

States Code, is amended by inserting after the item relating to section 3502 the following:

“3503. Use of certified facility dog for testimony in criminal proceedings.”.

#### RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following resolutions introduced earlier today en bloc: S. Res. 459, S. Res. 460, and S. Res. 461.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

#### AMERICAN GEOPHYSICAL UNION CENTENNIAL ANNIVERSARY

Mr. CARDIN. Mr. President, in recognition of its centennial anniversary, I rise to offer my congratulations and appreciation to the American Geophysical Union, also known as the AGU. Since December 1919, the AGU has played an instrumental role in supporting international cooperation while also fostering American leadership in the fields of Earth and space science. Senator MURKOWSKI and I introduced a resolution in honor of this critical milestone, and I am pleased to see the Senate pass it today.

The National Research Council created the AGU as the representative for the United States of America in the International Union of Geodesy and Geophysics in 1919. Only 1 year after the end of World War I, this was an occasion for international cooperation that illustrated the importance of bridging divides in the name of science. The AGU is a prime example of our Nation's commitment to a vision of shared peace and prosperity, and by serving as a key forum for gifted geophysicists from across the world, it is an example of our positive role in the international community for advancing knowledge.

In the century since its founding, the AGU has connected countless geophysicists to facilitate information-sharing, peer review, and innovation. The AGU today counts more than 60,000 scientists and students among its membership, across 137 countries. Their work has not only expanded our understanding of our home planet and the celestial bodies beyond, but it has also led to critical health, environmental, commercial, and technological breakthroughs. If we are to confront climate change and other systemic challenges and, indeed, if we are truly to live as stewards in harmony with our surroundings, humanity needs the international cooperation and scientific integrity the AGU demonstrates so aptly.

It is my hope that this resolution and the occasion of the AGU's centennial anniversary can inspire us all to appreciate the significance of scientific integrity and independence. Research from the geophysical community has deeply informed our society on the

need for responding to pressing challenges, chief among them climate change. But unfortunately, it is not always so easy. Under President Trump, scientists have had to censor their work, voluntarily or involuntarily, due to political interference.

Under the Trump administration, for instance, the United States Geological Survey has opted to limit the scope of the projected consequences of climate change through 2040, despite the agency's historic use of models stretching through 2100. Perhaps more worrisome, the White House released an Executive Order on June 14, 2019, that instructs each agency to slash at least one-third of its advisory committees, which consist of experts and scientists ready to advise on a wide range of issues, especially for the Environmental Protection Agency.

Through reason and empiricism, science brings us closer to the truth. When administration officials or other individuals purposefully interfere with science to paint an incomplete, inaccurate, or misleading image, science ceases to be science and becomes just another battleground for politics. Policymakers should not be in the business of manipulating or silencing the work of the men and women who make up the scientific community. We should let scientists do their jobs. The AGU has done an excellent job representing many of those scientists over the last 100 years, and I congratulate it on the occasion of its centennial.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 459) was agreed to.

(The resolution is printed in today's RECORD under “Submitted Resolutions.”)

The resolutions (S. Res. 460 and S. Res. 461) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under “Submitted Resolutions.”)

#### COMBATING GLOBAL CORRUPTION ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 144, S. 1309.

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

The legislative clerk read as follows:

A bill (S. 1309) to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. DEFINITIONS.

In this Act:

(1) **CORRUPT ACTOR.**—The term “corrupt actor” means—

(A) any foreign person or entity that is a government official or government entity responsible for, or complicit in, an act of public corruption; and

(B) any company, in which a person or entity described in subparagraph (A) has a significant stake, which is responsible for, or complicit in, an act of public corruption.

(2) **FOREIGN ASSISTANCE.**—The term “foreign assistance” means assistance made available under—

(A) the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); or

(B) the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(3) **GRAND CORRUPTION.**—The term “grand corruption” means public corruption committed at a high level of government that—

(A) distorts policies or the central functioning of the country; and

(B) enables leaders to benefit at the expense of the public good.

(4) **PETTY CORRUPTION.**—The term “petty corruption” means the unlawful exercise of entrusted public power for private gain by low- or mid-level public officials in their interactions with ordinary citizens, including by bribery, nepotism, fraud, or embezzlement.

(5) **PUBLIC CORRUPTION.**—The term “public corruption” means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

#### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the foreign policy interest of the United States to help other countries promote good governance and combat public corruption, particularly grand corruption;

(2) multiple departments and agencies across the United States Government operate programs that promote good governance in foreign countries and enhance foreign countries' ability to combat public corruption;

(3) the Department of State should promote coordination among programs described in paragraph (2) to improve their effectiveness and efficiency; and

(4) the Department of State should identify areas in which United States efforts to help other countries promote good governance and combat public corruption could be enhanced.

#### SEC. 3. ANNUAL REPORT.

The Secretary shall annually submit to the appropriate congressional committees and publish, on a publicly accessible website, a report that—

(1) groups foreign countries, by quintile, based on—

(A) the World Bank Worldwide Governance Indicator on Control of Corruption; and

(B) the World Bank Worldwide Governance Indicator on Voice and Accountability;

(2) adds context and commentary, as appropriate, to the World Bank Worldwide Governance Indicator on Control of Corruption and the World Bank Worldwide Governance Indicator on Voice and Accountability groupings under paragraph (1), as appropriate, based on the factors outlined in section 4;

(3) describes, based on the World Bank Worldwide Governance Indicators and the factors outlined in section 4, the status of foreign governments' efforts to combat public corruption; and

(4) describes the status of each foreign country's active membership in voluntary multi-sectoral global governance initiatives as evidence of the country's government-led efforts to combat public corruption.

#### SEC. 4. ADDITIONAL FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT PUBLIC CORRUPTION.

(a) **FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT PUBLIC CORRUPTION.**—In assessing a government's efforts to combat public corruption, the Secretary of State should consider, to the extent reliable information is available—

(1) whether the country—

(A) has enacted laws and established government structures, policies, and practices that prohibit public corruption, including grand corruption and petty corruption; and

(B) enforces such laws through a fair judicial process;

(2) whether the country prescribes appropriate punishment for grand corruption that is commensurate with the punishment prescribed for serious crimes;

(3) whether the country prescribes appropriate punishment for petty corruption that provides a sufficiently stringent deterrent and adequately reflects the nature of the offense;

(4) the extent to which the government of the country—

(A) vigorously investigates and prosecutes acts of public corruption; and

(B) convicts and sentences persons responsible for such acts that take place wholly or partly within such country, including, as appropriate, requiring the incarceration of individuals convicted of such acts;

(5) the extent to which the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate public corruption, including nationals of the country who are deployed in foreign military assignments, trade delegations abroad, or other similar missions who engage in or facilitate severe forms of public corruption;

(6) the extent to which the government of the country has adopted measures to prevent public corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of public corruption;

(7) steps taken by the government of the country to prohibit government officials from participating in, facilitating, or condoning public corruption, including the investigation, prosecution, and conviction of such officials;

(8) the extent to which the country government provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat public corruption, including reporting, investigating, and monitoring;

(9) the extent to which an independent judiciary or judicial body in the country is responsible for, and effectively capable of, deciding public corruption cases impartially, on the basis of facts and in accordance with the law, without any improper restrictions, influences, inducements, pressures, threats, or interferences (direct or indirect) from any source or for any reason;

(10) the extent to which the government of the country is assisting in international investigations of transnational public corruption networks and in other cooperative efforts to combat grand corruption, including cooperating with the governments of other countries to extradite corrupt actors;

(11) the extent to which the government of the country recognizes the rights of victims of public corruption, ensures their access to justice, and takes steps to prevent victims from being further victimized or persecuted by corrupt actors, government officials, or others;

(12) the extent to which the government of the country refrains from prosecuting legitimate victims of public corruption or whistleblowers due to such persons having assisted in exposing public corruption, and refrains from other discriminatory treatment of such persons; and

(13) such other information relating to public corruption as the Secretary of State considers appropriate.

#### SEC. 5. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.

(a) **DESIGNATED COUNTRIES.**—The Secretary of State shall annually designate an anti-corruption point of contact at the United States Mission to each country that he or she determines is in need of such a point of contact.

(b) **POINTS OF CONTACT DUTIES.**—Each designated anti-corruption point of contact shall be responsible for coordinating a whole-of-government approach to combating public corruption in his or her posted country among relevant United States Government departments or agencies with a presence in that country, including, as applicable, the Department of State, the Department of Justice, the Department of the Treasury, the Department of Homeland Security, and the United States Agency for International Development.

(c) **TRAINING.**—The Secretary of State shall develop and implement appropriate training for designated anti-corruption points of contact.

(d) **INTERNAL REPORTING.**—Each anti-corruption point of contact shall submit an annual report to the Secretary regarding anti-corruption activities within his or her posted country that—

(1) evaluates the effectiveness of current programs that promote good governance and have an effect of combating public corruption; and

(2) identifies areas in which the United States Government's approach could be enhanced, including specific programs that could be used to enhance the whole-of-government approach.

#### SEC. 6. INTERAGENCY WORKING GROUP.

(a) **IN GENERAL.**—The Secretary of State shall have primary responsibility for managing a whole-of-government effort to improve coordination among United States Government departments and agencies that have a role in promoting good governance in foreign countries and enhancing foreign countries' ability to combat public corruption.

(b) **TASK FORCE.**—

(1) **INITIAL MEETING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish and convene an initial meeting of an interagency task force, which shall be composed of—

(A) representatives appointed by the President from the departments and agency listed in section 5(b); and

(B) representatives from any other United States Government departments or agencies, as determined by the Secretary.

(2) **ADDITIONAL MEETINGS.**—The task force described in paragraph (1) shall meet not less frequently than twice per year.

(c) **TASK FORCE DUTIES.**—The task force established pursuant to subsection (b) shall—

(1) assist the Secretary of State in managing the whole-of-government effort described in subsection (a);

(2) evaluate, on a general basis, the effectiveness of current programs that have an effect of combating public corruption;

(3) identify general areas in which the United States Government's approach could be enhanced; and

(4) identify specific programs for specific countries that could be used to enhance the whole-of-government approach.

#### SEC. 7. TRANSPARENCY AND ACCOUNTABILITY.

(a) **IN GENERAL.**—Not later than 60 days after publishing the report required under section 3, and prior to obligation by any United States agency of foreign assistance to the government of a country ranked in the lowest 2 quintiles in the World Bank Worldwide Governance Indicator on Control of Corruption grouping described in section 3(1), the Secretary, in coordination with the Administrator of USAID, as appropriate, shall—

(1) conduct a corruption risk assessment and create a corruption mitigation strategy for all United States foreign assistance programs in that country;

(2) require the inclusion of anti-corruption clauses for all foreign assistance contracts, grants, and cooperative agreements, which allow for the termination of the contract, grant, or cooperative agreement without penalty if credible indicators of public corruption are discovered;

(3) require the inclusion of appropriate clawback clauses for all foreign assistance that has been misappropriated through corruption;

(4) require the appropriate disclosure to the United States Government, in confidential form, if necessary, of the beneficial ownership of contractors, subcontractors, grantees, cooperative agreement participants, and other organizations receiving funding from the United States Government for foreign assistance programs; and

(5) establish a mechanism for investigating allegations of misappropriated foreign assistance funds or equipment.

(b) **EXCEPTIONS AND WAIVER.**—

(1) **EXCEPTIONS.**—Subsection (a) shall not apply to humanitarian assistance, disaster assistance, or assistance to combat corruption.

(2) **WAIVER.**—The Secretary of State may waive the requirement to delay foreign assistance under subsection (a) if the Secretary certifies to the appropriate congressional committees that such waiver is important to the national security interests of the United States.

#### SEC. 8. RESOURCES AND REPORTING REQUIREMENTS.

(a) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees that outlines the resources needed to meet the objectives of this Act, including—

(A) personnel needs; and

(B) a description of the bureaucratic structure of the offices within the Department of State and USAID that are engaged in anti-corruption activities.

(b) **ANNUAL BRIEFING.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall brief the appropriate congressional committees on the implementation of this Act, including—

(A) the designation of anti-corruption points of contact for countries under section 5(a);

(B) the training implemented under section 5(c);

(C) the reports received from anti-corruption points of contact under section 5(d);

(D) the management of the whole-of-government effort to improve coordination under section 6(a);

(E) the establishment of the task force under section 6(b); and

(F) the activities of the task force under section 6(c).

(2) **FORM OF BRIEFING.**—The briefings under subsection (b) shall be conducted on an in-person basis to members or staff of the appropriate congressional committees. Portions of the briefings may be conducted in a classified setting, as needed.

(c) **ONLINE PLATFORM.**—The Secretary of State and the USAID Administrator shall consolidate existing reports with anti-corruption components into one online, public platform, which shall—

(1) include—

(A) the Human Rights Report;

(B) the Fiscal Transparency Report;

(C) the Investment Climate Statement reports;

(D) the International Narcotics Control Strategy Report; and

(E) any other relevant public reports;

(2) link to third-party indicators and compliance mechanisms used by the United States Government to inform policy and programming, such as—

(A) the International Finance Corporation's Doing Business surveys;

(B) the International Budget Partnership's Open Budget Index; and

(C) *multilateral peer review anti-corruption compliance mechanisms, such as the Organisation for Economic Co-operation and Development's Working Group on Bribery in International Business Transactions and the United Nations Convention Against Corruption, done at New York October 31, 2003, to further highlight expert international views on country challenges and country efforts.*

(d) *TRAINING.—The Secretary of State and the USAID Administrator shall incorporate anti-corruption components into existing Foreign Service and Civil Service training courses—*

(1) *to increase the ability of Department of State and USAID personnel to support anti-corruption as a foreign policy and development priority; and*

(2) *to strengthen their ability to design, implement, and evaluate more effective anti-corruption programming around the world, including enhancing skills to better evaluate and mitigate public corruption risks in assistance programs.*

Mr. CARDIN. Mr. President, we need to pass the Combating Global Corruption Act. Today, I join with my colleague Senator YOUNG to reaffirm bipartisan support for this important legislation.

Corruption threatens international stability and security and poses a serious threat to democracy and democratic values. Ten days ago, December 9, was International AntiCorruption Day. This day provides an annual reminder of the dire need to prioritize combatting corruption here in the United States and around the world.

Corruption undermines democratic institutions, it compromises the rule of law, and it erodes human rights protections. It damages America's global competitiveness and hampers economic growth in global markets. It fosters the conditions for violent extremism and weakens institutions associated with governance and accountability. These are direct threats to our national and international security.

Earlier this year, Transparency International published its Corruption Perceptions Index for 2018. It underscored that the failure to curb corruption is contributing to a worldwide crisis of democracy. Not surprisingly then, Freedom House similarly reported that 2018 was marked by global declines in political rights and civil liberties for the 13th consecutive year. Sixty-eight countries suffered net declines in political rights and civil liberties during 2018, with only 50 nations registering gains.

We have all seen the headlines in recent years—from scandals in Liberia, Hungary, and Guatemala, to the doping by Russian athletes and their subsequent ban from the 2016 Summer Olympics and using aid to influence other nations' behavior.

It is clear that where there are high levels of corruption, we find fragile states, authoritarian states, or states suffering from internal or external conflict—in places such as Lebanon, Afghanistan and Pakistan, Iraq, Syria, Somalia, Nigeria, and Sudan.

Different domestic issues may have sparked the wave of massive protests we are observing today—whether they be increases in gas prices or metro

fares—but many of these uprisings have been sustained by public desire to weed out leaders' corruption. Corruption is no longer being tolerated or excused.

Corruption operates via extensive and entrenched networks in both the public and private sectors. It is ubiquitous and pervasive, but we must address it. The costs of not addressing it or rooting it out are just too great.

Mr. President, we must be clear-eyed—any fight against corruption will be long-term and difficult. It is a fight against powerful people, powerful companies, and powerful interests. It is about changing a mindset and a culture as much as it is about establishing and enforcing laws.

While previous anti-corruption legislation has been crucial, the Combating Global Corruption Act takes our commitment to this value further by bringing a whole-of-government approach to the issue and bringing more transparency to the instances of corruption going on unnoticed in every country around the world.

The Combating Global Corruption Act requires the State Department to produce an annual assessment, either by a briefing or by a report, similar to the Trafficking in Persons Report, which takes a close look at each country's efforts to combat corruption. The assessment will measure indicators such as transparency, accountability, enforcement of anti-corruption laws, and the extent to which public power is used for private gain.

That model, which has effectively advanced the effort to combat modern-day slavery, will similarly embed the issue of corruption in our collective work and make other nations more conscious of their corruption levels.

The bill includes clear definitions of corruption and corrupt activities and underscores the importance of prioritizing corruption into strategic planning—across our agencies, bureaus, and our missions overseas.

It specifically increases coordination on anti-corruption efforts between the Department of State and USAID and formally engages our embassies in the fight against corruption by establishing anti-corruption points of contact at our Embassies in critical countries.

We work across multiple agencies and in multiple offices to combat corruption. The roles of these points of contact, comprised of either the chief of mission or personnel designated for the role by the chief of mission, will foster greater coordination on anticorruption efforts within the U.S. government.

It is time for the U.S. Congress to send a strong message to our Nation and to the world that corruption cannot be accepted as the status quo.

It is time that we back up our words—our commitment to supporting democratization, human rights, and fairness globally—with action to protect those critically important values.

Let's pass the Combating Global Corruption Act.

Mr. McCONNELL. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Cardin substitute amendment at the desk be considered and 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 substitute amendment was withdrawn.

The amendment (No. 1275), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1309), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### NATIONAL ONE HEALTH AWARENESS MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 462, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 462) designating January 2020 as "National One Health Awareness Month" to promote awareness of organizations focused on public health, animal health, and environmental health collaboration throughout the United States and to recognize the critical contributions of those organizations to the future of the United States.

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

Mr. McCONNELL. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the resolution.

The resolution (S. Res. 462) was agreed to.

Mr. McCONNELL. I ask unanimous consent that the preamble be agreed to and 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.")

#### MEASURE READ THE FIRST TIME—S. 3148

Mr. McCONNELL. Mr. President, I understand is there a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 3148) to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances.