) the countries the governments of which have not agreed to measures described in subparagraph (A), and, with respect to those countries, other measures the Secretary of State recommends that the United States take to apply economic and other financial sanctions to foreign traffickers of illicit opioids.

## **SEC. 103. IMPOSITION OF SANCTIONS.**

The President shall impose 5 or more of the sanctions described in section 104 with respect to each foreign person that is an entity, and 4 or more of such sanctions with respect to each foreign person that is an individual, that—

(1) is identified as a foreign opioid trafficker in a report submitted under section 101(a); or

(2) the President determines is owned, controlled, directed by, supplying or sourcing precursors for, or acting for or on behalf of, such a foreign opioid trafficker.

## **SEC. 104. DESCRIPTION OF SANCTIONS.**

(a) **IN GENERAL.**—The sanctions that may be imposed with respect to a foreign person under section 103 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 person.

(2) **PROHIBITIONS ON FINANCIAL INSTITUTIONS.**—The following prohibitions may be imposed with respect to a foreign person that is a financial institution:

(A) **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 financial institution as a primary dealer in United States Government debt instruments.

(B) **PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.**—The financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

The imposition of either sanction under subparagraph (A) or (B) shall be treated as one sanction for purposes of section 103, and the imposition of both such sanctions shall be treated as 2 sanctions for purposes of that section.

(3) **PROCUREMENT BAN.**—The United States Government may not procure, or enter into any contract for the procurement of, any goods or services from the foreign person.

(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 in which the foreign person has any interest.

(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 any interest of the foreign person.

(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 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.

(7) **BAN ON INVESTMENT IN EQUITY OR DEBT OF SANCTIONED PERSON.**—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 person.

(8) **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 foreign person.

(9) **SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.**—The President may impose on the

principal executive officer or officers of the foreign person, 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.

(b) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of any regulation, license, or order issued to carry out subsection (a) 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.

(c) **EXCEPTIONS.**—

(1) **INTELLIGENCE ACTIVITIES.**—Sanctions under this section shall not apply with respect 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 to any authorized intelligence activities of the United States.

(2) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—The authority to impose sanctions under subsection (a)(6) shall not include the authority to impose sanctions on the importation of goods.

(3) **EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.**—Sanctions under subsection (a)(8) shall not apply to an alien if admitting the alien into the United States is necessary 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, the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or other applicable international obligations.

(d) **IMPLEMENTATION; REGULATORY AUTHORITY.**—

(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) **REGULATORY AUTHORITY.**—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

#### SEC. 105. WAIVERS.

(a) **WAIVER FOR STATE-OWNED FINANCIAL INSTITUTIONS IN COUNTRIES THAT COOPERATE IN MULTILATERAL ANTI-TRAFFICKING EFFORTS.**—

(1) **IN GENERAL.**—The President may, on a case-by-case basis, waive for a period of not more than 12 months the application of sanctions under this title with respect to a financial institution that is owned or controlled, directly or indirectly, by a foreign government or any political subdivision, agency, or instrumentality of a foreign government, if the President, not less than 30 days before the waiver is to take effect, certifies to the appropriate congressional committees and leadership that the foreign government is closely cooperating with the United States in efforts to prevent opioid trafficking.

(2) **CERTIFICATION.**—The President may certify under paragraph (1) that a foreign government is closely cooperating with the United States in efforts to prevent opioid trafficking if that government is—

(A) implementing domestic laws to schedule all fentanyl analogues as controlled substances; and

(B) doing 2 or more of the following:

(i) Implementing substantial improvements in regulations involving the chemical and pharmaceutical production and export of illicit opioids.

(ii) Implementing substantial improvements in judicial regulations to combat

transnational criminal organizations that traffic opioids.

(iii) Increasing efforts to prosecute foreign opioid traffickers.

(iv) Increasing intelligence sharing and law enforcement cooperation with the United States with respect to opioid trafficking.

