

that disease has on individuals and families.

Our Nation owes America's veterans our deepest gratitude. We must honor our commitment to veterans by continuing to support their needs, including the needs of veterans who are living with early-stage dementia.

The State Veterans Homes Domiciliary Care Flexibility Act would require VA to implement a waiver authority, allowing the VA to grant domiciliary care per diem payments for veterans who meet at least half of the VA's current eligibility requirements and if such a waiver would be in that veterans' best interest. This will provide the flexibility to ensure this vulnerable group of veterans do not fall through the cracks and that VA can help address the growing needs for assistance for these patients.

Mr. President, this legislation has the support of Melissa Jackson, the president of the National Association of State Veterans Homes, as well as Kelley Kash, CEO of Maine Veterans' Homes, and I urge all of my colleagues to join me in honoring and supporting some of our Nation's most vulnerable veterans by supporting its passage.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 667—CALLING FOR THE IMMEDIATE RELEASE OF TREVOR REED, A UNITED STATES CITIZEN WHO WAS UNJUSTLY SENTENCED TO 9 YEARS IN A RUSSIAN PRISON

Mr. CORNYN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 667

Whereas United States citizen Trevor Reed is a resident of Granbury, Texas, and a United States Marine Corps veteran;

Whereas Trevor Reed traveled to Moscow to visit his girlfriend on May 16, 2019;

Whereas Moscow's Police Service detained Trevor Reed on August 16, 2019;

Whereas Trevor Reed was accused of grabbing the arm of the police officer driving the vehicle and elbowing another officer while en route to the police station, causing the vehicle to swerve and therefore endangering the lives of the police officers;

Whereas Trevor Reed was not given a medical evaluation until 10 days following his arrest;

Whereas Trevor Reed's defense team presented video evidence to the courts that disproves the police officers' statements of supposed endangerment and wrongdoing;

Whereas Trevor Reed's defense team was denied access to additional video evidence from the police vehicle and police station that had the potential to prove his innocence;

Whereas the police officers claimed emotional and physical damages, but did not sustain any visible injury, or claim any time missed from work;

Whereas the Constitutional Supreme Court of the Russian Federation and the Second Court of Cassation of General Jurisdiction concurred that Russian procedural law was violated in the way that Trevor Reed's bail was revoked;

Whereas the United States Embassy in Moscow has filed complaints with the Russian Foreign Ministry regarding denial of communications with Trevor Reed;

Whereas during the trial, the defense counsel presented 59 minutes of traffic camera video that showed the police car—

(1) did not change direction or leave its lane;

(2) did not swerve; and

(3) did not stop or slow down;

Whereas on July 30, 2020, Golovinsky District Court Judge Arnout read a verdict that dismissed all defense evidence, witnesses, and government experts and included information from the investigator's case files that were not discussed or read into the court files;

Whereas the judge sentenced Trevor Reed to 9 years in a prison camp even though no person had previously been sentenced to more than 8 years in prison for a level II crime;

Whereas the judge also ordered Trevor Reed to pay 100,000 rubles to each police officer for moral and physical injuries;

Whereas Trevor Reed had already been detained in Russia for 1 year at the time of the judge's verdict;

Whereas, the United States Ambassador to Russia, John Sullivan, upon Trevor's sentencing, stated that the prosecution's case and the evidence presented against Mr. Reed were "so preposterous that they provoked laughter in the courtroom", the conviction and sentence were "ridiculous", and "justice was not even considered".

Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses support for Trevor Reed, Paul Whelan, and all prisoners unjustly imprisoned in the Russian Federation;

(2) condemns the practice of politically motivated imprisonment in the Russian Federation, which violates the commitments of the Russian Federation to international obligations with respect to human rights and the rule of law;

(3) urges the United States Government, in all its interactions with the Government of the Russian Federation, to raise the case of Trevor Reed and to press for his release;

(4) calls on the Government of the Russian Federation to immediately release Trevor Reed and all other prisoners arrested for political motivations;

(5) urges the Government of the Russian Federation to provide unrestricted consular access to Trevor Reed while he remains in detention;

