

provided to the Democratic Republic of the Congo.

SA 936. Mr. MCCONNELL (for Mr. KENNEDY) proposed an amendment to the bill S. 862, to extend the sunset for collateral requirements for Small Business Administration disaster loans; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Rebuilding Small Businesses After Disasters Act”.

SEC. 2. EXTENSION OF SUNSET FOR COLLATERAL REQUIREMENTS FOR SBA DISASTER LOANS.

Section 2102(b) of the RISE After Disaster Act of 2015 (15 U.S.C. 636 note) is amended, in the matter preceding paragraph (1), by striking “4 years” and inserting “7 years”.

SEC. 3. GAO REPORT ON DEFAULT RATES.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report comparing—

(1) the performance, including the default rate, of loans made under section 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)) during the period—

(A) beginning on January 1, 2000; and

(B) ending on the date on which the Small Business Administration began making loans in accordance with the amendment made by section 2102(a) of the RISE After Disaster Act of 2015 (Public Law 114–88; 129 Stat. 690); and

(2) the performance, including the default rate, of loans made under 7(b)(1) of the Small Business Act (15 U.S.C. 636(b)(1)) in accordance with the amendment made by section 2102(a) of the RISE After Disaster Act of 2015 (Public Law 114–88; 129 Stat. 690).

SA 937. Mr. MCCONNELL (for Mr. KENNEDY) proposed an amendment to the bill S. 862, to extend the sunset for collateral requirements for Small Business Administration disaster loans; as follows:

Amend the title so as to read: “A bill to extend the sunset for collateral requirements for Small Business Administration disaster loans.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 2 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, August 1, 2019, at time to be determined, to conduct a hearing on pending nominations.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, August 1,

2019, at 10 a.m., to conduct a business meeting and hearing on the nomination of W. Stephen Muldrow, to be United States Attorney for the District of Puerto Rico, Department of Justice.

REPORTING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the Senate’s adjournment, committees be authorized to report legislative and executive matters on Friday, August 16, 2019, from 1 p.m. until 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the majority leader and the senior Senator from Texas be authorized to sign duly enrolled bills or joint resolutions on August 1 and August 2, 2019.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL WORKFORCE DEVELOPMENT MONTH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 304, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 304) designating September 2019 as “National Workforce Development Month”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I know of no further debate on the measure.

The PRESIDING OFFICER. If there is no further debate, the question is on adoption of the resolution.

The resolution (S. Res. 304) was agreed to.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

NATIONAL ESTUARIES WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 305, submitted earlier today.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 305) designating the week of September 14 through September 21, 2019, as “National Estuaries Week”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to consider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 305) was agreed to.

The preamble was agreed to.

(The resolution with its preamble is printed in today’s RECORD under “Submitted Resolutions.”)

PRESIDENTIAL TRANSITION ENHANCEMENT ACT OF 2019

The PRESIDING OFFICER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 44, S. 394.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 394) to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments. (The parts of the bill intended to be stricken are shown in boldfaced brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 394

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 “Presidential Transition Enhancement Act of 2019”.

SEC. 2. PRESIDENTIAL TRANSITION ENHANCEMENTS.

(a) IN GENERAL.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “upon request,” and all that follows through “including” and inserting “upon request, to each President-elect, each Vice-President-elect, and, for up to 60 days after the date of the inauguration of the

President-elect and Vice-President-elect, each President and Vice President, for use in connection with the preparations for the assumption of official duties as President or Vice President necessary services and facilities, including"; and

(B) in paragraph (2)—

(i) by inserting " , or an employee of a committee of either House of Congress, a joint committee of the Congress, or an individual Member of Congress," after "any branch of the Government"; and

(ii) by inserting " , or in the case of an employee in a position in the legislative branch, with the consent of the supervising Member of Congress" after "with the consent of the head of the agency";

(2) by striking subsection (b) and inserting the following:

"(b) The Administrator shall expend funds for the provision of services and facilities under this section—

"(1) in connection with any obligation incurred by the President-elect or Vice-President-elect, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President incurred by the President or Vice President, during the period—

"(A) beginning on the day after the date of the general elections held to determine the electors of the President and Vice President under section 1 or 2 of title 3, United States Code; and

"(B) ending on the date that is 60 days after the date of such inauguration; and

"(2) without regard to whether the President-elect, Vice-President-elect, President, or Vice President submits to the Administrator a request for payment regarding services or facilities before the end of such period.";

(3) in subsection (h)(2)(B)(ii), by striking "computers" and inserting "information technology"; and

(4) By adding at the end the following:

"(i) MEMORANDUMS OF UNDERSTANDING.—

"(1) IN GENERAL.—Not later than September 1 of a year during which a Presidential election occurs, the Administrator shall, to the maximum extent practicable, enter into a memorandum of understanding with each eligible candidate, which shall include, at a minimum, the conditions for the administrative support services and facilities described in subsection (a).

"(2) EXISTING RESOURCES.—To the maximum extent practicable, a memorandum of understanding entered into under paragraph (1) shall be based on memorandums of understanding relating to previous Presidential transitions.

"(3) TRANSITION REPRESENTATIVE.—

"(A) DESIGNATION OF REPRESENTATIVE FOR INQUIRIES.—Each memorandum of understanding entered into under this subsection shall designate a representative of the eligible candidate to whom the Administrator shall direct any inquiries or legal instruments regarding the records of the eligible candidate that are in the custody of the Administrator.

"(B) CHANGE IN TRANSITION REPRESENTATIVE.—The designation of a new individual as the transition representative of an eligible candidate shall not require the execution of a new memorandum of understanding under this subsection.

"(C) TERMINATION OF DESIGNATION.—The designation of a transition representative under a memorandum of understanding shall terminate—

"(i) not later than September 30 of the year during which the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President occurs; or

"(ii) before the date described in clause (i), upon request of the President-elect or the Vice-President-elect or, after such inauguration, upon request of the President or the Vice President.

"(4) AMENDMENTS.—Any amendment to a memorandum of understanding entered into under this subsection shall be agreed to in writing.

"(5) PRIOR NOTIFICATION OF DEVIATION.—Each party to a memorandum of understanding entered into under this subsection shall provide written notice, except to the extent prohibited under another provision of law, not later than 3 days before taking any action that deviates from the terms and conditions agreed to in the memorandum of understanding.

"(6) DEFINITION.—In this subsection, the term 'eligible candidate' has the meaning given that term in subsection (h)(4)."

(b) AGENCY TRANSITIONS.—Section 4 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking "and" at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

"(4) the term 'nonpublic information'—

"(A) means information from the Federal Government that a member of a transition team obtains as part of the employment of the member that such member knows or reasonably should know has not been made available to the general public; and

"(B) includes information that a member of the transition team knows or reasonably should know—

"(i) is exempt from disclosure under section 552 of title 5, United States Code, or otherwise protected from disclosure by law; and

"(ii) is not authorized by the appropriate government agency or officials to be released to the public; and";

(2) in subparagraphs (C) and (D) of subsection (e)(3), by inserting "serving in a career position" after "senior representative";

(3) by striking subsection (f)(2) and inserting the following:

"(2) ACTING OFFICERS.—Not later than September 15 of a year during which a Presidential election occurs, and in accordance with subchapter III of chapter 33 of title 5, United States Code, the head of each agency shall ensure that a succession plan is in place for each senior noncareer position in the agency."; and

(4) in subsection (g)—

(A) in paragraph (1), by striking "November 1" and inserting "October 1"; and

(B) by adding at the end the following:

"(3) ETHICS PLAN.—

"(A) IN GENERAL.—Each memorandum of understanding under paragraph (1) shall include an agreement that the eligible candidate will implement and enforce an ethics plan to guide the conduct of the transition beginning on the date on which the eligible candidate becomes the President-elect.

"(B) CONTENTS.—The ethics plan shall include, at a minimum—

"(i) a description of the ethics requirements that will apply to all members of the transition team, including any specific requirement for transition team members who will have access to nonpublic or classified information;

"(ii) a description of how the transition team will—

"(I) address the role on the transition team of—

"(aa) lobbyists registered under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) and individuals who were former lobbyists registered under that Act; and

"(bb) persons registered under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), foreign nationals, and other foreign agents;

"(II) prohibit a transition team member with conflicts of interest similar to those applicable to Federal employees under section 2635.402(a) and section 2635.502(a) of title 5, Code of Federal Regulations, related to current or former employment, affiliations, clients, or investments, from working on particular matters involving specific parties that affect the interests of such member; and

"(III) address how the covered eligible candidate will address his or her own conflicts of interest during a Presidential term if the covered eligible candidate becomes the President-elect;

"(iii) a Code of Ethical Conduct, which each member of the transition team will sign and be subject to, that reflects the content of the ethics plans under this paragraph and at a minimum requires transition team members to—

"(I) seek authorization from transition team leaders or their designees before seeking, on behalf of the transition, access to any nonpublic information;

"(II) keep confidential any nonpublic information provided in the course of the duties of the member with the transition and exclusively use such information for the purposes of the transition; and

"(III) not use any nonpublic information provided in the course of transition duties, in any manner, for personal or private gain for the member or any other party at any time during or after the transition; and

"(iv) a description of how the transition team will enforce the Code of Ethical Conduct, including the names of the members of the transition team responsible for enforcement, oversight, and compliance.

"(C) PUBLICLY AVAILABLE.—The transition team shall make the ethics plan described in this paragraph publicly available on the [Internet] internet website of the General Services Administration the earlier of—

"(i) the day on which the memorandum of understanding is completed; or

"(ii) October 1."

Mr. McCONNELL. I ask unanimous consent that the committee-reported amendments be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment was agreed to.

The bill (S. 394), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 394

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 "Presidential Transition Enhancement Act of 2019".

SEC. 2. PRESIDENTIAL TRANSITION ENHANCEMENTS.

(a) IN GENERAL.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "upon request," and all that follows through "including" and inserting "upon request, to each President-elect, each Vice-President-elect, and, for up to 60 days after the date of the inauguration of the

President-elect and Vice-President-elect, each President and Vice President, for use in connection with the preparations for the assumption of official duties as President or Vice President necessary services and facilities, including"; and

(B) in paragraph (2)—

(i) by inserting " , or an employee of a committee of either House of Congress, a joint committee of the Congress, or an individual Member of Congress," after "any branch of the Government"; and

(ii) by inserting " , or in the case of an employee in a position in the legislative branch, with the consent of the supervising Member of Congress" after "with the consent of the head of the agency";

(2) by striking subsection (b) and inserting the following:

"(b) The Administrator shall expend funds for the provision of services and facilities under this section—

"(1) in connection with any obligation incurred by the President-elect or Vice-President-elect, or after the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President incurred by the President or Vice President, during the period—

"(A) beginning on the day after the date of the general elections held to determine the electors of the President and Vice President under section 1 or 2 of title 3, United States Code; and

"(B) ending on the date that is 60 days after the date of such inauguration; and

"(2) without regard to whether the President-elect, Vice-President-elect, President, or Vice President submits to the Administrator a request for payment regarding services or facilities before the end of such period.";

(3) in subsection (h)(2)(B)(ii), by striking "computers" and inserting "information technology"; and

(4) By adding at the end the following:

"(i) MEMORANDUMS OF UNDERSTANDING.—

"(1) IN GENERAL.—Not later than September 1 of a year during which a Presidential election occurs, the Administrator shall, to the maximum extent practicable, enter into a memorandum of understanding with each eligible candidate, which shall include, at a minimum, the conditions for the administrative support services and facilities described in subsection (a).

"(2) EXISTING RESOURCES.—To the maximum extent practicable, a memorandum of understanding entered into under paragraph (1) shall be based on memorandums of understanding relating to previous Presidential transitions.

"(3) TRANSITION REPRESENTATIVE.—

"(A) DESIGNATION OF REPRESENTATIVE FOR INQUIRIES.—Each memorandum of understanding entered into under this subsection shall designate a representative of the eligible candidate to whom the Administrator shall direct any inquiries or legal instruments regarding the records of the eligible candidate that are in the custody of the Administrator.

"(B) CHANGE IN TRANSITION REPRESENTATIVE.—The designation of a new individual as the transition representative of an eligible candidate shall not require the execution of a new memorandum of understanding under this subsection.

"(C) TERMINATION OF DESIGNATION.—The designation of a transition representative under a memorandum of understanding shall terminate—

"(i) not later than September 30 of the year during which the inauguration of the President-elect as President and the inauguration of the Vice-President-elect as Vice President occurs; or

"(ii) before the date described in clause (i), upon request of the President-elect or the Vice-President-elect or, after such inauguration, upon request of the President or the Vice President.

"(4) AMENDMENTS.—Any amendment to a memorandum of understanding entered into under this subsection shall be agreed to in writing.

"(5) PRIOR NOTIFICATION OF DEVIATION.—Each party to a memorandum of understanding entered into under this subsection shall provide written notice, except to the extent prohibited under another provision of law, not later than 3 days before taking any action that deviates from the terms and conditions agreed to in the memorandum of understanding.

"(6) DEFINITION.—In this subsection, the term 'eligible candidate' has the meaning given that term in subsection (h)(4)."

(b) AGENCY TRANSITIONS.—Section 4 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking "and" at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

"(4) the term 'nonpublic information'—

"(A) means information from the Federal Government that a member of a transition team obtains as part of the employment of the member that such member knows or reasonably should know has not been made available to the general public; and

"(B) includes information that a member of the transition team knows or reasonably should know—

"(i) is exempt from disclosure under section 552 of title 5, United States Code, or otherwise protected from disclosure by law; and

"(ii) is not authorized by the appropriate government agency or officials to be released to the public; and";

(2) in subparagraphs (C) and (D) of subsection (e)(3), by inserting "serving in a career position" after "senior representative";

(3) by striking subsection (f)(2) and inserting the following:

"(2) ACTING OFFICERS.—Not later than September 15 of a year during which a Presidential election occurs, and in accordance with subchapter III of chapter 33 of title 5, United States Code, the head of each agency shall ensure that a succession plan is in place for each senior noncareer position in the agency."; and

(4) in subsection (g)—

(A) in paragraph (1), by striking "November 1" and inserting "October 1"; and

(B) by adding at the end the following:

"(3) ETHICS PLAN.—

"(A) IN GENERAL.—Each memorandum of understanding under paragraph (1) shall include an agreement that the eligible candidate will implement and enforce an ethics plan to guide the conduct of the transition beginning on the date on which the eligible candidate becomes the President-elect.

"(B) CONTENTS.—The ethics plan shall include, at a minimum—

"(i) a description of the ethics requirements that will apply to all members of the transition team, including any specific requirement for transition team members who will have access to nonpublic or classified information;

"(ii) a description of how the transition team will—

"(I) address the role on the transition team of—

"(aa) lobbyists registered under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.) and individuals who were former lobbyists registered under that Act; and

"(bb) persons registered under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), foreign nationals, and other foreign agents;

"(II) prohibit a transition team member with conflicts of interest similar to those applicable to Federal employees under section 2635.402(a) and section 2635.502(a) of title 5, Code of Federal Regulations, related to current or former employment, affiliations, clients, or investments, from working on particular matters involving specific parties that affect the interests of such member; and

"(III) address how the covered eligible candidate will address his or her own conflicts of interest during a Presidential term if the covered eligible candidate becomes the President-elect;

"(iii) a Code of Ethical Conduct, which each member of the transition team will sign and be subject to, that reflects the content of the ethics plans under this paragraph and at a minimum requires transition team members to—

"(I) seek authorization from transition team leaders or their designees before seeking, on behalf of the transition, access to any nonpublic information;

"(II) keep confidential any nonpublic information provided in the course of the duties of the member with the transition and exclusively use such information for the purposes of the transition; and

"(III) not use any nonpublic information provided in the course of transition duties, in any manner, for personal or private gain for the member or any other party at any time during or after the transition; and

"(iv) a description of how the transition team will enforce the Code of Ethical Conduct, including the names of the members of the transition team responsible for enforcement, oversight, and compliance.

"(C) PUBLICLY AVAILABLE.—The transition team shall make the ethics plan described in this paragraph publicly available on the internet website of the General Services Administration the earlier of—

"(i) the day on which the memorandum of understanding is completed; or

"(ii) October 1."

REBUILDING SMALL BUSINESSES AFTER DISASTERS ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 54, S. 862.

The senior assistant legislative clerk read as follows:

A bill (S. 862) to repeal the sunset for collateral requirements for Small Business Administration disaster loans.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Small Business and Entrepreneurship.

Mr. McCONNELL. I ask unanimous consent that the Kennedy amendment at the desk be agreed to, and the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 936), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rebuilding Small Businesses After Disasters Act".