(3) **SUBSEQUENT RENEWAL OF WAIVER.**—The President may renew a waiver under paragraph (1) for subsequent periods of not more than 6 months each if, not less than 30 days before the renewal is to take effect, the Director of National Intelligence certifies to the appropriate congressional committees and leadership that the government of the country to which the waiver applies has effectively implemented and is effectively enforcing the measures that formed the basis for the certification under paragraph (2).

(b) **WAIVERS FOR NATIONAL SECURITY AND ACCESS TO PRESCRIPTION MEDICATIONS.**—

(1) **IN GENERAL.**—The President may waive the application of sanctions under this title with respect to a person if the President determines that the application of such sanctions with respect to that person would significantly harm—

(A) the national security of the United States; or

(B) subject to paragraph (2), the access of United States persons to prescription medications.

(2) **MONITORING.**—The President shall establish a monitoring program to verify that a person receiving a waiver under paragraph (1)(B) is not trafficking illicit opioids.

(3) **NOTIFICATION.**—Not later than 21 days after making a determination under paragraph (1) with respect to a person, the President shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(c) **HUMANITARIAN WAIVER.**—The President may waive, for renewable periods of 180 days, the application of the sanctions under this title if the President certifies to the appropriate congressional committees and leadership that the waiver is necessary for the provision of humanitarian assistance.

#### SEC. 106. PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.

(a) **IN GENERAL.**—If a finding under this title, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court *ex parte* and in camera.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to confer or imply any right to judicial review of any finding under this title, or any prohibition, condition, or penalty imposed as a result of any such finding.

#### SEC. 107. BRIEFINGS ON IMPLEMENTATION.

Not later than 90 days after the date of the enactment of the Fentanyl Sanctions Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the President, acting through the Secretary of State, in coordination with the Secretary of the Treasury, shall provide to the appropriate congressional committees and leadership a comprehensive briefing on efforts to implement this title.

### TITLE II—COMMISSION ON COMBATING SYNTHETIC OPIOID TRAFFICKING

#### SEC. 201. COMMISSION ON COMBATING SYNTHETIC OPIOID TRAFFICKING.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—There is established a commission to develop a consensus on a strategic approach to combating the flow of synthetic opioids into the United States.

(2) **DESIGNATION.**—The commission established under paragraph (1) shall be known as the “Commission on Synthetic Opioid Trafficking” (in this section referred to as the “Commission”).

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Commission shall be composed of the following members:

(i) The Administrator of the Drug Enforcement Administration.

(ii) The Secretary of Homeland Security.

(iii) The Secretary of Defense.

(iv) The Secretary of the Treasury.

(v) The Secretary of State.

(vi) Two members appointed by the majority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(vii) Two members appointed by the minority leader of the Senate, one of whom shall be a Member of the Senate and one of whom shall not be.

(viii) Two members appointed by the Speaker of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(ix) Two members appointed by the minority leader of the House of Representatives, one of whom shall be a Member of the House of Representatives and one of whom shall not be.

(B)(i) The members of the Commission who are not Members of Congress and who are appointed under clauses (vi) through (ix) of subparagraph (A) shall be individuals who are nationally recognized for expertise, knowledge, or experience in—

(I) transnational criminal organizations conducting synthetic opioid trafficking;

(II) the production, manufacturing, distribution, sale, or transportation of synthetic opioids; or

(III) relations between—

(aa) the United States; and

(bb) the People's Republic of China, Mexico, or any other country of concern with respect to trafficking in synthetic opioids.

(ii) An official who appoints members of the Commission may not appoint an individual as a member of the Commission if the individual possesses any personal or financial interest in the discharge of any of the duties of the Commission.

(iii)(I) All members of the Commission described in clause (i) shall possess an appropriate security clearance in accordance with applicable provisions of law concerning the handling of classified information.

(II) For the purpose of facilitating the activities of the Commission, the Director of National Intelligence shall expedite to the fullest degree possible the processing of security clearances that are necessary for members of the Commission.

(2) **CO-CHAIRS.**—

(A) **IN GENERAL.**—The Commission shall have 2 co-chairs, selected from among the members of the Commission, one of whom shall be a member of the majority party and one of whom shall be a member of the minority party.

(B) **SELECTION.**—The individuals who serve as the co-chairs of the Commission shall be jointly agreed upon by the President, the majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives.

(c) **DUTIES.**—The duties of the Commission are as follows:

(1) To define the core objectives and priorities of the strategic approach described in subsection (a)(1).

(2) To weigh the costs and benefits of various strategic options to combat the flow of

synthetic opioids from the People's Republic of China, Mexico, and other countries.

(3) To evaluate whether the options described in paragraph (2) are exclusive or complementary, the best means for executing such options, and how the United States should incorporate and implement such options within the strategic approach described in subsection (a)(1).

(4) To review and make determinations on the difficult choices present within such options, among them what norms-based regimes the United States should seek to establish to encourage the effective regulation of dangerous synthetic opioids.

(5) To report on efforts by actors in the People's Republic of China to subvert United States laws and to supply illicit synthetic opioids to persons in the United States, including up-to-date estimates of the scale of illicit synthetic opioids flows from the People's Republic of China.

(6) To report on the deficiencies in the regulation of pharmaceutical and chemical production of controlled substances and export controls with respect to such substances in the People's Republic of China and other countries that allow opioid traffickers to subvert such regulations and controls to traffic illicit opioids into the United States.

(7) To report on the scale of contaminated or counterfeit drugs originating from the People's Republic of China and India.

(8) To report on how the United States could work more effectively with provincial and local officials in the People's Republic of China and other countries to combat the illicit production of synthetic opioids.

(9) In weighing the options for defending the United States against the dangers of trafficking in synthetic opioids, to consider possible structures and authorities that need to be established, revised, or augmented within the Federal Government.

(d) **FUNCTIONING OF COMMISSION.**—The provisions of subsections (c), (d), (e), (g), (h), (i), and (m) of section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) shall apply to the Commission to the same extent and in the same manner as such provisions apply to the commission established under that section, except that—

(1) subsection (c)(1) of that section shall be applied and administered by substituting “30 days” for “45 days”;

(2) subsection (g)(4)(A) of that section shall be applied and administered by inserting “and the Attorney General” after “Secretary of Defense”; and

(3) subsections (h)(2)(A) and (i)(1)(A) of that section shall be applied and administered by substituting “level V of the Executive Schedule under section 5316” for “level IV of the Executive Schedule under section 5315”.

(e) **TREATMENT OF INFORMATION RELATING TO NATIONAL SECURITY.**—

(1) **RESPONSIBILITY OF DIRECTOR OF NATIONAL INTELLIGENCE.**—The Director of National Intelligence shall assume responsibility for the handling and disposition of any information related to the national security of the United States that is received, considered, or used by the Commission under this section.

(2) **INFORMATION PROVIDED BY CONGRESS.**—Any information related to the national security of the United States that is provided to the Commission by the appropriate congressional committees and leadership may not be further provided or released without the approval of the chairperson of the committee, or the Member of Congress, as the case may be, that provided the information to the Commission.

(3) **ACCESS AFTER TERMINATION OF COMMISSION.**—Notwithstanding any other provision

of law, after the termination of the Commission under subsection (h), only the members and designated staff of the appropriate congressional committees and leadership, the Director of National Intelligence (and the designees of the Director), and such other officials of the executive branch as the President may designate shall have access to information related to the national security of the United States that is received, considered, or used by the Commission.

(f) **REPORTS.**—The Commission shall submit to the appropriate congressional committees and leadership—

(1) not later than 270 days after the date of the enactment of this Act, an initial report on the activities and recommendations of the Commission under this section; and

(2) not later than 270 days after the submission of the initial report under paragraph (1), a final report on the activities and recommendations of the Commission under this section.

(g) **LIMITATION ON FUNDING.**—Of amounts made available under sections 302, 303, and 304 to carry out this Act, not more than \$5,000,000 shall be available to the Commission in any of fiscal years 2020 through 2025.

(h) **TERMINATION.**—

(1) **IN GENERAL.**—The Commission, and all the authorities of this section, shall terminate at the end of the 120-day period beginning on the date on which the final report required by subsection (f)(2) is submitted to the appropriate congressional committees and leadership.

(2) **WINDING UP OF AFFAIRS.**—The Commission may use the 120-day period described in paragraph (1) for the purposes of concluding its activities, including providing testimony to Congress concerning the final report required by subsection (f)(2) and disseminating the report.

### TITLE III—OTHER MATTERS

#### SEC. 301. DIRECTOR OF NATIONAL INTELLIGENCE PROGRAM ON USE OF INTELLIGENCE RESOURCES IN EFFORTS TO SANCTION FOREIGN OPIOID TRAFFICKERS.

(a) **PROGRAM REQUIRED.**—

(1) **IN GENERAL.**—The Director of National Intelligence shall, with the concurrence of the Director of the Office of National Drug Control Policy, carry out a program to allocate and enhance use of resources of the intelligence community, including intelligence collection and analysis, to assist the Secretary of the Treasury and the Administrator of the Drug Enforcement Administration in efforts to identify and impose sanctions with respect to foreign opioid traffickers under title I.

(2) **FOCUS ON ILLICIT FINANCE.**—To the extent practicable, efforts described in paragraph (1) shall—

(A) take into account specific illicit finance risks related to narcotics trafficking; and

(B) be developed in consultation with the Undersecretary of the Treasury for Terrorism and Financial Crimes, appropriate officials of the Office of Intelligence and Analysis of the Department of the Treasury, the Director of the Financial Crimes Enforcement Network, and appropriate Federal law enforcement agencies.

(b) **REVIEW OF COUNTERNARCOTICS EFFORTS OF THE INTELLIGENCE COMMUNITY.**—The Director of National Intelligence shall, in coordination with the Director of the Office of National Drug Control Policy, carry out a comprehensive review of the current intelligence collection priorities of the intelligence community for counternarcotics purposes in order to identify whether such priorities are appropriate and sufficient in light of the number of lives lost in the United States each year due to use of illegal drugs.

(c) **REPORTS.**—

(1) **QUARTERLY REPORTS ON PROGRAM.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a report on the status and accomplishments of the program required by subsection (a) during the 90-day period ending on the date of the report. The first report under this paragraph shall also include a description of the amount of funds devoted by the intelligence community to the efforts described in subsection (a) during each of fiscal years 2017 and 2018.

(2) **REPORT ON REVIEW.**—Not later than 120 days after the date of the enactment of this Act, the Director of National Intelligence and the Director of the Office of National Drug Control Policy shall jointly submit to the appropriate congressional committees and leadership a comprehensive description of the results of the review required by subsection (b), including whether the priorities described in that subsection are appropriate and sufficient in light of the number of lives lost in the United States each year due to use of illegal drugs. If the report concludes that such priorities are not so appropriate and sufficient, the report shall also include a description of the actions to be taken to modify such priorities in order to assure that such priorities are so appropriate and sufficient.

(d) **INTELLIGENCE COMMUNITY DEFINED.**—In this section, the term “intelligence community” has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

#### SEC. 302. DEPARTMENT OF DEFENSE FUNDING.

(a) **SOURCE OF FUNDS.**—Subject to subsection (b), amounts authorized to be appropriated for each of fiscal years 2020 through 2025 for the Department of Defense for operation and maintenance shall be available for operations and activities described in subsection (c).

(b) **LIMITATION ON AMOUNT AVAILABLE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the amount available under subsection (a) in a fiscal year to carry out operations and activities described in subsection (c) may not exceed the following:

(A) In fiscal year 2020, \$25,000,000.

(B) In each of fiscal years 2021 through 2025, \$35,000,000.

(2) **EXCLUSION OF FUNDS FOR US SOUTHCOM FROM LIMITATION.**—Amounts authorized to be appropriated for a fiscal year for operation and maintenance and available for such fiscal year for the United States Southern Command for operations and activities described in subsection (c)(2) shall not count toward the limitation applicable to such fiscal year under paragraph (1).

(c) **OPERATIONS AND ACTIVITIES.**—The operations and activities described in this subsection are the following:

(1) The operations and activities of any department or agency of the United States Government (other than the Department of Defense) in carrying out this Act.

(2) The operations and activities of the Department of Defense in support of any other department or agency of the United States Government in carrying out this Act.

(d) **TRANSFER AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary of Defense may transfer funds authorized to be appropriated for the Department of Defense as described in subsection (a) to any other department or agency of the United States Government to carry out this Act.

(2) **NOTICE REQUIREMENTS.**—Any transfer under this subsection shall not be subject to



any reprogramming requirements under law. However, a notice on any such transfer shall be provided to the appropriate committees of Congress.

(3) **INAPPLICABILITY OF TRANSFER LIMITATIONS.**—Any transfer under this subsection in a fiscal year shall not count toward or apply against any limitation on amounts transferrable by the Department of Defense in such fiscal year, including any limitation specified in an annual defense authorization Act for such fiscal year.

#### SEC. 303. DEPARTMENT OF STATE FUNDING.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of State to carry out the operations and activities described in subsection (b)—

- (1) \$25,000,000 for fiscal year 2020; and
- (2) \$35,000,000 for each of fiscal years 2021 through 2025.

(b) **OPERATIONS AND ACTIVITIES DESCRIBED.**—The operations and activities described in this subsection are the following:

(1) The operations and activities of any department or agency of the United States Government (other than the Department of State) in carrying out this Act.

(2) The operations and activities of the Department of State in support of any other department or agency of the United States Government in carrying out this Act.

(c) **NOTIFICATION REQUIREMENT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President's intention to obligate such funds.

(2) **WAIVER.**—

(A) **IN GENERAL.**—The Secretary of State may waive the notification requirement under paragraph (1) if the Secretary determines that such a waiver is in the national security interests of the United States.

(B) **NOTIFICATION REQUIREMENT.**—If the Secretary exercises the authority provided under subparagraph (A) to waive the notification requirement under paragraph (1), the Secretary shall notify the appropriate committees of Congress of the President's intention to obligate amounts authorized to be appropriated by subsection (a) as soon as practicable, but not later than 3 days after obligating such funds.

(d) **TRANSFER AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary of State may transfer funds authorized to be appropriated by subsection (a) to any other department or agency of the United States Government to carry out this Act.

(2) **NOTICE REQUIREMENTS.**—Any transfer under this subsection shall not be subject to any reprogramming requirements under law. However, a notice on any such transfer shall be provided to the appropriate committees of Congress.

#### SEC. 304. DEPARTMENT OF THE TREASURY FUNDING.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Secretary of the Treasury to carry out the operations and activities described in subsection (b)—

- (1) \$25,000,000 for fiscal year 2020; and
- (2) \$35,000,000 for each of fiscal years 2021 through 2025.

(b) **OPERATIONS AND ACTIVITIES DESCRIBED.**—The operations and activities described in this subsection are the following:

(1) The operations and activities of any department or agency of the United States Government (other than the Department of the Treasury) in carrying out this Act.

(2) The operations and activities of the Department of the Treasury in support of any

other department or agency of the United States Government in carrying out this Act.

(c) **NOTIFICATION REQUIREMENT.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), amounts authorized to be appropriated by subsection (a) may not be obligated until 15 days after the date on which the President notifies the appropriate committees of Congress of the President's intention to obligate such funds.

(2) **WAIVER.**—

(A) **IN GENERAL.**—The Secretary of the Treasury may waive the notification requirement under paragraph (1) if the Secretary determines that such a waiver is in the national security interests of the United States.

(B) **NOTIFICATION REQUIREMENT.**—If the Secretary exercises the authority provided under subparagraph (A) to waive the notification requirement under paragraph (1), the Secretary shall notify the appropriate committees of Congress of the President's intention to obligate amounts authorized to be appropriated by subsection (a) as soon as practicable, but not later than 3 days after obligating such funds.

(d) **TRANSFER AUTHORITY.**—

(1) **IN GENERAL.**—The Secretary of the Treasury may transfer funds authorized to be appropriated by subsection (a) to any other department or agency of the United States Government to carry out this Act.

(2) **NOTICE REQUIREMENTS.**—Any transfer under this subsection shall not be subject to any reprogramming requirements under law. However, a notice on any such transfer shall be provided to the appropriate committees of Congress.

#### SEC. 305. APPROPRIATE COMMITTEES OF CONGRESS DEFINED.

In this title, the term “appropriate committees of Congress” means—

(1) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, 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 Financial Services, the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 141—CELEBRATING THE HERITAGE OF ROMANI AMERICANS

Mr. CARDIN (for himself and Mr. WICKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 141

Whereas the Romani people trace their ancestry to the Indian subcontinent;

Whereas Roma have been a part of European immigration to the United States since the colonial period and particularly following the abolition of the enslavement of Roma in the historic Romanian principalities;

Whereas Roma live across the world and throughout the United States;

Whereas the Romani people have made distinct and important contributions in many fields, including agriculture, art, crafts, literature, medicine, military service, music, sports, and science;

Whereas, on April 8, 1971, the First World Romani Congress met in London, bringing

Roma together from across Europe and the United States with the goal of promoting transnational cooperation among Roma in combating social marginalization and building a positive future for Roma everywhere;

Whereas April 8 is therefore celebrated globally as International Roma Day;

Whereas Roma were victims of genocide carried out by Nazi Germany and its Axis partners, and an estimated 200,000 to 500,000 Romani people were killed by Nazis and their allies across Europe during World War II;

Whereas, on the night of August 2-3, 1944, the so-called “Gypsy Family Camp” where Romani people were interned at Auschwitz-Birkenau was liquidated, and in a single night, between 4,200 and 4,300 Romani men, women, and children were killed in gas chambers;

Whereas 2019 is the 75th anniversary of that tragic event;

Whereas many countries are taking positive steps to remember and teach about the genocide of Roma by Nazi Germany and its Axis partners; and

Whereas the United States Congress held its first hearing to examine the situation of Roma in 1994: Now, therefore, be it

*Resolved*, That the Senate—

(1) remembers the genocide of Roma by Nazi Germany and its Axis partners and commemorates the 75th anniversary of the destruction of the “Gypsy Family Camp” where Romani people were interned at Auschwitz;

(2) commends the United States Holocaust Memorial Museum for its role in promoting remembrance of the Holocaust and educating about the genocide of Roma;

(3) supports International Roma Day as an opportunity to honor the culture, history, and heritage of the Romani people in the United States as part of the larger Romani global diaspora; and

(4) welcomes the Department of State's participation in ceremonies and events celebrating International Roma Day and similar engagement by the United States Government.

#### SENATE RESOLUTION 142—CONDEMNING THE GOVERNMENT OF THE PHILIPPINES FOR ITS CONTINUED DETENTION OF SENATOR LEILA DE LIMA, CALLING FOR HER IMMEDIATE RELEASE, AND FOR OTHER PURPOSES

Mr. MARKEY (for himself, Mr. RUBIO, Mr. DURBIN, Mrs. BLACKBURN, and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 142

Whereas extrajudicial killings perpetrated by the Government of the Philippines as part of a Government-directed antidrug campaign present the foremost human rights challenge in the Philippines;

Whereas the Department of State's 2017 Human Rights Report notes numerous human rights concerns, including the persecution of human rights defenders and the detention of political prisoners in the Philippines, stating, “The most significant human rights issues included: killings by security forces, vigilantes and others allegedly connected to the government, and by insurgents; torture and abuse of prisoners and detainees by security forces; often harsh and life threatening prison conditions; warrantless arrests by security forces and cases of apparent government disregard for