(6) calls on the Government of the Russian Federation—

(A) to provide Trevor Reed any necessary medical treatment and personal protective equipment;

(B) to notify the United States Ambassador to Russia of any medical problems or complaints that arise during his detention; and

(C) to provide the United States Embassy in Moscow with full access to all of Trevor Reed's medical records;

(7) urges the Government of the Russian Federation to respect Trevor Reed's universally recognized human rights; and

(8) expresses support to the family of Trevor Reed and commitment to bringing Trevor Reed home.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2568. Ms. MCSALLY (for herself, Mr. ROUNDS, Mrs. CAPITO, Mr. HAWLEY, Mr. COTTON, Mrs. BLACKBURN, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr.

MCCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table.

SA 2569. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2570. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill S. 178, supra; which was ordered to lie on the table.

SA 2571. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2572. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2573. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2574. Mr. CRAMER (for himself, Mr. COTTON, Mr. PERDUE, Mrs. CAPITO, Mr. MORAN, Mr. BARRASSO, Mr. TILLIS, Mr. BLUNT, Mr. BOOZMAN, Ms. MCSALLY, Ms. MURKOWSKI, Mr. DAINES, Mrs. LOEFFLER, Mr. WICKER, Mr. ROUNDS, and Mr. LANKFORD) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2575. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2576. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2577. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2578. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2579. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2580. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 178, supra; which was ordered to lie on the table.

SA 2581. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2582. Ms. ERNST (for herself, Mr. ALEXANDER, Mr. BLUNT, Mr. YOUNG, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2583. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. MCCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2584. Ms. ERNST (for herself and Mr. YOUNG) submitted an amendment intended

to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2585. Ms. ERNST (for herself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2586. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2587. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2588. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 178, supra; which was ordered to lie on the table.

SA 2589. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2590. Mr. SCOTT, of Florida submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2591. Mr. SCOTT, of Florida submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2592. Mr. SCOTT, of Florida submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2593. Ms. COLLINS (for herself, Mrs. FEINSTEIN, Mr. DAINES, and Mr. MORAN) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, supra; which was ordered to lie on the table.

SA 2594. Mr. MORAN (for himself and Mr. TESTER) proposed an amendment to the bill S. 785, to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

## TEXT OF AMENDMENTS

**SA 2568.** Ms. McSALLY (for herself, Mr. ROUNDS, Mrs. CAPITO, Mr. HAWLEY, Mr. COTTON, Mrs. BLACKBURN, and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

### SEC. \_\_\_\_ . RESPONSIBILITY OF FOREIGN STATES FOR RECKLESS ACTIONS OR OMISSIONS CAUSING THE COVID-19 GLOBAL PANDEMIC IN THE UNITED STATES.

(a) RESPONSIBILITY.—Chapter 97 of title 28, United States Code, is amended by inserting after section 1605B the following:

#### “§ 1605C. Responsibility of foreign states for reckless actions or omissions causing the COVID-19 global pandemic in the United States

“(a) RESPONSIBILITY OF FOREIGN STATES.—A foreign state shall not be immune from the

jurisdiction of the courts of the United States in any case in which money damages are sought against a foreign state for death or physical or economic injury to person, property, or business occurring in the United States following any reckless action or omission (including a conscious disregard of the need to report information promptly or deliberately hiding relevant information) of a foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, that caused or substantially contributed to the COVID-19 global pandemic in the United States, regardless of where the action or omission occurred.

“(b) RULE OF CONSTRUCTION.—A foreign state shall not be subject to the jurisdiction of the courts of the United States under subsection (a) on the basis of an omission or act that constitutes mere negligence.

“(c) JURISDICTION.—

“(1) EXCLUSIVE JURISDICTION.—The courts of the United States shall have exclusive jurisdiction in any action in which a foreign state is subject to the jurisdiction of a court of the United States under subsection (a).

“(2) ADDITIONAL AUTHORITY TO ISSUE ORDERS.—In addition to authority already granted by other laws, the courts of the United States shall have jurisdiction to make and issue any writ or order of injunction necessary or appropriate for the enforcement of this section, including pre-judgment injunctions related to transfer or disposal of assets.

“(d) INTERVENTION.—The Attorney General may intervene in any action in which a foreign state is subject to the jurisdiction of a court of the United States under subsection (a) for the purpose of seeking a stay of the civil action, in whole or in part.

“(e) STAY.—

“(1) IN GENERAL.—A court of the United States may stay a proceeding against a foreign state if the Secretary of State certifies that the United States is engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought. In exercising its discretion under this subsection, the court shall balance the interests of the United States with the interests of the plaintiffs in a timely review of their claims.

“(2) DURATION.—

“(A) IN GENERAL.—A stay under this section may be granted for not more than 180 days.

“(B) EXTENSION.—

“(i) IN GENERAL.—The Attorney General may petition the court for an extension of the stay for additional periods not to exceed 180 days.

“(ii) RECERTIFICATION.—A court may grant an extension under subparagraph (A) if the Secretary of State recertifies that the United States remains engaged in good faith discussions with the foreign state defendant concerning the resolution of the claims against the foreign state, or any other parties as to whom a stay of claims is sought. In choosing whether to grant an extension, the court shall balance the interests of the United States with the interests of the plaintiffs in a timely review of their claims.”

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any action or omission described in section 1605C of title 28, United States Code, as added by that subsection, that occurred before, on, or after the date of enactment of this Act.

(c) REMOVAL OF IMMUNITY FROM ATTACHMENT OR EXECUTION.—Section 1610 of title 28, United States Code, is amended—

(1) in subsection (a)(7), by striking “section 1605A or section 1605(a)(7) (as such section

was in effect on January 27, 2008)” and inserting “section 1605A, section 1605(a)(7) (as such section was in effect on January 27, 2008), or section 1605C”;

(2) in subsection (b)(2), by striking “or 1605(b)” and inserting “, 1605(b), or 1605C”;

(3) by striking subsection (d) and inserting the following:

“(d) The property of a foreign state, as defined in section 1603(a) of this chapter, used for a commercial activity in the United States, shall not be immune from attachment prior to the entry of judgment in any action brought in a court of the United States or of a State, or prior to the elapse of the period of time provided in subsection (c) of this section, if—

“(1) the foreign state has explicitly waived its immunity from attachment prior to judgment, notwithstanding any withdrawal of the waiver the foreign state may purport to effect except in accordance with the terms of the waiver;

“(2) the purpose of the attachment is to secure satisfaction of a judgment that has been or may ultimately be entered against the foreign state, and not to obtain jurisdiction; or

“(3) the attachment relates to a claim for which the foreign state is not immune under section 1605C.”; and

(4) in subsection (g)(1), in the matter preceding subparagraph (A), by striking “1605A” and inserting “1605A or 1605C”.

(d) CAUSE OF ACTION.—Any citizen or resident of the United States injured in his or her person, property, or business by reason of any reckless action or omission (including a conscious disregard of the need to report information promptly or deliberately hiding relevant information) of a foreign state, or of any official, employee, or agent of that foreign state while acting within the scope of his or her office, employment, or agency, that caused or substantially contributed to the COVID-19 global pandemic in the United States, regardless of where the action or omission occurred, may sue therefor in any appropriate district court of the United States and shall recover threefold the damages he or she sustains and the cost of the suit, including attorney’s fees.

(e) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—Any State, on its own behalf or on behalf of the citizens or residents of the State, may bring a civil action under subsection (d) in a district court of the United States. Nothing in this Act may be construed to prevent a State from exercising its powers under State law.

(f) TIME LIMITATION ON THE COMMENCEMENT OF CIVIL ACTION.—Notwithstanding any other provision of law, a civil action arising under subsection (d) may be commenced up to 20 years after the cause of action accrues.

(g) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 97 of title 28, United States Code, is amended by inserting after the item relating to section 1605B the following:

“1605C. Responsibility of foreign states for reckless actions or omissions causing the COVID-19 global pandemic in the United States.”.

**SA 2569.** Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 2499 proposed by Mr. McCONNELL to the bill S. 178, to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; which was ordered to lie on the table; as follows: